

INITIAL RECOMMENDATIONS

NOVEMBER 2014 APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA



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RECOMMENDATIONS

NOVEMBER 2014 APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

March 2015

Miami-Dade County
Department of Regulatory and Economic Resources
Stephen P. Clark Center
111 NW 1 Street, 12th Floor
Miami, Florida 33128-1972
(305) 375-2835

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INTRODUCTION

This report contains the initial recommendations of the Department of Regulatory and Economic Resources (Department) addressing applications to amend the Comprehensive Development Master Plan (CDMP), which were filed for consideration during the November 2014 Plan Amendment Review Cycle. A total of seven (7) applications were filed, all by private parties, during the November 2014 Cycle filing period. Application Nos. 1, 2, 3, 4, and 5 are eligible and are seeking expedited processing as small-scale amendments. Application Nos. 6 and 7 are standard applications seeking to modify recorded CDMP Declaration of Restrictions (covenants); Application No. 7 also seeks to amend the CDMP LUP map. A summary of each application is presented in the Summary of Recommendations matrix on Page vii.

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 occurred from November 3 through December 1, 2014.

The CDMP amendment process involves two phases. The first phase occurs between the time applications are filed and the time Miami-Dade Board of County Commissioners (Board) conducts its first public hearing. At its first hearing, the Board will take action addressing transmittal of the standard application(s) 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. During the first phase, affected and neighboring property owners are notified of the nearby LUP map amendment request(s). The Department will issue its initial recommendations regarding each requested change by February 25, 2015, and submit the report to the Community Councils, the Planning Advisory Board (PAB) and the 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 Councils public hearings for this CDMP amendment cycle must be held in, and are currently scheduled for March 2015, before the PAB, acting as the County's Local Planning Agency, and the Board conduct their public hearings. The PAB is scheduled to hold a public hearing on April 20, 2015, to receive comments and recommendations on the proposed amendments, and to formulate recommendations to the Board regarding the adoption of the eligible small-scale amendment Application Nos. 1, 2, 3, 4 and 5 and the transmittal of standard amendments Application Nos. 6, and 7. The Board is currently scheduled to hold a public hearing on May 6, 2015, to consider adoption of the eligible small-scale amendments and the transmittal of the standard amendments and any small-scale amendments the Board would like to further consider after receiving comments from 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 application(s) 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 by July 2015, approximately 45 days after the transmittal hearing pursuant to Chapter 163.3184(3), Florida Statutes. Within 45 days after receiving comments from the reviewing agencies, or other time period determined by the Director of the Department, the Board will conduct a public hearing and take final action on the transmitted 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 "Final 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 of 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 Regulatory and Economic Resources at 111 NW 1st Street, 12th Floor, Miami, Florida 33128-1972; telephone 305/375-2835.

