

Comprehensive Development Master Plan



November 18, 2015

9:30 A.M.

BOARD OF COUNTY COMMISSIONERS

Jean Monestime
Chairman

Esteban L. Bovo, Jr.
Vice Chairman

Barbara J. Jordan
District 1

Jean Monestime
District 2

Audrey M. Edmonson
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Sally A. Heyman
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Xavier L. Suarez
District 7

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District 8

Dennis C. Moss
District 9

Senator Javier D. Souto
District 10

Juan C. Zapata
District 11

Jose "Pepe" Diaz
District 12

Esteban L. Bovo, Jr.
District 13

Carlos A. Gimenez
Mayor

**111 NW 1st Street
Miami, FL 33128**

**Commission Chambers
2nd Floor**

County Commission Rules**Rule 6.05 DECORUM**

Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the commission, shall be barred from further audience before the commission by the presiding officer, unless permission to continue or again address the commission be granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. No signs or placards shall be allowed in the commission chambers. Persons exiting the commission chamber shall do so quietly.

The use of cell phones in the commission chambers is not permitted. Ringers must be set to silent mode to avoid disruption of proceedings. Individuals, including those on the dais, must exit the chambers to answer incoming cell phone calls. County employees may not use cell phone cameras or take digital pictures from their positions on the dais.

Miami-Dade County provides equal access and equal opportunity and does not discriminate on the basis of disability in its programs or services. If you need a sign language interpreter or materials in accessible format for this event, please contact the Miami-Dade County Agenda Coordinator's Office at 305-375-2035 or agendco@miamidade.gov at least five days in advance.

Rule 5.06(h) PRIME SPONSORSHIP AND CO-SPONSORSHIP

When a resolution or ordinance is placed on the agenda at the request of a commissioner, the commissioner who requested the preparation of the item shall be designated as the prime sponsor. Any other commissioner who wishes to sponsor the resolution or ordinance shall be designated as a co-sponsor.

Pursuant to Rule 5.06(h), where a commissioner is listed as a sponsor, the first named commissioner is the prime sponsor and all other named commissioners are co-sponsors.

1A INVOCATION AS PROVIDED IN RULE 5.05(H)**1B ROLL CALL****1C PLEDGE OF ALLEGIANCE**

1D REASONABLE OPPORTUNITY FOR THE PUBLIC TO BE HEARD AS
PROVIDED IN RULE 6.06

2 MAYORAL REPORTS

2A1

152640

Report

REPORT ON MAY 2015 CYCLE APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN(SEE AGENDA
ITEM NOS. 3A THRU 4C1) (Mayor)

3**SMALL-SCALE APPLICATIONS****3A****152492****Ordinance**

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATION NO. 1, LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF NE 109 STREET AND NE 13 AVENUE, FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

**CDMP Public
Hearing**

11/3/2015 4F

Adopted on first reading by BCC Passed 13 - 0

11/3/2015

Tentatively scheduled for a public hearing before the Board of County Commissioners Hearing Date: 11/18/2015

3A1**152641****Resolution**

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 1, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NE 109 STREET AND NE 13 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 1; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

**CDMP Public
Hearing**

3B

152494

Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATION NO. 2, LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 56 STREET AND SW 89 AVENUE, FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

*CDMP Public
Hearing*

11/3/2015

*Tentatively scheduled for a public hearing before the
Board of County Commissioners Hearing Date: 11/18/2015*

11/3/2015 4G

Adopted on first reading by BCC Passed 13 - 0

3B1

152644

Resolution

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 2, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 56 STREET (MILLER ROAD) AND SW 89 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 2; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

*CDMP Public
Hearing*

3C

152497

Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATION NO. 3, LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 56 STREET AND SW 127 AVENUE, FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

*CDMP Public
Hearing*

11/3/2015

*Tentatively scheduled for a public hearing before the
Board of County Commissioners Hearing Date: 11/18/2015*

11/3/2015 4H

Adopted on first reading by BCC Passed 12 - 1

3C1

152647

Resolution

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 3, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 56 STREET AND SW 127 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 3; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

*CDMP Public
Hearing*

3D

152498

Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATION NO. 4, LOCATED ON THE WEST SIDE OF SW 132 AVENUE AND ±300 FEET NORTH OF SW 136 STREET, FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

*CDMP Public
Hearing*

11/3/2015

*Tentatively scheduled for a public hearing before the
Board of County Commissioners Hearing Date: 11/18/2015*

11/3/2015 4I

Adopted on first reading by BCC Passed 11 - 2

3D1

152650

Resolution

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 4, LOCATED ON THE WEST SIDE OF SW 132 AVENUE AND ±300 FEET NORTH OF SW 136 STREET; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 4; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

*CDMP Public
Hearing*

3E

152499

Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATION NO. 5, LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF SW 184 STREET AND SW 112 AVENUE, FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

**CDMP Public
Hearing**

11/3/2015 4J

Adopted on first reading by BCC Passed 13 - 0

11/3/2015

Tentatively scheduled for a public hearing before the Board of County Commissioners Hearing Date: 11/18/2015

3E1

152651

Resolution

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 5, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SW 184 STREET AND SW 112 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 5; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

**CDMP Public
Hearing**

3F

152501

Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATION NO. 6, LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF SW 200 STREET AND SW 177 AVENUE, FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

**CDMP Public
Hearing**

11/3/2015 4K

Adopted on first reading by BCC Passed 13 - 0

11/3/2015

Tentatively scheduled for a public hearing before the Board of County Commissioners Hearing Date: 11/18/2015

3F1

152653

Resolution

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 6, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION SW 200 STREET AND SW 177 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 6; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

***CDMP Public
Hearing***

4 STANDARD AMENDMENTS AT TRANSMITTAL

4A

152643

Resolution

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 7, LOCATED BETWEEN SW 64 STREET AND SW 88 STREET AND BETWEEN SW 177 AVENUE AND SW 167 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 7; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

***CDMP Public
Hearing***

4A1

152645

Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATION NO. 7, LOCATED BETWEEN SW 64 STREET AND SW 88 STREET AND BETWEEN SW 177 AVENUE AND SW 167 AVENUE, FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

***CDMP First
Reading***

4B

152646

Resolution

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 8, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION SW 88 STREET AND SW 177 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 8; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

***CDMP Public
Hearing***

4B1

152648

Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATION NO. 8, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION SW 88 STREET AND SW 177 AVENUE, FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

**CDMP First
Reading**

4C

152642

Resolution

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 9, A CORRIDOR GENERALLY 100 FEET WIDE ALONG SW/NW 69 AVENUE FROM SW 80 STREET TO ±400 FEET NORTH OF NW 7 STREET; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 9; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

**CDMP Public
Hearing**

4C1

152649

Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATION NO. 9, A CORRIDOR GENERALLY 100 FEET WIDE ALONG SW/NW 69 AVENUE FROM SW 80 STREET TO ±400 FEET NORTH OF NW 7 STREET, FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

**CDMP First
Reading****ADJOURNMENT**

Memorandum



Date: November 18, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Agenda Item No. 2(A)(1)

Subject: Report on May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

Recommendation

It is recommended that the Board of County Commissioners (Board) take action on Application Nos. 1 through 9 filed in the May 2015 Cycle Applications to amend the Comprehensive Development Master Plan (CDMP). The Board is scheduled to take final action on small-scale Application Nos. 1 through 6 and transmittal action on standard Application Nos. 7, 8 and 9, as indicated in the table below and further detailed in this memorandum.

