

INITIAL RECOMMENDATIONS

OCTOBER 2007 APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA



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INITIAL
RECOMMENDATIONS

OCTOBER 2007 APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

February 25, 2008

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INTRODUCTION

This report presents the Department of Planning and Zoning's initial recommendations addressing applications to amend the Comprehensive Development Master Plan (CDMP), which were filed for consideration during the October 2007 Plan Amendment Review Cycle. A total of five (5) applications were filed during this amendment cycle: four (4) map changes by private parties (Application Nos. 1 through 4) and one text (1) by the Miami-Dade County Department of Planning and Zoning (DP&Z) (Application No. 5). The report contains the recommendations for these 5 applications and the necessary background information and analyses on which the recommendations are based.

Application Review Process and Schedule of Activities

Following is a summary of the Plan review, amendment activities and schedule that will be followed by this cycle to comply with the CDMP procedural requirements contained in Section 2-116.1, Code of Miami-Dade County and State law. The Schedule of Activities lists the principal activities that will occur under this process and presents the timeframes for those activities in accordance with the State requirements and the County Code. The Development Impacts table contains a summary of the general information and development impacts associated with each Land Use Plan (LUP) map amendment application based on maximum potential land use development under the allowable possible scenarios for both the current and proposed CDMP designation. The table also summarizes the impacts based on the specific requests from the applicants especially on those applications with proffered Declaration of Restrictions (covenant).

For this amendment cycle, the application filing period was from October 1 through October 31, 2007. Miami-Dade County's adopted procedures allow for the filing of requests to amend all provisions of the CDMP during this time period except for changes to the Urban Development Boundary (UDB) at this time.

The CDMP amendment process involves two phases. The first phase occurs between the time applications are filed and the time the Board of County Commissioners (Board) conducts its first hearing and takes action to transmit applications to the Florida Department of Community Affairs (DCA) and other associated State agencies for possible review and comment, and/or adoption of eligible small-scale LUP map amendments on an expedited schedule. During the first phase, affected and neighboring property owners are notified of nearby LUP map amendment requests. Section 2-116.1 authorizes Community Councils to conduct public hearings and issue recommendations on applications that directly affect their areas. These hearings must be held before the Planning Advisory Board (PAB), acting as the County's "Local Planning Agency" and the Board.

The DP&Z will submit its initial recommendations to the PAB regarding each requested change, no later than February 25, 2008. Each Community Council in which a proposed amendment to the LUP map is located is scheduled to hold a public hearing to discuss the LUP map application(s) and may formulate recommendation(s) regarding the request(s) in March 2008.

The PAB is scheduled to hold a public hearing on April 28, 2008 to receive comments and recommendations on the proposed amendments, formulate recommendations to the Board regarding adoption of any requested small-scale amendments, transmittal of recommendations to the DCA of all other requested amendments and any small-scale requests that the PAB recommends to be considered further through the regular procedure. The Board is currently scheduled to hold a public hearing on May 29, 2008 to consider taking final action on the requested "small-scale" amendments, and to consider transmittal of the other requested amendment to DCA as well as any of the requested "small-scale" amendments that the Board elects to consider further through the regular procedure. DCA does not review adopted small-scale Land Use Plan map amendments for policy conformance or issue a Notice of Intent addressing compliance. Unless there is a citizen challenge, adopted small-scale amendments will become effective 31 days after adoption by the Board.

"Transmittal" of a proposed amendment to the State for initial review does not constitute adoption of requested amendments. A second phase of the review addressing the standard applications not adopted as small-scale amendments, begins after transmittal of the applications to the DCA and associated State agencies. The CDMP amendment procedures in Section 2-116.1 of the County Code provide that the DCA will be requested by the County to review and comment on all transmitted amendment proposals. The DCA is expected to return comments addressing all transmitted amendment proposals in August 2008, within approximately 75 days of the transmittal date. The PAB will then conduct its final public hearing(s) within 30 days after receiving comments from the DCA. No later than after 60 days of receiving comments from the DCA, the Board could conduct a public hearing and take final action on the applications. During the DCA review period, the DP&Z will also review comments received at the transmittal hearings and any additional submitted material and may issue a "Revised Recommendations" report reflecting any new information prior to the final public hearings. Final action by the Board will be to adopt, adopt with change, or not adopt each of the transmitted applications.

Outside this regular CDMP amendment process, requests to amend the CDMP can be requested by the Board under a special amendment process, or by a party having an application undergoing the Development of Regional Impact (DRI) process requesting a concurrent amendment to the CDMP. Procedures for processing such special or DRI-related amendments are established in Section 2-116.1 of the Miami-Dade County Code.

