

# **INITIAL RECOMMENDATIONS**

## **OCTOBER 2011 APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

**FOR MIAMI-DADE COUNTY, FLORIDA**



THIS PAGE INTENTIONALLY LEFT BLANK

INITIAL  
RECOMMENDATIONS

OCTOBER 2011 APPLICATIONS TO AMEND THE  
COMPREHENSIVE DEVELOPMENT MASTER PLAN

February 25, 2012

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

**Carlos A. Gimenez**  
*Mayor*  
**MIAMI-DADE BOARD OF COUNTY COMMISSIONERS**

**Joe A. Martinez**  
*Chairman*

**Audrey M. Edmonson**  
*Vice Chairman*

**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*

**Xavier L. Suarez**  
*District 7*

**Lynda G. Bell**  
*District 8*

**Dennis C. Moss**  
*District 9*

**Sen. Javier D. Souto**  
*District 10*

**Joe A. Martinez**  
*District 11*

**Jose "Pepe" Diaz**  
*District 12*

**Esteban Bovo, Jr.**  
*District 13*

**R. A. Cuevas, Jr.**  
*County Attorney*

**Harvey Ruvin**  
*Clerk of Courts*

**MIAMI-DADE COUNTY PLANNING ADVISORY BOARD**

**Wayne Rinehart**  
*Chair*

**William Riley**  
*Vice-Chair*

Reginald J. Clyne  
Aida G. Bao-Garciga  
Horacio Carlos Huembes  
Carla Ascencio-Savola  
Jose Bared

Rolando Iglesias  
Joseph James  
Daniel Kaplan  
Serafin Leal

Raymond Marin  
Paul O'Dell  
Kimberly Ogren  
Georgina Santiago  
Peter DiPace

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

**Jack Osterholt, Interim 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
<b>Comprehensive Development Master Plan Amendments</b>	
Application No. 1    Rosal Westview, LLC -----	1-1
Application No. 2    Kendall Investors 172, LLC -----	2-1
Application No. 3    Ram Development Company -----	3-1
Application No. 4    Cemex Construction Materials Florida, LLC -----	4-1

THIS PAGE INTENTIONALLY LEFT BLANK

# INTRODUCTION

This report contains the initial recommendations by the Sustainability, Planning and Economic Enhancement (Department) addressing applications to amend the Comprehensive Development Master Plan (CDMP), which were filed for consideration during the October 2011 Plan Amendment Review Cycle. A total of four (4) applications were filed during this amendment cycle, all by private parties. Application Nos. 1 and 3 are standard Land Use Plan (LUP) map amendment requests. Application Nos. 2 and 4 are standard Land Use Element (LUE) text amendment requests. Application No. 2 seeks to release and delete a previously accepted Declaration of Restrictions and Application No. 4 seeks to amend the Agriculture land use category text. 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 3 through October 31, 2011.

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 public hearing. At its first hearing, the Board will take action addressing transmittal of the standard applications to the State Land Planning Agency (SLPA) and other State and Regional agencies (reviewing agencies) for review and comment, and/or adopt eligible small-scale LUP map amendments on an expedited schedule. No small-scale amendment applications were filed in this cycle in this October 2011 CDMP amendment cycle. During the first phase, affected and neighboring property owners are notified of the nearby LUP map amendment requests. The Department will issue its initial recommendations regarding each requested change no later than February 25, 2012 and submit the report to the Community Councils (CC), Planning Advisory Board (PAB) and the Board of County Commissioners (Board) for their consideration during their public hearings.

Section 2-116.1 authorizes Community Councils to conduct public hearings and issue recommendations on the applications that directly affect their areas. The Community Council public hearings for this CDMP amendment cycle must be held in, and are currently scheduled for, March 2012 before the PAB, acting as the County's Local Planning Agency, and the Board conduct their first public hearings. The PAB is scheduled to hold a public hearing on April 16, 2012 to receive comments and recommendations on the proposed amendments, and to formulate recommendations to the Board regarding transmittal to the reviewing agencies. The Board is currently scheduled to hold a public hearing on May 16, 2012 to consider transmittal of the requested amendments to the reviewing agencies. "Transmittal" of a proposed amendment to the reviewing agencies does not constitute adoption of the requested amendment.

The second phase of the amendment process begins after transmittal of the applications to the reviewing agencies. The CDMP amendment procedures in Section 2-116.1 of the County Code

provide that the SLPA will be requested by the County to review and comment on all transmitted amendment proposals. The SLPA and/or the other reviewing agencies are expected to return comments addressing all transmitted amendment proposals in July 2012, approximately 45 days after the transmittal date pursuant to Chapter 163.3184(3), Florida Statutes. The PAB will then conduct its final public hearing(s) within 30 days after receiving comments from the reviewing agencies. No later than 60 days after receiving comments from the reviewing agencies, the Board could conduct a public hearing and take final action on the applications. During the review period by the reviewing agencies, the Department 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 any 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 Sustainability, Planning and Economic Enhancement Department at 111 NW 1st Street, 12<sup>th</sup> Floor, Miami, Florida 33128-1972; telephone 305/375-2835.