APPLICATION NUMBER	ITEMS FOR CONSIDERATION BY THE BOARD
Application No. 1 (Small-scale Application)	Item No. 3A – Ordinance (Final Action) Item No. 3A1 – Resolution for Transmittal to the Florida Department of Economic Opportunity/State Land Planning Agency (if converted from a Small Scale to a Standard Application)
Application No. 2 (Small-scale Application)	Item No. 3B – Ordinance (Final Action) Item No. 3B1 – Resolution for Transmittal to the State Land Planning Agency (if converted from a Small Scale to a Standard Application)
Application No. 3 (Small-scale Application)	Item No. 3C – Ordinance (Final Action) Item No. 3C1 – Resolution for Transmittal to the State Land Planning Agency (if converted from a Small Scale to a Standard Application)
Application No. 4 (Small-scale Application)	Item No. 3D – Ordinance (Final Action) Item No. 3D1 – Resolution for Transmittal to the State Land Planning Agency (if converted from a Small Scale to a Standard Application)
Application No. 5 (Small-scale Application)	Item No. 3E – Ordinance (Final Action) Item No. 3E1 – Resolution for Transmittal to the State Land Planning Agency (if converted from a Small Scale to a Standard Application)
Application No. 6 (Small-scale Application)	Item No. 3F – Ordinance (Final Action) Item No. 3F1 – Resolution for Transmittal to the State Land Planning Agency (if converted from a Small Scale to a Standard Application)
Application No. 7 (Standard Application)	Item No. 4A – Resolution for Transmittal to the State Land Planning Agency Item No. 4A1 – Ordinance (First Reading)
Application No. 8 (Standard Application)	Item No. 4B – Resolution for Transmittal to the State Land Planning Agency Item No. 4B1 – Ordinance (First Reading)
Application No. 9 (Standard Application)	Item No. 4C – Resolution for Transmittal to the State Land Planning Agency Item No. 4C1 – Ordinance (First Reading)

Small Scale Applications

Background

Six (6) small-scale applications (Application Nos. 1, 2, 3, 4, 5 and 6) were filed in the May 2015 Cycle of Applications to amend the CDMP. A description of the six (6) small-scale applications and the recommendations of the Regulatory and Economic Resources Department, the affected community councils, and the Local Planning Agency are provided in Attachment A.

The attached Ordinances (Agenda Item Nos. 3A, 3B, 3C, 3D, 3E and 3F; approved on first reading on November 3, 2015) provide for the Board's action on small-scale amendment Application Nos. 1, 2, 3, 4, 5 and 6 respectively, filed in the May 2015 Cycle of Applications requesting amendments to the CDMP. State law allows the adoption of the referenced small-scale applications at the Board's CDMP public hearing currently scheduled for November 18, 2015. A CDMP amendment application is eligible, under Section 163.3187, Florida Statutes (F.S.), to be processed as a small-scale amendment to the local comprehensive plan if it involves ten (10) or fewer acres and the maximum total acreage in a calendar year for small-scale amendments does not exceed 120 acres. Since the County has not exceeded the acreage limitations for small-scale amendments to the CDMP for calendar year 2015, the Board has the ability to approve the proposed small-scale amendment Application Nos. 1 through 6 totaling approximately 29.89 gross acres, without prior review by the State Land Planning Agency.

At the November 18, 2015 public hearing, the Board will take final action on the attached ordinances providing for final disposition of the May 2015 Cycle small-scale applications. Such action may be to adopt, adopt with change or not adopt the referenced small-scale amendment applications. If the Board does not adopt the referenced small-scale amendments, the Board may elect, by separate resolutions (Agenda Item Nos. 3A1, 3B1, 3C1, 3D1, 3E1, and 3F1), to transmit the proposed small-scale amendments to the State Land Planning Agency and other state and regional agencies for review and comments, and then take final action in or about March 2016, after State review. Denial or failure to adopt a small scale amendment and failure to transmit a CDMP amendment application to the reviewing agencies for review effectively denies approval of the application for the amendment cycle.

Scope

The CDMP is a broad-based countywide policy-planning document created to guide future growth and development, to ensure the adequate provision of public facilities and services for existing and future populations in Miami-Dade County, and to maintain or improve the quality of the natural and man-made environment in the County. While the adopted text of the CDMP generally applies countywide, some text amendment applications and individual, site-specific Land Use Plan map amendment applications may have localized impact on one or more Commission Districts. Application No. 1 is located within District 3 (Commissioner Audrey M. Edmonson); Application Nos. 2 and 3 are located within District 10 (Senator Javier D. Souto); Application Nos. 4 and 5 are located within District 9 (Commissioner Dennis C. Moss); and Application No. 6 is located within District 8 (Commissioner Daniella Levine Cava).

Fiscal Impact

The development allowed by the CDMP amendment Application Nos. 1 through 6 may have varying impacts on County services. The impacts associated with each application are discussed in the "Initial Recommendations, May 2015 Applications to Amend the Comprehensive Development Master Plan" report dated August 2015. However, no significant fiscal impact to the County is anticipated as the impact on services would be covered by additional fees and tax revenues generated by the resulting activities.

Social Equity Statement

The recommendations of the Director on Application Nos. 1 through 6 as contained in the document titled "Initial Recommendations, May 2015 Applications to Amend the Comprehensive Development Master Plan," dated August 2015, which was prepared in accordance with Section 2-116.1 of the Code of Miami-Dade County, includes, among other things, a compatibility analysis and conclusion that satisfies the requirements of Ordinance No. 15-83, regarding social equity, to the extent applicable to these applications.

2

Track Record/Monitor

Amendments to the CDMP do not involve contracts so a track record/monitor is not applicable.

Standard Applications

Background

Three (3) standard applications (Application Nos. 7, 8 and 9) were filed in the May 2015 Cycle of Applications to amend the CDMP. A description of the standard applications and the recommendations of the Regulatory and Economic Resources Department, the affected community councils, and the Local Planning Agency are provided in Attachment A.

At the conclusion of the public hearing for each standard application filed in the May 2015 Cycle of Applications, the Board will take action on a resolution issuing transmittal instructions for each application to the State Land Planning Agency. Each resolution (Agenda Item Nos. 4A, 4B and 4C) will also incorporate a request for the reviewing agencies to review and return their comments on the transmitted application before the Board takes final actions. After adoption of the transmittal resolutions, the Board will be requested to approve, on first reading, an ordinance for each transmitted application (Agenda Item Nos. 4A1, 4B1 and 4C1) that will be used at a later date to take final action on the pending applications. A subsequent public hearing, to be scheduled for February/March 2016, will be held for the Board to take final action on the standard applications that are transmitted to the State Land Planning Agency and other reviewing agencies.

Scope

Application Nos. 7 and 8 are located within District 11 (Commissioner Juan C. Zapata); and Application No. 9 is located within Districts 6 and 7 (Commissioner Rebeca Sosa and Commissioner Xavier L. Suarez, respectively).

Fiscal Impact

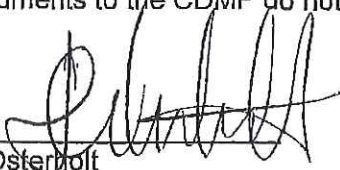
The development allowed by the CDMP amendment Application Nos. 7, 8 and 9 may have varying impacts on County services. The impacts associated with each application are discussed in the "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan" report dated August 2015. In addition, Application No. 9 proposes a ±6-mile continuous, publicly accessible recreational trail (Ludlam Trail) that could generate fiscal impacts to the County if the construction, maintenance, and/or operational responsibilities for the recreational trail are assumed by the County. Application No. 9 in its current form does not definitively identify which agency/entity would be responsible for the construction, maintenance, and operation of the recreational trail. Based on potential plans to develop the property as a basic bike and pedestrian trail, such development is estimated at \$20 million and is not inclusive of any acquisition costs, or other capital improvements that may be necessary to effectuate connectivity of the trail. Additionally, the \$20 million development estimate may not be inclusive of all the amenities contemplated in the Ludlam Trail Corridor Charrette Report transmitted to the Board on September 11, 2015. Estimated costs to operate and maintain the developed trail begin at \$620,000 annually, which only includes landscaping and facility maintenance costs, but does not include any active programming.

Social Equity Statement

The recommendations of the Director on Application Nos. 7, 8 and 9 as contained in the document titled "Initial Recommendations, May 2015 Applications to Amend the Comprehensive Development Master Plan," dated August 2015, which was prepared in accordance with Section 2-116.1 of the Code of Miami-Dade County, includes, among other things, a compatibility analysis and conclusion that satisfies the requirements of Ordinance No. 15-83, regarding social equity, to the extent applicable to these applications.

Track Record/Monitor

Amendments to the CDMP do not involve contracts so a track record/monitor is not applicable.