Additional Information

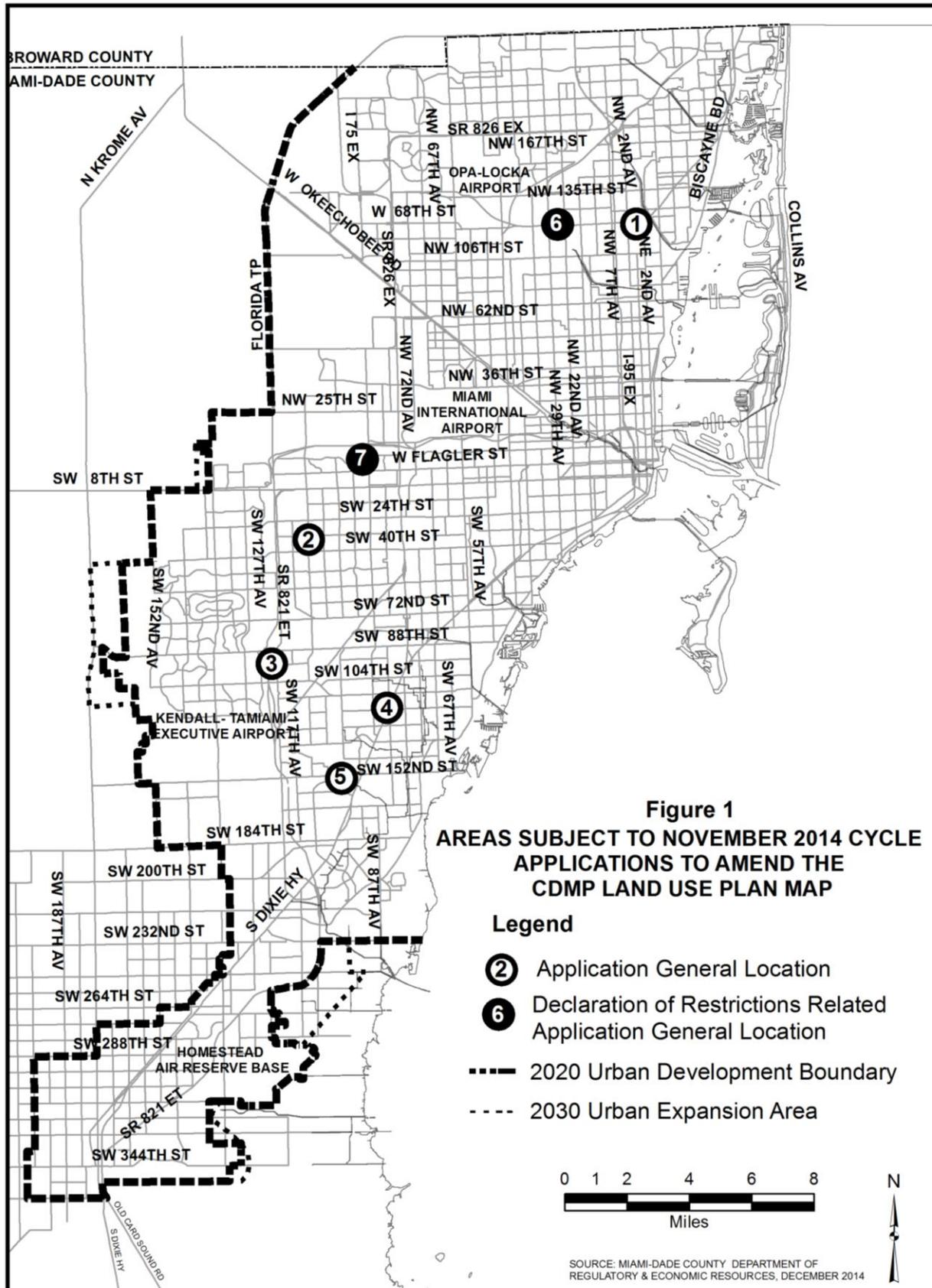
Anyone having questions regarding any aspect of the CDMP review and amendment process should visit or call the Metropolitan Planning Section of the Miami-Dade County Department of Regulatory and Economic Resources at 111 NW 1st Street, 12th Floor, Miami, Florida 33128-1972; telephone 305/375-2835.

Table 1
Schedule of Activities
November 2014-2015 CDMP Amendment Cycle

Pre-application Conference	Prior to Filing Application
Application Filing Period	November 3 to December 1, 2014
Deadline to withdraw Application and obtain return of full Fee. Notify applicant of deficiencies.	December 8, 2014
Deadline for resubmittal of unclear or incomplete Applications	Seventh business day after Notice of deficiency
Applications Report published by Department	December 19, 2014
Deadline for submitting Technical Reports	December 23, 2014
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	December 23, 2014
Initial Recommendations Report released by the Department	February 25, 2015
Community Council(s) Public Hearing(s) North Central Community Council (8) Redland Community Council (14) Westchester Community Council (10) Kendall Community Council (12) West Kendall Community Council (11)	March 23, 2015 March 25, 2015 March 26, 2015 March 30, 2015 March 31, 2015
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 State Land Planning Agency (SLPA)	April 20, 2015 County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Board of County Commissioners (Board) Hearing and final Action on Small-Scale Amendments and Transmittal of Standard Amendment requests to SLPA	May 6, 2015 County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Transmittal to SLPA and other Reviewing Agencies	May 2015 (Approximately 10 days after Board Transmittal Hearing)
Deadline for Filing Supplementary Reports by the Public	June 2015 Thirty (30) days after Board's transmittal hearing
Receipt of Comment Letters from Reviewing Agencies	July 2015 (Approximately 30 days after Transmittal)
Public Hearing and Final Action on Applications: Board of County Commissioners	July 22, 2015 (No later than 45 days after receipt of Comment Letters from reviewing agencies)

Notes

All hearings will be noticed by newspaper advertisement.



Summary of Recommendations
November 2014 Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida
March 2015