Small-Scale Amendments

A procedure is provided for the expedited processing of "Small-Scale" amendments as defined in Section 163.3187(1)(c), F.S. This procedure authorizes the Board to take final action on small-scale requests to amend the Land Use Plan Map at its May 29, 2008 public hearing. An amendment application is eligible for expedited processing as "small-scale" amendment under the following conditions:

1. The proposed amendment involves a land use of 10 acres or less and;
2. The cumulative effect of all adopted small-scale amendments shall not exceed a total of 120 acres annually in designated urban areas such as redevelopment and downtown revitalization areas, urban infill areas, transportation concurrency exception areas, and regional and urban activity centers, however, a 60-acre annual limitation applies to areas outside these specifically designated urban areas.
3. If the proposed amendment involves a residential land use, the use has a density limitation of 10 units per acre or less, unless the amendment is in a specifically designated urban area listed above;
4. The proposed amendment does not involve the same property more than once a year;
5. The proposed amendment does not involve the same owner's property within 200 feet of property granted a change within the prior 12 months;
6. The proposed amendment does not involve a text change to the plan, but only the future land use map;
7. The proposed amendment is not in an area of critical state concern; and
8. The proposal involves the construction of affordable housing units, meeting the affordability criteria of Section 420.0004(3), Florida Statutes, on property which will be the subject of a restricted land use agreement or extended use agreement recorded in conjunction with the issuance of tax exempt bond financing or allocation of federal tax credits through the Florida Housing Finance Corporation or a local housing finance authority authorized by the Division of Bond Finance of the State Board of Administration.

At the May 29, 2008 public hearing, the Board could elect to adopt or not adopt small-scale amendments; if it does not adopt a small-scale amendment, the Board may elect to transmit it to DCA for review along with the other non-small-scale amendment request and take final action in October 2008, after State-agency review. Of course, failure to adopt as a small-scale amendment or to transmit effectively denies approval of the application.

Additional Information

Anyone having questions regarding any aspect of the CDMP review and amendment process should visit or call the Metropolitan Planning Section of the Miami-Dade County Department of Planning and Zoning at 111 NW 1st Street, Suite 1220; Miami, Florida 33128-1972; telephone 305/375-2835.

**SCHEDULE OF ACTIVITIES
OCTOBER 2007-2008 CDMP AMENDMENT CYCLE**

Pre-application Conference for the Private Sector	September 1- September 30, 2007
Application Filing Period	October 1- October 31, 2007
Deadline to withdraw Application and obtain Return of Full Fee. Notify applicants of deficiencies.	November 7, 2007
Deadline for Resubmittal of unclear or Incomplete Applications	Seventh business day after notice of deficiency (November 16, 2007)
Applications Report published by DP&Z	December 5, 2007
Deadline for Submittal of Technical Reports	December 29, 2007
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	January 28, 2008
Initial Recommendations Report released by DP&Z	February 25, 2008
Community Council(s) Public Hearing(s)	See specific dates below
Northeast Community Council (2) Application Nos. 1 and 2	7:00 pm, Wednesday, March 19, 2008 Highland Oaks Park 20300 NE 24 Avenue
North Central Council (8) Application No. 3	6:00 p.m., Wednesday, March 26, 2008 Dr. Martin Luther King, Jr. Office Bldg 2525 NW 62 Street
Kendall Community Council (12) Application No. 4	6:30 p.m., Wednesday, March 19, 2008 Kendall Branch Library 9101 SW 97 Avenue
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Hearing to formulate Recommendations regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	2:00 p.m., Monday, April 28, 2008* County Commission Chamber 111 NW 1st Street
Board of County Commissioners, Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	9:30 a.m., Thursday, May 29, 2008* County Commission Chamber 111 NW 1 Street
Transmittal to DCA for comment	June, 2008**
Deadline for Filing Supplementary Reports by the Public	Forty-five (45) days after Commission transmittal hearing
Receipt of DCA Objections, Recommendations and Comments (ORC) report	August, 2008** (Approximately 75 days after transmittal)
Public Hearing and Final Recommendations: Planning Advisory Board (Local Planning Agency)	September 15, 2008* (Within 30 days after DCA ORC report received)
Public Hearing and Final Action on Applications: Board of County Commissioners	October 2, 2008* (No later than 60 days after receipt of DCA ORC report)

Note: * Date is subject to change. All hearings will be noticed by newspaper advertisement.

 ** Estimated Date

AREAS SUBJECT TO OCTOBER 2007 CYCLE APPLICATIONS TO AMEND THE CDMP LAND USE PLAN MAP

Legend

- 2015 Urban Development Boundary
- 2025 Urban Expansion Area
- ④ Application General Location