A handwritten signature in black ink, appearing to read "Jack Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor

Attachment A

Summary of Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida November 2, 2015

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation August 25, 2015	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation October 19, 2015 and November 2, 2015	BCC Action/ Recommendation November 18, 2015
1/ small-scale	Mayres LLC, a Florida limited liability company/Stanley B. Price, Esq., Brian S. Adler, Esq., & Wendy Francois, Esq. Northeast corner of the intersection of NE 109 Street and NE 13 Avenue (1.16 gross acres; 0.828 net acres) <u>Requested Amendment to the LUP Map:</u> 1. Redesignate the application site: From: "Medium Density Residential (13 to 25 dwelling units per gross acre.)" To: "Business and Office" 2. Revise the Restrictions Table in Appendix A on page I-95 of the CDMP Land Use Element to include the Proffered Declaration of Restrictions, if accepted by the Board of County Commissioners.	3/ Edmonson	Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-scale Amendment)	Biscayne Shores CC7: Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-scale Amendment) CC 07-1-15 (09-30-15)	Adopt with Acceptance of the Proffered Declaration of Restrictions - as a Small-scale Amendment (10-19-15)	
2/ small-scale	TEPA Properties LLC/Jonathan J. Coto, Esq., & Rene J. Garcia, Jr. Esq. Southeast corner of the intersection of SW 56 Street (Miller Road) and SW 89 Avenue (2.46 gross acres; 1.87 net acres). <u>Requested Amendment to the LUP Map:</u> 1. Redesignate the application site: From: "Low Density Residential (2.5 to 6 dwelling units per gross acre)" To: "Business and Office" 2. Revise the Restrictions Table in Appendix A on page I-95 of the CDMP Land Use Element to include the Proffered Declaration of Restrictions, if accepted by the Board of County Commissioners.	10/ Souto	Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-scale Amendment)	Kendall CC12: Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-scale Amendment) with the recommendation that the Declaration of Restrictions limit the Business and Office use of the property to the restaurant use and ancillary uses to a restaurant, and be at all times compatible with the surrounding residential area. CC 12-2-15 (09-21-15)	Adopt with Acceptance of the Proffered Declaration of Restrictions - as a Small-scale Amendment (10-19-15)	

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation August 25, 2015	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation October 19, 2015 and November 2, 2015	BCC Action/ Recommendation November 18, 2015
3/ small-scale	<p>Southeast Investments, Inc./Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Richard A. Perez, Esq., Alejandro J. Arias, Esq., & Pedro Gassant, Esq.</p> <p>Southeast corner of the intersection of SW 56 Street (Miller Road) and SW 127 Avenue. (10.0 gross acres; 8.45 net acres)</p> <p><u>Requested Amendment to the LUP map</u></p> <p>1. Redesignate the application site: From: "Agriculture" To: "Business and Office"</p> <p>2. Revise the Restrictions Table in Appendix A on page I-95 of the CDMP Land Use Element to include the Proffered Declaration of Restrictions, if accepted by the Board of County Commissioners.</p>	10/ Souto	Deny	West Kendall CC11: Deny CC 11-1-15 (09-24-15)	Transmit as a Standard Amendment with the Proffered Declaration of Restrictions (10-19-15)	
4/ small-scale	<p>TCAG, LLC, a Florida limited liability company/Alberto J. Parlade, Esq. & Parlade J. Corral, Esq.</p> <p>West side of SW 132 Avenue and ±300 feet north of SW 136 Street (±10.00 gross acres; ±9.9 net acres)</p> <p><u>Requested Amendment to the LUP map</u></p> <p>Redesignate the application site: From: "Industrial and Office" To: "Office/Residential"</p>	9/ Moss	Deny	West Kendall CC11: Adopt as a Small-scale Amendment CC 11-2-15 (09-24-15)	Adopt as a Small-Scale Amendment (10-19-15)	

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation August 25, 2015	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation October 19, 2015 and November 2, 2015	BCC Action/ Recommendation November 18, 2015
5/ small-scale	<p>Brown Development Group LLC/Juan J. Mayol, Jr., Esq., Hugo P. Ariza, Esq., Richard A. Perez, Esq., Alejandro J. Arias, Esq., & Pedro Gassant, Esq.</p> <p>Northeast corner of the intersection of SW 184 Street and SW 112 Avenue / (±2.19 gross acres; ±1.98 net acres)</p> <p><u>Requested Amendment to the LUP Map:</u></p> <ol style="list-style-type: none"> 1. Redesignate the application site: From: "Office/Residential" To: "Business and Office" 2. Revise the Restrictions Table in Appendix A on page I-95 of the CDMIP Land Use Element to include the Proffered Declaration of Restrictions, if accepted by the Board of County Commissioners. 	9/ Moss	<p>Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-scale Amendment)</p> <p>Redland CC14: Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-scale Amendment) CC 14-2-15 (09-22-15)</p>	<p>Adopt with Acceptance of the Proffered Declaration of Restrictions - as a Small-scale Amendment (10-19-15)</p>		
6/ small-scale	<p>Otto E & Barbara J. Kaufmann, Co-Trustees of The Kaufmann Family Trust/Tracy R. Slavens, Esq.</p> <p>Northeast corner of the intersection SW 200 Street (Quail Roost Drive) and SW 177 Avenue (±4.08 gross acres; ±3.17 net acres)</p> <p><u>Requested Amendment to the LUP map</u></p> <p>Redesignate the application site: From: "Business and Office" and "Agriculture" To: "Business and Office"</p>	8/ Levine Cava	<p>Adopt as a Small-scale Amendment</p> <p>Redland CC14: Adopt as a Small-scale Amendment CC 14-3-15 (09-22-15)</p>	<p>Adopt as a Small-Scale Amendment (10-19-15)</p>		

7

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation August 25, 2015	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation October 19, 2015 and November 2, 2015	BCC Action/ Recommendation November 18, 2015
7/ standard	<p>Wonderly Holdings, Inc., HL Mills Family LLC, Luis A. Posada, Section 31 Tract 50 Corp, G.C.A.M. Investment Corp., Limonar Development, Inc. & Section 31 Tract 19 Corp./Mario Garcia-Seira, Esq., Francisco Pines, Esq. & David Mangiero, Esq.</p> <p>Between SW 64 Street and SW 88 Street (Kendall Drive), and between SW 177 Avenue (Krome Avenue) and SW 167 Avenue. (±859.0 gross acres; ±831.4 net acres)</p> <p><u>Requested Amendment to the CDMP</u></p> <ol style="list-style-type: none"> Expand the 2020 Urban Development Boundary (UDEB) to include the application site. Amend the Land Use Element of the CDMP to create the "Green City Miami" land use category. Redesignate ±819 gross acres (±791 net acres) of the application site on the Land Use Plan map: From: "Agriculture" To: "Green City Miami" Amend the CDMP Adopted 2020 and 2030 Land Use Plan map to designate a new Metropolitan Urban Center and a new Community Urban Center. Amend Policy LU-8F of the CDMP Land Use Element. Create new Policy LU-8J of the CDMP Land Use Element. Amend Figure 1 (Planned Year 2025 Roadway Network), Figure 3 (Roadway Functional Classification Year 2025), and Figure 6 (Planned Non-Motorized Network Map) in the Traffic Circulation Subelement of the CDMP to upgrade the designation of some segments of certain roadways of the County's roadway system. 	11/ Zapata	Deny and Do Not Transmit	West Kendall CC11: Deny and Do Not Transmit CC 11-3-15 (09-29-15)	Deny and Do Not Transmit (11-02-15)	

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation August 25, 2015	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation October 19, 2015 and November 2, 2015	BCC Action/ Recommendation November 18, 2015
8/ standard	<p>Neighborhood Planning Company, LLC/ Joseph G. Goldstein Esq., Richard A Perez, Esq & Hugo P. Arza, Esq.</p> <p>Southeast corner of the intersection SW 88 Street (Kendall Drive) and SW 177 Avenue (±61.1 gross acres; ±53.4 net acres)</p> <p><u>Requested Amendment to CDMP Text and LUP Map:</u></p> <ol style="list-style-type: none"> Expand the 2020 Urban Development Boundary (UDB) to include the application site; Redesignate Parcel A (±51.1 gross acres; ±46.04 net acres) of the application site on the Land Use Plan map: From: "Agriculture" To: "Industrial and Office" Redesignate Parcel B (±10.00 gross acres; ±7.36 net acres) of the application site on the Land Use Plan map: From: "Agriculture" To: "Business and Office" Revise the Restrictions Table in Appendix A on page I-95 of the CDMP Land Use Element to include the proffered Declaration of Restrictions, if accepted by the Board of County Commissioners. 	11/ Zapata	Deny and Do Not Transmit	West Kendall CC11: Transmit and Adopt with Acceptance of the Proffered Declaration of Restrictions CC 11-4-15 (09-29-15)	Transmit with the Proffered Declaration of Restrictions (11-02-15)	