Application Number / Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation March 2015	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation April 20, 2015	BCC Action/ Recommendation May 6, 2015
1 / small-scale	Barry University, Inc. / Stanley B. Price, Esq. & Carter N. McDowell, Esq. Between NE/NW 115 Street and NE/NW 116 Street and between NE 2 Avenue and NW 2 Avenue / (±8.1 gross; ±8.1 net) <u>Requested Amendment to the LUP Map:</u> From: "Low Density Residential (2.5 to 6 DU/Ac.)" To: "Office/Residential"	3 / Edmonson	Adopt as a Small-Scale Amendment			
2 / small-scale	TRR Everglades, LLC. / Patricia M. Baloyra, Esq. Southeast corner of the intersection of SW 40 Street and SW 107 Avenue / (±2.38 gross; ±2.38 net) <u>Requested Amendment to the LUP Map:</u> 1. From: "Low Density Residential (2.5 to 6 DU/Ac.)" To: "Business and Office" 2. Add proffered Declaration of Restrictions to the Restrictions Table in Appendix A on Page I-95 of the CDMP Land Use Element.	10 / Souto	Adopt with Acceptance of the Proffered Declaration of Restrictions as a Small-Scale Amendment			
3 / small-scale	Hamlet T. Mendez & Rosanna Mendez / Jorge Navarro, Esq. East side of SW 120 Avenue at theoretical SW 91 Street / (±0.47 gross; ±0.44 net) <u>Requested Amendment to the LUP map:</u> From: "Low Density Residential (2.5 to 6 DU/Ac.)" To: "Medium Density Residential (13 to 25 DU/Ac.)"	7 / Suarez	Adopt with Change as a Small-Scale Amendment			

Application Number / Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation March 2015	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation April 20, 2015	BCC Action/ Recommendation May 6, 2015
4 / small-scale	<p>South Dixie and 122, LLC. / Hugo P. Arza, Esq. & Alejandro Arias, Esq.</p> <p>West of U.S. 1 at the northwest corner of SW 122 Street and the South Dade Busway / (±1.59 gross; ±1.59 net)</p> <p><u>Requested Amendment to the LUP Map:</u></p> <p>From: "Estate Density Residential (1 to 2.5 DU/Ac.)"</p> <p>To: "Low-Medium Density Residential (6 to 13 DU/Ac.)"</p>	8 / Levine Cava	Adopt as a Small-Scale Amendment			
5 / small-scale	<p>Village at Coral Reef, LLC. / Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., and Alejandro Arias, Esq.</p> <p>Location: North of SW 152 Street and 330 feet west of SW 97 Avenue / (±5.12 gross; ±4.76 net)</p> <p><u>Requested Amendment to the LUP Map:</u></p> <p>1. From: "Low Density Residential (2.5 to 6 DU/Ac.)"</p> <p>To: "Medium Density Residential with One Density Increase (DI-1; 25 to 60 dwelling units per gross acre with good urban design)"</p> <p>2. Add proffered Declaration of Restrictions to the Restrictions Table in Appendix A on Page I-95 of the CDMP Land Use Element.</p>	9 / Moss	Adopt with Acceptance of the Proffered Declaration of Restrictions as a Small-Scale Amendment			

Application Number / Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation March 2015	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation April 20, 2015	BCC Action/ Recommendation May 6, 2015
6 / standard	<p>Rosal Westview, LLC. / Jeffrey Bercow Esq. & Gianeli Mestre, Esq.</p> <p>Between NW 22 and 27 Avenues and between NW 132 and NW 107 Streets / (±196.49 gross; ±180.4 net)</p> <p><u>Requested Amendment to CDMP text</u></p> <p>Modify existing Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element regarding the October 2011 Cycle Application No. 1 (Declaration of Restrictions recorded in Book 28896 Pages 1971-2007 of the Official Records) pertaining to the perimeter buffer, vehicular access, an alternative program to FDOT's "Adopt a Highway" program, and the applicability or conditions to each parcel in the application area.</p>	2 / Monestime	Transmit with Change and Adopt			

Application Number / Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation March 2015	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation April 20, 2015	BCC Action/ Recommendation May 6, 2015
7 / standard	<p>Keep Bleau Green Committee, Inc. / Felix Lasarte, Esq.</p> <p>North of Fontainebleau Boulevard and west of NW 87 Avenue (±112.0 gross; ±110.0 net)</p> <p><u>Requested Amendment to CDMP Text and LUP Map:</u></p> <ol style="list-style-type: none"> 1. Modify existing Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, regarding April 2004 CDMP Amendment Cycle Application No. 3, to exclude the 5-acre Parcel A. (Declaration of Restrictions recorded in Book 23413 Page 1136 of Miami-Dade County Official Records – as modified by the First Modification to the Declaration of Restrictions recorded on Book 26955, Page 908 of Official Records); and 2. Redesignate Parcel A: From: "Parks and Recreation" To: "Medium Density Residential (13 to 25 DU/Ac.)" 3. Add two proffered Declarations of Restrictions to the Restrictions Table in Appendix A on Page I-95 of the CDMP Land Use Element. 	10 / Souto	Transmit and Adopt with Acceptance of the Proffered Declarations of Restrictions			

Notes:

BCC: Board of County Commissioners; PAB/LPA: Planning Advisory Board, acting as the Local Planning Agency