

INITIAL RECOMMENDATIONS

OCTOBER 2010 APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA



THIS PAGE INTENTIONALLY LEFT BLANK

INITIAL
RECOMMENDATIONS

OCTOBER 2010 APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

February 25, 2011

Miami-Dade County Department of Planning and Zoning
1110 Stephen P. Clark Center
111 NW 1 Street
Miami, Florida 33128-1972
(305) 375-2835

Carlos Alvarez
Mayor

MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

Joe A. Martinez
Chairman

Audrey M. Edmonson
Vice Chairwoman

Barbara J. Jordan
District 1
Jean Monestime
District 2
Audrey M. Edmonson
District 3
Sally A. Heyman
District 4
Bruno A. Barreiro
District 5
Rebeca Sosa
District 6
Carlos A. Gimenez
District 7

Lynda G. Bell
District 8
Dennis C. Moss
District 9
Sen. Javier D. Souto
District 10
Joe A. Martinez
District 11
José "Pepe" Diaz
District 12
Natacha Seijas
District 13

George M. Burgess
County Manager

R. A. Cuevas, Jr.
County Attorney

Harvey Ruvin
Clerk of the Courts

MIAMI-DADE COUNTY PLANNING ADVISORY BOARD

Wayne Rinehart
Chair

William Riley
Vice-Chair

Reginald J. Clyne
Antonio Fraga
Pamela Gray
Horacio Huembes
Carla Ascencio-Savola

Rolando Iglesias
Joseph James
Daniel Kaplan
Serafin Leal

Raymond Marin
Georgina Santiago
Paul O'Dell
Kimberly Ogren

Ivan Rodriguez, School Board Representative, *Non-Voting Member*
Larry Ventura, Homestead Air Reserve Base Representative, *Non-Voting Member*

Marc C. LaFerrier, A.I.C.P., Director
Executive Secretary

Miami-Dade County provides equal access and equal opportunity in employment and services and does not discriminate on the basis of disability. "It is the policy of Miami-Dade County to comply with all of the requirements of the Americans with Disabilities Act."

TABLE OF CONTENTS

	<u>Page</u>
Introduction -----	iii
Schedule of Activities -----	v
Recommendations Summary Chart-----	vii
Land Use Plan Map Amendments	
Application No. 1 GRM Acquisition Corp. -----	1-1
Application No. 2 SunTrust Bank -----	2-1
Application No. 3 Wal-Mart Stores East, LP -----	3-1

THIS PAGE INTENTIONALLY LEFT BLANK

INTRODUCTION

This report contains the initial recommendations by the Department of Planning and Zoning (DP&Z) addressing applications to amend the Comprehensive Development Master Plan (CDMP), which were filed for consideration during the October 2010 Plan Amendment Review Cycle. A total of three (3) applications were filed during this amendment cycle, all by private parties. Application Nos. 1 and 2 are small-scale Land Use Plan (LUP) map amendment requests while Application No. 3 is a standard LUP map amendment request. The report also contains the necessary background information and analyses upon which the initial 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 on page v lists the principal activities that will occur under this process and indicates the timeframes for those activities in accordance with the State requirements and the County Code. For this amendment cycle, the application filing period extended from October 1 through November 1, 2010.

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 standard applications to the Florida Department of Community Affairs (DCA) and other associated State agencies for possible review and comment, and/or adopt eligible small-scale Land Use Plan (LUP) map amendments on an expedited schedule. During the first phase, affected and neighboring property owners are notified of the 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, 2011. 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 2011. The PAB is scheduled to hold a public hearing on April 25, 2011 to receive comments and recommendations on the proposed amendments, and to formulate recommendations to the Board regarding adoption of the eligible small-scale amendments and transmittal to DCA. The Board is currently scheduled to hold a public hearing on May 18, 2011 taking final action on the eligible small-scale amendments, and to consider transmittal of the other requested amendments to DCA. "Transmittal" of a proposed amendment to the State for initial review does not constitute adoption of requested amendments.

The second phase of the review, addressing the standard applications, 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 2011,

approximately within 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 60 days after 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 made 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.

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.

TABLE 1
SCHEDULE OF ACTIVITIES
OCTOBER 2010-2011 CDMP AMENDMENT CYCLE

Pre-application Conference	Prior to November 1, 2010
Application Filing Period	October 1- November 1, 2010
Deadline to withdraw Application and obtain Return of Full Fee. Notify applicant of deficiencies.	November 8, 2010
Deadline for resubmittal of unclear or incomplete Applications	Seventh business day after Notice of Deficiency
Applications Report published by DP&Z	December 6, 2010
Deadline for submitting Technical Reports	December 30, 2010
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	January 28, 2011
Initial Recommendations Report released by DP&Z	February 25, 2011
Community Council(s) Public Hearing(s)	
Biscayne Shores Community Council	March 23, 2011
Westchester Community Council	March 9, 2011
South Bay Community Council (CC 15)	March 29, 2011
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Public Hearing to formulate Recommendations regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	April 25, 2011 County Commission Chamber 111 NW 1st Street Miami, Florida 33128
Board Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	May 18, 2011 County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Transmittal to DCA for State review	May or June 2011**
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 2011** (Approximately 75 days after transmittal)
Public Hearing and Final Recommendations: Planning Advisory Board (Local Planning Agency)	Specific date(s) to be set September 2011** (Within 30 days after receipt of DCA ORC report)
Public Hearing and Final Action on Applications: Board of County Commissioners	Specific date(s) to be set in October 2011** (No later than 60 days after receipt of DCA ORC report)

Note: ** Estimated Date. All hearings will be noticed by newspaper advertisement.

Summary of Initial Recommendations
October 2010 Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida
February 25, 2011

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	DP&Z Initial Recommendation February 25, 2011	Community Council Recommendation, Resolution # and Date	Local Planning Agency Recommendation April 25, 2011	BCC Recommendation May 18, 2011
1/ Small-Scale	GRM Acquisition Corp./Joseph G. Goldstein, Esq. and Tracy R. Slavens, Esq. West side of Biscayne Blvd. at theo. NE 112 Street and east of NE 14 Avenue From: Business and Office and Low-Medium Density Residential To: Business and Office	4/ Heyman	Adopt as a Small-Scale Amendment			
2/ Small-Scale	SunTrust Bank/Jeffrey Bercow, Esq. and Graham Penn, Esq. Southwest corner of SW 83 Avenue and SW 40 Street 1. From: Business and Office and Low Density Residential To: Business and Office 2. Add the Declaration of Restrictions to the Restrictions Table in the Land Use Element	10/ Souto	Adopt as a Small-scale Amendment with Acceptance of the Proffered Declaration of Restrictions			
3/ Standard	Wal-Mart Stores East, LLP/ Augusto E. Maxwell, Esq. and Joel E. Maxwell, Esq. Southeast corner of SW 137 Avenue and SW 288 Street From: Business and Office and Low Density Residential (2.5 to 6 du/ac) To: Business and Office	9/ Moss	Transmit with Acceptance of the Proffered Declaration of Restrictions and Adopt			

Source: Miami-Dade County Department of Planning and Zoning

Notes: DP&Z - Department of Planning and Zoning; BCC - Board of County Commissioners

THIS PAGE INTENTIONALLY LEFT BLANK