3

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation August 25, 2015	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation October 19, 2015 and November 2, 2015	BCC Action/ Recommendation November 18, 2015
9/ standard	<p>Miami-Dade County/Jack Osterholt, Deputy Mayor/Director. Department of Regulatory and Economic Resources.</p> <p>A corridor generally 100 feet wide and bounded on the south by SW 80 Street and on the north by 400 feet north of NW 7 Street.</p> <p><u>Requested Amendment to CDMP Text and LUP Map:</u></p> <ol style="list-style-type: none"> 1. Add text within the Land Use Element to create a new CDMP Land Use category titled 'Special District.' 2. Create a subcategory under the Special District text titled "Ludlam Trail Corridor District." 3. Apply the new "Special District" designation to the former FEC railroad corridor on the CDMP Land Use Plan Map: From: "Transportation (ROW, Rail, Metrorail, Etc.)" To: "Special District" 4. Add a new policy within the Intergovernmental Coordination Element to coordinate with the City of Miami for those portions of the corridor that are located within the municipal boundaries of the City. 5. Add a new policy within the Recreation and Open Space Element to encourage developers of residential uses within the Ludlam Trail Corridor District to dedicate park land, improvements, and maintenance or some combination that adequately meets the developer's obligation to provide local recreation open space. 	6/ Sosa and 7/ Suarez	Transmit and Adopt	<p>North Central CC8: Transmit and Adopt CC 08-01-15 (09-30-15)</p> <p>Westchester CC10: Transmit and Adopt with Conditions – limit height of buildings to six stories in Tamiami Trail Development Area; provide solution to issue of pedestrian crossings at major intersections; and ingress/egress from east except for emergency vehicles. CC 10-1-15 (09-28-15)</p> <p>Kendall CC12: Transmit and Adopt with Conditions: 1) that a buffer be erected between the trail and the single-family homes as recommended in the charrette from SW 48 to SW 80 Streets; 2) no parks be developed between SW 48 and SW 80 Street; 3) that there be connectivity of the trail across roadways, 4-lanes or wider; 4) no east bound egress/ingress except for emergency vehicles at SW 48 Street to Bird Road area; 5) tie development of the trail to building within the development areas; and 6) limit building height within the Bird Road Development Area to no more than 4 stories. CC 12-3-15 (09-21-15)</p>	Transmit and Adopt with the conditions recommended by Community Councils 10 and 12 (11-02-15)	

Source: Miami-Dade County Department of Regulatory and Economic Resources

Notes:

BCC: Board of County Commissioners; LPA: Local Planning Agency

CC (7) Biscayne Shores Community Council; CC (8): North Central Community Council; CC (10): Westchester Community Council;

CC (11) West Kendall Community Council; (12): Kendall Community Council; CC (14): Redland Community Council

Memorandum



(Public Hearing 11-18-15)

Date: November 3, 2015


To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 3(A)

From: Carlos A. Gimenez
Mayor

Subject: Ordinance for Application No. 1 in the May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate report that appears on this agenda which, together with this ordinance, were prepared by the Department of Regulatory and Economic Resources.



Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(A)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(A)
11-18-15

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING DISPOSITION OF APPLICATION NO. 1,
LOCATED ON THE NORTHEAST CORNER OF THE
INTERSECTION OF NE 109 STREET AND NE 13 AVENUE,
FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING SEVERABILITY, EXCLUSION FROM THE
CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 1 was filed by a private party in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in the document titled "May 2015 Applications to Amend the Comprehensive Development Master Plan," dated June 22, 2015, and kept on file with and available upon request from the Department; and

WHEREAS, Section 163.3187, Florida Statutes, sets forth a process for adoption of small-scale comprehensive plan amendments ("small-scale amendments"); and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments that may be adopted as set forth in Section 163.3187, Florida Statutes; and

WHEREAS, Application No. 1 is eligible and has requested expedited adoption as a small-scale amendment; and

WHEREAS, as required by Section 2-116.1, Code of Miami-Dade County, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015 and kept on file with and available upon request from the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 1; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board can, by ordinance, take final action to adopt, adopt with change, or not adopt the requested small-scale amendment, Application No. 1, or the Board can take action to transmit Application No. 1 to the reviewing agencies; and

WHEREAS, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the County; and

WHEREAS, this Board has conducted the public hearing required by the referenced procedures preparatory to enactment of this ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. This Board hereby desires to take action on Application No. 1 filed for review during the May 2015 CDMP Amendment Cycle as follows:

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Final Action
1	<p>Mayres LLC, a Florida limited liability company/Stanley B. Price, Esq., Brian S. Adler, Esq. & Wendy Francois, Esq.</p> <p>Northeast corner of the intersection of NE 109 Street and NE 13 Avenue/ (± 1.16 gross; ± 0.828 net)</p> <p><u>Requested CDMP Amendments:</u></p> <ol style="list-style-type: none"> 1. Re-designate application site on the Land Use Plan map: From: "Medium Density Residential (13 to 25 dwelling units per gross acre)" To: "Business and Office" 2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board <p>Small Scale Amendment</p>	

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. It is the intention of the Board, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by the Board; however, pursuant to Section 163.3187(5)(c), Florida Statutes, the effective date of the small-scale comprehensive plan amendment approved by this ordinance shall be thirty-one (31) days after adoption by the Board, if the amendment is not timely challenged. If challenged within thirty (30) days after adoption, the challenged small-scale comprehensive plan amendment shall not become effective until a final order is issued by the State Land Planning Agency or the Administration Commission determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on such individual amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this individual amendment may nevertheless be made effective, subject to the imposition of sanctions pursuant to Section 163.3184(8), Florida Statutes, by adoption of a resolution affirming its effective status, a copy of which resolution shall be filed with the Clerk of the Board and sent to the State Land Planning Agency.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel




Memorandum



Date: November 18, 2015

Agenda Item No. 3(A)(1)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution for Application No. 1 in the May 2015 Cycle Applications to Amend the
Comprehensive Development Master Plan

The attached resolution addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda which, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.

Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(A)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(A)(1)
11-18-15

RESOLUTION NO. _____

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 1, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NE 109 STREET AND NE 13 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 1; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade County Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 1 was filed by a private party in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in

the document titled "May 2015 Applications to Amend the Comprehensive Development Master Plan," dated June 22, 2015, and kept on file with the Department; and

WHEREAS, Section 163.3187, Florida Statutes, sets forth a process for adoption of small-scale comprehensive plan amendments ("small scale amendments"); and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments that may be adopted as set forth in section 163.3187, Florida Statutes; and

WHEREAS, Application No. 1 is eligible and has requested expedited adoption as a small-scale CDMP amendment; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015 and kept on file with the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 1; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board can, by ordinance, take final action to adopt, adopt with change, or not adopt the requested small-scale amendment, Application No. 1, or the Board can take action to transmit Application No. 1 to the reviewing agencies; and

WHEREAS, the Department may issue final recommendations addressing the May 2015 CDMP Amendment Cycle Applications that are transmitted to the reviewing agencies; and

WHEREAS, this Board desires to further evaluate, without prejudice, Application No. 1 filed for review and action during the May 2015 CDMP Amendment Cycle, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
1	<p>Mayres LLC, a Florida limited liability company/Stanley B. Price, Esq., Brian S. Adler, Esq. & Wendy Francois, Esq.</p> <p>Northeast corner of the intersection of NE 109 Street and NE 13 Avenue (± 1.16 gross acres; ± 0.828 net acres)</p> <p><u>Requested Amendment to the LUP Map:</u></p> <ol style="list-style-type: none">1. Redesignate the application site From: "Medium Density Residential (13 to 25 dwelling units per gross acre.)" To: "Business and Office"2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board. <p>Small-scale Amendment</p>	

Section 3. The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 4. The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

Section 5. The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2016 to address the pending May 2015 CDMP Amendment Cycle application.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of November, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Dennis A. Kerbel

Memorandum



Date: (Public Hearing 11-18-15)
November 3, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 3(B)

From: Carlos A. Gimenez
Mayor

Subject: Ordinance for Application No. 2 in the May 2015 Cycle Applications to Amend the
Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate report that appears on this agenda which, together with this ordinance, were prepared by the Department of Regulatory and Economic Resources.