**TABLE 1  
SCHEDULE OF ACTIVITIES  
OCTOBER 2011 CDMP AMENDMENT CYCLE**

Pre-application Conference	Prior to October 3, 2011
Application Filing Period	October 3 to October 31, 2011
Deadline to withdraw Application and obtain Return of Full Fee. Notify applicant of deficiencies.	November 7, 2011
Deadline for resubmittal of unclear or incomplete Applications	Seventh business day after Notice of Deficiency
Applications Report published by SPEED	December 2, 2011
Deadline for submitting Technical Reports	December 30, 2011
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	January 28, 2012
Initial Recommendations Report released by SPEED	February 25, 2012
Community Council(s) Public Hearing(s)	
Redland Community Council (CC 14)	March 14, 2012
West Kendall Community Council (CC 11)	March 20, 2012
North Central Community Council (CC 8)	March 28, 2012
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Public Hearing to formulate Recommendations regarding Transmittal of Amendment requests to the State Land Planning Agency (SLPA)	April 16, 2012* County Commission Chamber 111 NW 1st Street Miami, Florida 33128
Board of County Commissioners (Board) Public Hearing on Transmittal of Amendment requests to SLPA and other state and regional agencies (reviewing agencies)	May 16, 2012* County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Transmittal to Reviewing Agencies	May 2012**
Deadline for Filing Supplementary Reports by the Public	Forty-five (45) days after Board's transmittal hearing
Receipt of Comments from Reviewing Agencies	July 2012* (Approximately 45 days after transmittal)
Public Hearing and Final Recommendations: (PAB)	Specific date(s) to be set August 20, 2012 (Within 30 days after receipt of comments from the reviewing agencies)
Public Hearing and Final Action on Applications: Board	Specific date(s) to be set in October 3, 2012* (No later than 60 days after receipt of comments from the reviewing agencies)

Notes:

\* Dates are subject to change

\*\* Estimated Date;

All hearings will be noticed by newspaper advertisement.



**Summary of Initial Recommendations**  
**October 2011 Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida**  
**May 16, 2012**

<b>Application Number/ Type</b>	<b>Location/Acreage/ Requested Amendment</b>	<b>BCC District/ Commissioner</b>	<b>SPEED Initial Recommendation February 25, 2012</b>	<b>Community Council Recommendation, Resolution # and Date</b>	<b>Local Planning Agency Recommendation April 16, 2012</b>	<b>BCC Recommendation May 16, 2012</b>
1/ Standard	<p>Rosal Westview, LLC/Jeffrey Bercow, Esq. &amp; Melissa Tapanes Llahues, Esq.</p> <p>NW 22 Avenue and NW 27 Avenue and between NW 107 Street and NW 132 Street</p> <p>Requested Amendment to the CDMP</p> <p>1. Redesignate application site on the LUP map  From: Parks and Recreation and Low Medium Density Residential  To: Industrial and Office &amp; Business and Office</p> <p>2. Revise the Restrictions Table in the Land Use Element on page I-74.1 of the CDMP to include a proffered Declaration of Restrictions, if accepted by the Board</p>	2/ Monestime	Transmit with Acceptance of the Proffered Declaration of Restrictions and Adopt	CC8 Deny and Do not Transmit (CC 8-01-12) March 28, 2012	Transmit with the Proffered Declaration of Restrictions with instructions that the applicant work with the Parks Recreation and Open Space Department to incorporate parkland on the site, Miami-Dade Transit to provide a park-and-ride facility, and the neighbors to achieve a compromise and further restrict and/or modify the application including the types of uses and intensity of uses accordingly.	Transmit with the Proffered Declaration of Restrictions and Deny
2/ Standard	<p>Kendall Investors 172, LLC/Juan J. Mayol, Esq.</p> <p>South side of SW 88 Street lying west of SW 167 Avenue</p> <p>Requested Amendment to the CDMP</p> <p>Release and delete current Declaration of Restrictions that prohibits residential development on the 42-acre application area from the Restrictions Table in the Land Use Element on Page I-74.5 (April 2007 Cycle Application No. 8)</p>	11/ Martinez	Transmit and Adopt	CC11 Transmit and Adopt (CC 11-01-12) March 20, 2012	Transmit and Adopt	Transmit and Adopt

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	SPEED Initial Recommendation February 25, 2012	Community Council Recommendation, Resolution # and Date	Local Planning Agency Recommendation April 16, 2012	BCC Recommendation May 16, 2012
3/ Standard	<p>RAM Development Company/Juan J. Mayol, Esq., Joseph G. Goldstein, Esq. &amp; Tracy R. Slavens, Esq.</p> <p>Southwest corner of SW 152 Street and SW 124 Avenue</p> <p>Requested Amendment to the CDMP</p> <p>1. Redesignate Parcel A (±67.89 gross acres) of overall application site on the LUP map From: Low-Medium Density Residential To: Business and Office</p> <p>2. Release current Declaration of Restrictions governing the overall application site</p> <p>3. Revise the Restrictions Table in the Land Use Element on page I-74.1 of the CDMP to include the new proffered Declaration of Restrictions, if accepted by the Board</p>	9/ Moss	Transmit with Acceptance of the Proffered Declaration of Restrictions and Adopt	CC14 No Quorum March 14, 2012	Transmit with Acceptance of the Proffered Declaration of Restrictions and Adopt	Transmit with Acceptance of the Proffered Declaration of Restrictions and Adopt
4/ Standard	<p>Cemex Construction Materials Florida, LLC/Kerri L. Barsh, Esq</p> <p>Requested Amendment to the CDMP</p> <p>1. Revise the third paragraph of the "Agriculture" land use category text, on page I-59 of the Land Use Element, which reads "Existing quarrying and ancillary uses in the Agriculture area may continue operation and be considered for approval of expansion". This is to exempt existing quarrying and ancillary uses and the expansion thereof in areas designated Agriculture from the requirements of Land Use Element Policy LU-3F.</p>	Countywide	Deny and Do Not Transmit	Not Applicable	Deny and Do Not Transmit	Withdrawn by the Applicant by Letter dated May 14, 2012

Source: Miami-Dade County Sustainability, Planning and Economic Enhancement Department (Department)

Notes: BCC: Miami-Dade Board of County Commissioners  
CC8: North Central Community Council  
CC11: West Kendall Community Council  
CC14: Redland Community Council