Scale: 0 1.5 3 6 Miles

SOURCE: MIAMI-DADE COUNTY, DEPARTMENT OF PLANNING AND ZONING, 2007

**DEVELOPMENT IMPACTS
OCTOBER 2007/2008 CYCLE APPLICATIONS TO AMEND THE CDMP
MIAMI-DADE COUNTY**

Application #	1	2	3	4
Type	Small-Scale	Small-Scale	Small-Scale	Small-Scale
MSA	2.1	2.1	4.2	5.5
TAZ (2000)	72	72	444	1173
S-T-R	34-51-42	34-51-42	22-53-41	06-55-40
Gross/Net Acres	1.12 / 0.85	2.98 / 2.23	5.50 / 4.536	2.5 / 2.1
Existing Zoning	RU-2	RU-2	RU-2	AU
Existing Uses	1. Two family (duplexes); and 2. Vacant	1. Single family; 2. Two family (duplexes); and 3. Vacant	1. Vacant; and 2. Two family (duplexes)	1. Single family
Current CDMP Designation	"Low-Medium Density (6 to 13 DU/gross acre)"	"Low-Medium Density (6 to 13 DU/gross acre)"	"Medium Density (13 to 25 DU/gross acre)"	"Estate Density (1 to 2.5 DU/gross acre)"
Current Potential Development	58,544.64 sq. ft., Offices, 198 employees OR 14 d.u. SF attached, 39 Pop	116,566.6 sq. ft., Offices, 395 employees OR 38 d.u. SF attached, 105 Pop	137 d.u. MF, 311 Pop	6 d.u. SF detached, 18 Pop
Est. Students	0 OR 7	0 OR 20	59	3
Proposed CDMP Designation	"Office/Residential"	"Office/Residential"	"Medium-High Density (25 to 60 DU/gross acre)"	"Office/Residential"
Proposed Potential Development	18,513 sq. ft., Offices, 63 employees OR 28 d.u. MF, 46 Pop	48,569 sq. ft., Offices, 165 employees OR 74 d.u. MF, 121 Pop	330 d.u. MF, 749 Pop OR 280 d.u. MF, 636 Pop***	45,738 sq. ft., Offices, 155 employees OR 7 d.u. SF attached, 22 Pop* OR 15 d.u. SF detached, 46 Pop**
Est. Students	0 OR 5	0 OR 13	142 OR 120	0 OR 2 OR 7
Change Current to Proposed	-Residential +Office/Residential	-Residential +Office/Residential	No Change	-Residential +Office/Residential

Source: Miami-Dade Department of Planning and Zoning, Metropolitan Planning Section, November 2007

Factors Utilized
Floor Area Ratio: Business 0.4; Industrial 0.5; Office 0.5
Employment: Office 3.39/1,000 sq. ft.
Retail 1/400 sq. Ft.
Industrial 1.28/1,000 sq. ft.
Population/DU: MSA data for S.F. & M.F./DU.
Students: MSA data for S.F. & M.F./DU.

Source
Miami-Dade County Zoning Code, DP&Z
ITE 5th Edition (Office 100,000 sq. ft. or less)
Retail Trade Survey, DDA
ITE 5th Edition (Warehouse)
U.S. Census 2000
U.S. Census 2000

NOTES

(OR) indicates additional development scenarios

Residential impacts calculated using gross acreage; non-residential impacts calculated using net acreage

*Development allowed as per severable use right, County Code Section No. 33B-45(g)(5)

**Maximum development scenario without proffered covenant

***Development scenario with proffered covenant

**Summary of Recommendations by DP&Z, Community Councils, PAB and BCC
On the Proposed October 2007 Applications to Amend the CDMP**

Application Number/ Type of Application	Applicant, Location, Requested Designation and Size	BCC District/ Commissioner	DPZ Initial Recommendation February 25, 2008	Community Council Recommendation, with Resolution No. & date	Local Planning Agency Recommendation April 28, 2008	Board of County Commissioners Recommendation May 29, 2008
1 Small-Scale LUP Map	209th Street Associates, LLC/Juan J. Mayol, Esq. and Tracy Slavens, Esq. Northwest corner of NE 209 Street and NE 26 Court; 1.12 gross acres From: Low-Medium Density Residential (6-13 DU/Ac) To: Office/Residential	4/ Heyman	Adopt	Northeast Community Council (CC2)		
2 Small-Scale LUP Map	Aventura Commons, II, LLC/Juan J. Mayol, Esq. and Tracy Slavens, Esq. An area between NE 205 and NE 206 Streets on the east side of NE 26 Avenue; 2.98 gross acres From: Low-Medium Density Residential (6-13 DU/Ac) To: Office/Residential	4/ Heyman	Deny	Northeast Community Council (CC2)		
3 Small-Scale LUP Map	Urban League of Greater Miami/Jeffrey Bercow Esq. & Matthew Amster, Esq. An area between NW 51 and NW 53 Streets and between NW 23 Court and NW 24 Avenue; 5.5 gross acres From: Medium Density Residential (13-25 DU/Ac) To: Medium-High Density Residential (25-60 DU/Ac)	6/ Rolle	Deny	North Central Community Council (CC8)		
4 Small-Scale LUP Map	Alfredo Garcia Menocal/Stanley B. Price, Esq. Northeast corner of SW 117 Avenue and SW 95 Street; 2.5 gross acres From: Estate Density (1-2.5 DU/Ac) To: Office/Residential	8/ Sorenson	Deny	Kendall Community Council (12)		
5 Standard Text	Updates to Population Estimates and Projections	Countywide	Adopt and Transmit	NA		