A handwritten signature in black ink, appearing to read "Jack Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(B)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(B)
11-18-15

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING DISPOSITION OF APPLICATION NO. 2,
LOCATED ON THE SOUTHEAST CORNER OF THE
INTERSECTION OF SW 56 STREET AND SW 89 AVENUE,
FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING SEVERABILITY, EXCLUSION FROM THE
CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade Board of
County Commissioners ("Board") adopted the Miami-Dade County Comprehensive
Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the
Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures
for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida
Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division
of the Department of Regulatory and Economic Resources ("Department") by private parties or
by the County; and

WHEREAS, Application No. 2 was filed by a private party in the May 2015 Cycle of
Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in
the document titled "May 2015 Applications to Amend the Comprehensive Development Master
Plan," dated June 22, 2015, and kept on file with and available upon request from the
Department; and

WHEREAS, Section 163.3187, Florida Statutes, sets forth a process for adoption of small-scale comprehensive plan amendments ("small-scale amendments"); and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments that may be adopted as set forth in Section 163.3187, Florida Statutes; and

WHEREAS, Application No. 2 is eligible and has requested expedited adoption as a small-scale amendment; and

WHEREAS, as required by Section 2-116.1, Code of Miami-Dade County, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015 and kept on file with and available upon request from the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 2; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board can, by ordinance, take final action to adopt, adopt with change, or not adopt the requested small-scale amendment, Application No. 2, or the Board can take action to transmit Application No. 2 to the reviewing agencies; and

WHEREAS, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the County; and

WHEREAS, this Board has conducted the public hearing required by the referenced procedures preparatory to enactment of this ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. This Board hereby desires to take action on Application No. 2 filed for review during the May 2015 CDMP Amendment Cycle as follows:

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Final Action
2	TEPA Properties LLC/Jonathan J. Coto, Esq & Rene J. Garcia, Jr. Esq. Southeast corner of the intersection of SW 56 Street (Miller Road) and SW 89 Avenue/ (±2.46 gross; ±1.87 net) <u>Requested CDMP Amendment:</u> 1. Re-designate application site on the Land Use Plan map: From: "Low Density Residential (6 to 13 dwelling units per gross acre)" To: "Business and Office" 2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board Small Scale Amendment	

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. It is the intention of the Board, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by the Board; however, pursuant to Section 163.3187(5)(c), Florida Statutes, the effective date of the small-scale comprehensive plan amendment approved by this ordinance shall be thirty-one (31) days after adoption by the Board, if the amendment is not timely challenged. If challenged within thirty (30) days after adoption, the challenged small-scale comprehensive plan amendment shall not become effective until a final order is issued by the State Land Planning Agency or the Administration Commission determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on such individual amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this individual amendment may nevertheless be made effective, subject to the imposition of sanctions pursuant to Section 163.3184(8), Florida Statutes, by adoption of a resolution affirming its effective status, a copy of which resolution shall be filed with the Clerk of the Board and sent to the State Land Planning Agency.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:

Dennis A. Kerbel

Memorandum



Date: November 18, 2015

Agenda Item No. 3(B)(1)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution for Application No. 2 in the May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached resolution addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda which, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.



Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(B)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 3(B)(1)

11-18-15

RESOLUTION NO. _____

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 2, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 56 STREET (MILLER ROAD) AND SW 89 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 2; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade County Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 2 was filed by a private party in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in

the document titled "May 2015 Applications to Amend the Comprehensive Development Master Plan," dated June 22, 2015, and kept on file with the Department; and

WHEREAS, Section 163.3187, Florida Statutes, sets forth a process for adoption of small-scale comprehensive plan amendments ("small scale amendments"); and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments that may be adopted as set forth in section 163.3187, Florida Statutes; and

WHEREAS, Application No. 2 is eligible and has requested expedited adoption as a small-scale CDMP amendment; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015 and kept on file with the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 2; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board can, by ordinance, take final action to adopt, adopt with change, or not adopt the requested small-scale amendment, Application No. 2, or the Board can take action to transmit Application No. 2 to the reviewing agencies; and

WHEREAS, the Department may issue final recommendations addressing the May 2015 CDMP Amendment Cycle Applications that are transmitted to the reviewing agencies; and

WHEREAS, this Board desires to further evaluate, without prejudice, Application No. 2 filed for review and action during the May 2015 CDMP Amendment Cycle, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
2	<p>TEPA Properties LLC/Jonathan J. Coto, Esq. & Rene J. Garcia, Jr. Esq.</p> <p>Southeast corner of the intersection of SW 56 Street (Miller Road) and SW 89 Avenue (±2.46 gross; ±1.87 net)</p> <p><u>Requested CDMP Amendment:</u></p> <ol style="list-style-type: none"> 1. Re-designate application site on the Land Use Plan map: From: "Low Density Residential (6 to 13 dwelling units per gross acre)" To: "Business and Office" 2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board. <p>Small-scale Amendment</p>	

Section 3. The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 4. The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

Section 5. The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2016 to address the pending May 2015 CDMP Amendment Cycle application.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of November, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Dennis Kerbel

Memorandum



Date: (Public Hearing 11-18-15)
November 3, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 3(C)

From: Carlos A. Gimenez
Mayor

Subject: Ordinance for Application No. 3 in the May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate report that appears on this agenda which, together with this ordinance, were prepared by the Department of Regulatory and Economic Resources.

A handwritten signature in black ink, appearing to read "Jack Osterholt".

Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(C)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 3(C)
11-18-15

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING DISPOSITION OF APPLICATION NO. 3,
LOCATED ON THE SOUTHEAST CORNER OF THE
INTERSECTION OF SW 56 STREET AND SW 127 AVENUE,
FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING SEVERABILITY, EXCLUSION FROM THE
CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 3 was filed by a private party in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in the document titled "May 2015 Applications to Amend the Comprehensive Development Master Plan," dated June 22, 2015, and kept on file with and available upon request from the Department; and

WHEREAS, Section 163.3187, Florida Statutes, sets forth a process for adoption of small-scale comprehensive plan amendments ("small-scale amendments"); and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments that may be adopted as set forth in Section 163.3187, Florida Statutes; and

WHEREAS, Application No. 3 is eligible and has requested expedited adoption as a small-scale amendment; and

WHEREAS, as required by Section 2-116.1, Code of Miami-Dade County, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015 and kept on file with and available upon request from the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 3; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board can, by ordinance, take final action to adopt, adopt with change, or not adopt the requested small-scale amendment, Application No. 3, or the Board can take action to transmit Application No. 3 to the reviewing agencies; and

WHEREAS, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the County; and

WHEREAS, this Board has conducted the public hearing required by the referenced procedures preparatory to enactment of this ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. This Board hereby desires to take action on Application No. 3 filed for review during the May 2015 CDMP Amendment Cycle as follows:

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Final Action
3	<p>Southeast Investments, Inc/Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Richard A Perez, Esq., Alejandro J. Arias, Esq. & Pedro Gassant, Esq</p> <p>Southeast corner of the intersection of SW 56 Street (Miller Road) and SW 127 Avenue/ (±10.0 gross; ±8.45 net)</p> <p><u>Requested CDMP Amendment:</u></p> <p>1. Re-designate application site on the Land Use Plan map: From: "Agriculture" To: "Business and Office"</p> <p>2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board</p> <p>Small Scale Amendment</p>	

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. It is the intention of the Board, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by the Board; however, pursuant to Section 163.3187(5)(c), Florida Statutes, the effective date of the small-scale comprehensive plan amendment approved by this ordinance shall be thirty-one (31) days after adoption by the Board, if the amendment is not timely challenged. If challenged within thirty (30) days after adoption, the challenged small-scale comprehensive plan amendment shall not become effective until a final order is issued by the State Land Planning Agency or the Administration Commission determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on such individual amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this individual amendment may nevertheless be made effective, subject to the imposition of sanctions pursuant to Section 163.3184(8), Florida Statutes, by adoption of a resolution affirming its effective status, a copy of which resolution shall be filed with the Clerk of the Board and sent to the State Land Planning Agency.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel

APW
DAK

Memorandum



Date: November 18, 2015

Agenda Item No. 3(C)(1)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution for Application No. 3 in the May 2015 Cycle Applications to Amend the
Comprehensive Development Master Plan

The attached resolution addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda which, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.

A handwritten signature in black ink, appearing to read "Jack Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(C)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(C)(1)
11-18-15

RESOLUTION NO. _____

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 3, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 56 STREET AND SW 127 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 3; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade County Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 3 was filed by a private party in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in

the document titled "May 2015 Applications to Amend the Comprehensive Development Master Plan," dated June 22, 2015, and kept on file with the Department; and

WHEREAS, Section 163.3187, Florida Statutes, sets forth a process for adoption of small-scale comprehensive plan amendments ("small scale amendments"); and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments that may be adopted as set forth in section 163.3187, Florida Statutes; and

WHEREAS, Application No. 3 is eligible and has requested expedited adoption as a small-scale CDMP amendment; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015 and kept on file with the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 3; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board can, by ordinance, take final action to adopt, adopt with change, or not adopt the requested small-scale amendment, Application No. 3, or the Board can take action to transmit Application No. 3 to the reviewing agencies; and

WHEREAS, the Department may issue final recommendations addressing the May 2015 CDMP Amendment Cycle Applications that are transmitted to the reviewing agencies; and

WHEREAS, this Board desires to further evaluate, without prejudice, Application No. 3 filed for review and action during the May 2015 CDMP Amendment Cycle, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
3	<p>Southeast Investments, Inc./Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Richard A Perez, Esq., Alejandro J. Arias, Esq. & Pedro Gassant, Esq.</p> <p>Southeast corner of the intersection of SW 56 Street (Miller Road) and SW 127 Avenue (± 10.0 gross; ± 8.45 net)</p> <p><u>Requested CDMP Amendment:</u></p> <ol style="list-style-type: none"> 1. Re-designate application site on the Land Use Plan map: From: "Agriculture" To: "Business and Office" 2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board. <p>Small-scale Amendment</p>	

Section 3. The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 4. The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

Section 5. The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2016 to address the pending May 2015 CDMP Amendment Cycle application.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of November, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Dennis Kerbel

Memorandum

MIAMI-DADE
COUNTY

Date: (Public Hearing 11-18-15)
November 3, 2015

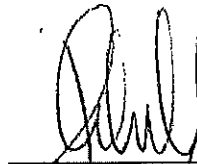
To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 3(D)

From: Carlos A. Gimenez
Mayor

Subject: Ordinance for Application No. 4 in the May 2015 Cycle Applications to Amend the
Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate report that appears on this agenda which, together with this ordinance, were prepared by the Department of Regulatory and Economic Resources.



Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(D)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(D)
11-18-15

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING DISPOSITION OF APPLICATION NO. 4,
LOCATED ON THE WEST SIDE OF SW 132 AVENUE AND
±300 FEET NORTH OF SW 136 STREET, FILED IN MAY
2015 CYCLE TO AMEND THE COUNTY'S
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING SEVERABILITY, EXCLUSION FROM THE
CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 4 was filed by a private party in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in the document titled "May 2015 Applications to Amend the Comprehensive Development Master Plan," dated June 22, 2015, and kept on file with and available upon request from the Department; and

WHEREAS, Section 163.3187, Florida Statutes, sets forth a process for adoption of small-scale comprehensive plan amendments ("small-scale amendments"); and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments that may be adopted as set forth in Section 163.3187, Florida Statutes; and

WHEREAS, Application No. 4 is eligible and has requested expedited adoption as a small-scale amendment; and

WHEREAS, as required by Section 2-116.1, Code of Miami-Dade County, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015 and kept on file with and available upon request from the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 4; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board can, by ordinance, take final action to adopt, adopt with change, or not adopt the requested small-scale amendment, Application No. 4, or the Board can take action to transmit Application No. 4 to the reviewing agencies; and

WHEREAS, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the County; and

WHEREAS, this Board has conducted the public hearing required by the referenced procedures preparatory to enactment of this ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. This Board hereby desires to take action on Application No. 4 filed for review during the May 2015 CDMP Amendment Cycle as follows:

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Final Action
4	TCAG, LLC, a Florida limited liability company/Alberto J. Parlade, Esq. & Parlade J. Corral, Esq. West side of SW 132 Avenue and ±300 feet north of SW 136 Street/ (±10.0 gross; ±9.9 net) <u>Requested CDMP Amendment:</u> Re-designate application site on the Land Use Plan map: From: "Industrial and Office" To: "Office/Residential" Small Scale Amendment	

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. It is the intention of the Board, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an

override by the Board; however, pursuant to Section 163.3187(5)(c), Florida Statutes, the effective date of the small-scale comprehensive plan amendment approved by this ordinance shall be thirty-one (31) days after adoption by the Board, if the amendment is not timely challenged. If challenged within thirty (30) days after adoption, the challenged small-scale comprehensive plan amendment shall not become effective until a final order is issued by the State Land Planning Agency or the Administration Commission determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on such individual amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this individual amendment may nevertheless be made effective, subject to the imposition of sanctions pursuant to Section 163.3184(8), Florida Statutes, by adoption of a resolution affirming its effective status, a copy of which resolution shall be filed with the Clerk of the Board and sent to the State Land Planning Agency.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel

APW
DAK

Memorandum



Date: November 18, 2015

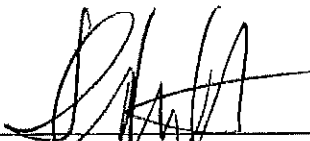
Agenda Item No. 3(D)(1)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution for Application No. 4 in the May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached resolution addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda which, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.



Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(D)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(D)(1)
11-18-15

RESOLUTION NO. _____

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 4, LOCATED ON THE WEST SIDE OF SW 132 AVENUE AND ±300 FEET NORTH OF SW 136 STREET; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 4; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade County Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 4 was filed by a private party in the May 2015 cycle of applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in

the document titled "May 2015 Applications to Amend the Comprehensive Development Master Plan," dated June 22, 2015, and kept on file with the Department; and

WHEREAS, Section 163.3187, Florida Statutes, sets forth a process for adoption of small-scale comprehensive plan amendments ("small scale amendments"); and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments that may be adopted as set forth in section 163.3187, Florida Statutes; and

WHEREAS, Application No. 4 is eligible and has requested expedited adoption as a small-scale CDMP amendment; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015 and kept on file with the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 4; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board can, by ordinance, take final action to adopt, adopt with change, or not adopt the requested small-scale amendment, Application No. 4, or the Board can take action to transmit Application No. 4 to the reviewing agencies; and

WHEREAS, the Department may issue final recommendations addressing the May 2015 CDMP Amendment Cycle Applications that are transmitted to the reviewing agencies; and

WHEREAS, this Board desires to further evaluate, without prejudice, Application No. 4 filed for review and action during the May 2015 CDMP Amendment Cycle, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
4	<p>TCAG, LLC, a Florida limited liability company/Alberto J. Parlade, Esq. & Parlade J. Corral, Esq.</p> <p>West side of SW 132 Avenue and ±300 feet north of SW 136 Street (±10.0 gross; ±9.9 net)</p> <p><u>Requested CDMP Amendment:</u> Re-designate application site on the Land Use Plan map: From: "Industrial and Office" To: "Office/Residential"</p> <p>Small-scale Amendment</p>	

Section 3. The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 4. The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

Section 5. The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2016 to address the pending May 2015 CDMP Amendment Cycle application.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Dennis C. Moss

Sen. Javier D. Souto

Juan C. Zapata

Daniella Levine Cava

Audrey M. Edmonson

Barbara J. Jordan

Rebeca Sosa

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of November, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Dennis Kerbel

Memorandum



(Public Hearing 11-18-15)

Date: November 3, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 3(E)

From: Carlos A. Gimenez
Mayor

Subject: Ordinance for Application No. 5 in the May 2015 Cycle Applications to Amend the
Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate report that appears on this agenda which, together with this ordinance, were prepared by the Department of Regulatory and Economic Resources.



Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(E)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(E)
11-18-15

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING DISPOSITION OF APPLICATION NO. 5,
LOCATED ON THE NORTHEAST CORNER OF THE
INTERSECTION OF SW 184 STREET AND SW 112
AVENUE, FILED IN MAY 2015 CYCLE TO AMEND THE
COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER
PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM
THE CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade Board of
County Commissioners ("Board") adopted the Miami-Dade County Comprehensive
Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the
Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures
for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida
Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division
of the Department of Regulatory and Economic Resources ("Department") by private parties or
by the County; and

WHEREAS, Application No. 5 was filed by a private party in the May 2015 Cycle of
Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in
the document titled "May 2015 Applications to Amend the Comprehensive Development Master
Plan," dated June 22, 2015, and kept on file with and available upon request from the
Department; and

WHEREAS, Section 163.3187, Florida Statutes, sets forth a process for adoption of small-scale comprehensive plan amendments ("small-scale amendments"); and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments that may be adopted as set forth in Section 163.3187, Florida Statutes; and

WHEREAS, Application No. 5 is eligible and has requested expedited adoption as a small-scale amendment; and

WHEREAS, as required by Section 2-116.1, Code of Miami-Dade County, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015 and kept on file with and available upon request from the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 5; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board can, by ordinance, take final action to adopt, adopt with change, or not adopt the requested small-scale amendment, Application No. 5, or the Board can take action to transmit Application No. 5 to the reviewing agencies; and

WHEREAS, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the County; and

WHEREAS, this Board has conducted the public hearing required by the referenced procedures preparatory to enactment of this ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. This Board hereby desires to take action on Application No. 5 filed for review during the May 2015 CDMP Amendment Cycle as follows:

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Final Action
5	<p>Brown Development Group LLC/Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Richard A Perez, Esq., Alejandro J. Arias, Esq. & Pedro Gassant, Esq.</p> <p>Northeast corner of the intersection of SW 184 Street and SW 112 Avenue/ (±2.19 gross; ±1.89 net)</p> <p><u>Requested CDMP Amendment:</u></p> <ol style="list-style-type: none">1. Redesignate the application site on the Land Use Plan map From: "Office/Residential" To: "Business and Office"2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board <p>Small Scale Amendment</p>	

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. It is the intention of the Board, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by the Board; however, pursuant to Section 163.3187(5)(c), Florida Statutes, the effective date of the small-scale comprehensive plan amendment approved by this ordinance shall be thirty-one (31) days after adoption by the Board, if the amendment is not timely challenged. If challenged within thirty (30) days after adoption, the challenged small-scale comprehensive plan amendment shall not become effective until a final order is issued by the State Land Planning Agency or the Administration Commission determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on such individual amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this individual amendment may nevertheless be made effective, subject to the imposition of sanctions pursuant to Section 163.3184(8), Florida Statutes, by adoption of a resolution affirming its effective status, a copy of which resolution shall be filed with the Clerk of the Board and sent to the State Land Planning Agency.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

APW
AKR

Prepared by:

Dennis A. Kerbel

Memorandum



Date: November 18, 2015

Agenda Item No. 3(E)(1)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution for Application No. 5 in the May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached resolution addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda which, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.

A handwritten signature in black ink, appearing to read "Jack Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(E)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(E)(1)

11-18-15

RESOLUTION NO. _____

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 5, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SW 184 STREET AND SW 112 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 5; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade County Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 5 was filed by a private party in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in

the document titled "May 2015 Applications to Amend the Comprehensive Development Master Plan," dated June 22, 2015, and kept on file with the Department; and

WHEREAS, Section 163.3187, Florida Statutes, sets forth a process for adoption of small-scale comprehensive plan amendments ("small scale amendments"); and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments that may be adopted as set forth in section 163.3187, Florida Statutes; and

WHEREAS, Application No. 5 is eligible and has requested expedited adoption as a small-scale CDMP amendment; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015 and kept on file with the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 5; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board can, by ordinance, take final action to adopt, adopt with change, or not adopt the requested small-scale amendment, Application No. 5, or the Board can take action to transmit Application No. 5 to the reviewing agencies; and

WHEREAS, the Department may issue final recommendations addressing the May 2015 CDMP Amendment Cycle Applications that are transmitted to the reviewing agencies; and

WHEREAS, this Board desires to further evaluate, without prejudice, Application No. 5 filed for review and action during the May 2015 CDMP Amendment Cycle, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
5	<p>Brown Development Group LLC/Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Richard A. Perez, Esq., Alejandro J. Arias, Esq. & Pedro Gassant, Esq.</p> <p>Northeast corner of the intersection of SW 184 Street and SW 112 Avenue (± 2.19 gross; ± 1.89 net)</p> <p><u>Requested CDMP Amendment:</u></p> <ol style="list-style-type: none"> 1. Redesignate the application site on the Land Use Plan map: From: "Office/Residential" To: "Business and Office" 2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board. <p>Small-scale Amendment</p>	

Section 3. The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 4. The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

Section 5. The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2015 to address the pending May 2015 CDMP Amendment Cycle application.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of November, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Dennis Kerbel

Memorandum



Date: (Public Hearing 11-18-15)
November 3, 2015


To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 3(F)

From: Carlos A. Gimenez
Mayor

Subject: Ordinance for Application No. 6 in the May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate report that appears on this agenda which, together with this ordinance, were prepared by the Department of Regulatory and Economic Resources.



Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(F)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(F)
11-18-15

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING DISPOSITION OF APPLICATION NO. 6,
LOCATED ON THE NORTHEAST CORNER OF THE
INTERSECTION OF SW 200 STREET AND SW 177
AVENUE, FILED IN MAY 2015 CYCLE TO AMEND THE
COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER
PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM
THE CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade Board of
County Commissioners ("Board") adopted the Miami-Dade County Comprehensive
Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the
Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures
for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida
Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division
of the Department of Regulatory and Economic Resources ("Department") by private parties or
by the County; and

WHEREAS, Application No. 6 was filed by a private party in the May 2015 Cycle of
Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in
the document titled "May 2015 Applications to Amend the Comprehensive Development Master
Plan," dated June 22, 2015, and kept on file with and available upon request from the
Department; and

WHEREAS, Section 163.3187, Florida Statutes, sets forth a process for adoption of small-scale comprehensive plan amendments ("small-scale amendments"); and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments that may be adopted as set forth in Section 163.3187, Florida Statutes; and

WHEREAS, Application No. 6 is eligible and has requested expedited adoption as a small-scale amendment; and

WHEREAS, as required by Section 2-116.1, Code of Miami-Dade County, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015 and kept on file with and available upon request from the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 6; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board can, by ordinance, take final action to adopt, adopt with change, or not adopt the requested small-scale amendment, Application No. 6, or the Board can take action to transmit Application No. 6 to the reviewing agencies; and

WHEREAS, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the County; and

WHEREAS, this Board has conducted the public hearing required by the referenced procedures preparatory to enactment of this ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. This Board hereby desires to take action on Application No. 6 filed for review during the May 2015 CDMP Amendment Cycle as follows:

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Final Action
6	<p>Otto E & Barbara J. Kaufmann, Co-Trustees of The Kaufmann Family Trust/Tracy R. Slavens, Esq.</p> <p>Northeast corner of the intersection SW 200 Street (Quail Roost Drive) and SW 177 Avenue (Krome Avenue)/ (±4.08 gross; ±3.17 net)</p> <p><u>Requested CDMP Amendment:</u> Redesignate the application site on the Land Use Plan map</p> <p>From: "Business and Office" and "Agriculture" To: "Business and Office"</p> <p>Small Scale Amendment</p>	

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. It is the intention of the Board, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an

override by the Board; however, pursuant to Section 163.3187(5)(c), Florida Statutes, the effective date of the small-scale comprehensive plan amendment approved by this ordinance shall be thirty-one (31) days after adoption by the Board, if the amendment is not timely challenged. If challenged within thirty (30) days after adoption, the challenged small-scale comprehensive plan amendment shall not become effective until a final order is issued by the State Land Planning Agency or the Administration Commission determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on such individual amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this individual amendment may nevertheless be made effective, subject to the imposition of sanctions pursuant to Section 163.3184(8), Florida Statutes, by adoption of a resolution affirming its effective status, a copy of which resolution shall be filed with the Clerk of the Board and sent to the State Land Planning Agency.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel

APW
DJK

Memorandum



Date: November 18, 2015

Agenda Item No. 3(F)(1)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, likely belonging to Carlos A. Gimenez, the Mayor.

Subject: Resolution for Application No. 6 in the May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached resolution addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda which, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.

A handwritten signature in black ink, likely belonging to Jack Osterholt, the Deputy Mayor.

Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(F)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(F)(1)
11-18-15

RESOLUTION NO. _____

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 6, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION SW 200 STREET AND SW 177 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 6; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade County Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 6 was filed by a private party in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in

the document titled "May 2015 Applications to Amend the Comprehensive Development Master Plan," dated June 22, 2015, and kept on file with the Department; and

WHEREAS, Section 163.3187, Florida Statutes, sets forth a process for adoption of small-scale comprehensive plan amendments ("small scale amendments"); and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments that may be adopted as set forth in section 163.3187, Florida Statutes; and

WHEREAS, Application No. 6 is eligible and has requested expedited adoption as a small-scale CDMP amendment; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015 and kept on file with the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 6; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board can, by ordinance, take final action to adopt, adopt with change, or not adopt the requested small-scale amendment, Application No. 6, or the Board can take action to transmit Application No. 6 to the reviewing agencies; and

WHEREAS, the Department may issue final recommendations addressing the May 2015 CDMP Amendment Cycle Applications that are transmitted to the reviewing agencies; and

WHEREAS, this Board desires to further evaluate, without prejudice, Application No. 6 filed for review and action during the May 2015 CDMP Amendment Cycle, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
6	<p>Otto E. & Barbara J. Kaufmann, Co-Trustees of The Kaufmann Family Trust/Tracy R. Slavens, Esq.</p> <p>Northeast corner of the intersection SW 200 Street (Quail Roost Drive) and SW 177 Avenue (Krome Avenue) / (±4.08 gross; ±3.17 net)</p> <p><u>Requested CDMP Amendment:</u> Redesignate the application site on the Land Use Plan map:</p> <p>From: "Business and Office" and "Agriculture" To: "Business and Office"</p> <p>Small-scale Amendment</p>	

Section 3. The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 4. The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

Section 5. The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2016 to address the pending May 2015 CDMP Amendment Cycle application.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Dennis C. Moss

Sen. Javier D. Souto

Juan C. Zapata

Daniella Levine Cava

Audrey M. Edmonson

Barbara J. Jordan

Rebeca Sosa

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of November, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Dennis Kerbel

Memorandum



Date: November 18, 2015

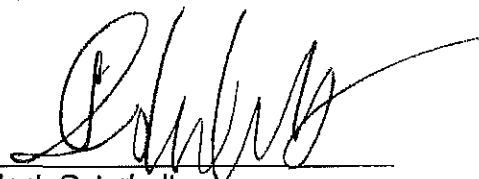
Agenda Item No. 4(A)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution for Application No. 7 in the May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached resolution addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate report that appears on this agenda which, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.



Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 4(A)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(A)
11-18-15

RESOLUTION NO. _____

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 7, LOCATED BETWEEN SW 64 STREET AND SW 88 STREET AND BETWEEN SW 177 AVENUE AND SW 167 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 7; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade County Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 7 was filed by private parties in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in

the document titled "May 2015 Applications to Amend the Comprehensive Development Master Plan," dated June 22, 2015 and kept on file with and available upon request from the Department; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015, and kept on file with and available upon request from the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 7; and

WHEREAS, the Department may issue final recommendations addressing the May 2015 CDMP Amendment Cycle Applications that are transmitted to the reviewing agencies; and

WHEREAS, this Board desires to further evaluate, without prejudice, Application No. 7 filed for review and action during the May 2015 CDMP Amendment Cycle, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the

transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
7	<p>Wonderly Holdings, Inc, HL Mills Family LLC, Luis A. Posada, Section 31 Tract 50 Corp, G.C.A.M. Investment Corp., Limonar Development, Inc. & Section 31 Tract 19 Corp./Mario Garcia-Serra, Esq., Francisco Pines, Esq. & David Mangiero, Esq.</p> <p>Between SW 64 Street and SW 88 Street (Kendall Drive), and between SW 177 Avenue (Krome Avenue) and SW 167 Avenue. (±859.0 gross acres; ±831.4 net acres)</p> <p><u>Requested Amendment to the CDMP</u></p> <ol style="list-style-type: none"> 1. Expand the 2020 Urban Development Boundary (UDB) to include the application site. 2. Amend the Land Use Element of the CDMP to create the "Green City Miami" land use category. 3. Redesignate ±819 gross acres (±791 net acres) of the application site on the Land Use Plan map: <ul style="list-style-type: none"> From: "Agriculture" To: "Green City Miami" 4. Amend the CDMP Adopted 2020 and 2030 Land Use Plan map to designate a new Metropolitan Urban Center and a new Community Urban Center. 5. Amend Policy LU-8F of the CDMP Land Use Element. 6. Create new Policy LU-8J of the CDMP Land Use Element. 7. Amend Figure 1 (Planned Year 2025 Roadway Network), Figure 3 (Roadway Functional Classification Year 2025), and Figure 6 (Planned Non-Motorized Network Map) in the Traffic Circulation Subelement of the CDMP to upgrade the designation of some segments of certain roadways of the County's roadway system. <p>Standard Amendment</p>	

Section 3. The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 4. The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

Section 5. The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2016 to address the pending May 2015 CDMP Amendment Cycle Applications.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Dennis C. Moss
Sen. Javier D. Souto
Juan C. Zapata

Daniella Levine Cava
Audrey M. Edmonson
Barbara J. Jordan
Rebeca Sosa
Xavier L. Suarez

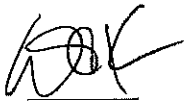
The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of November, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Dennis A. Kerbel

Memorandum

MIAMI-DADE
COUNTY

Date: November 18, 2015

Agenda Item No. 4(A)(1)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance for Application No. 7 in the May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate report that appears on this agenda which, together with this ordinance, were prepared by the Department of Regulatory and Economic Resources.



Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No.4(A)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(A)(1)
11-18-15

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING DISPOSITION OF APPLICATION NO. 7,
LOCATED BETWEEN SW 64 STREET AND SW 88 STREET
AND BETWEEN SW 177 AVENUE AND SW 167 AVENUE,
FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING SEVERABILITY, EXCLUSION FROM THE
CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade Board of
County Commissioners ("Board") adopted the Miami-Dade County Comprehensive
Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of
Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures
for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida
Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division
of the Department of Regulatory and Economic Resources ("Department") by private parties or
by the County; and

WHEREAS, Application No. 7 was filed by private parties in the May 2015 Cycle of
Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in
the document titled "May 2015 Applications to Amend the Comprehensive Development Master

Plan," dated June 22, 2015, and kept on file with and available upon request from the Department;
and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015, and kept on file with and available upon request from the Department;
and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 7; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board by resolution, transmitted Application No. 7 to the reviewing agencies; and

WHEREAS, the Board must take final action to adopt, adopt with change, or not adopt Application No. 7 to amend the CDMP no later than forty five (45) days after receipt of written comments from the reviewing agencies addressing transmitted applications, unless a greater time period is deemed necessary by the Director of the Department, pursuant to Section 2-116.1(4)(a) of the Code of Miami-Dade County, Florida; and

WHEREAS, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the County; and

WHEREAS, this Board has conducted the public hearings required by the referenced procedures preparatory to enactment of this ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. This Board hereby takes action on Application No. 7, filed for review during the May 2015 CDMP Amendment Cycle, as follows:

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Final Action
7	<p data-bbox="342 422 1138 604">Wonderly Holdings, Inc, HL Mills Family LLC, Luis A. Posada, Section 31 Tract 50 Corp, G.C.A.M. Investment Corp., Limonar Development, Inc. & Section 31 Tract 19 Corp./Mario Garcia-Serra, Esq., Francisco Pines, Esq. & David Mangiero, Esq.</p> <p data-bbox="342 621 1138 730">Between SW 64 Street and SW 88 Street (Kendall Drive), and between SW 177 Avenue (Krome Avenue) and SW 167 Avenue. (±859.0 gross acres; ±831.4 net acres)</p> <p data-bbox="342 747 818 783"><u>Requested Amendment to the CDMP</u></p> <ol data-bbox="367 793 1138 1591" style="list-style-type: none"> 1. Expand the 2020 Urban Development Boundary (UDB) to include the application site. 2. Amend the Land Use Element of the CDMP to create the "Green City Miami" land use category. 3. Redesignate ±819 gross acres (±791 net acres) of the application site on the Land Use Plan map: From: "Agriculture" To: "Green City Miami" 4. Amend the CDMP Adopted 2020 and 2030 Land Use Plan map to designate a new Metropolitan Urban Center and a new Community Urban Center. 5. Amend Policy LU-8F of the CDMP Land Use Element. 6. Create new Policy LU-8J of the CDMP Land Use Element. 7. Amend Figure 1 (Planned Year 2025 Roadway Network), Figure 3 (Roadway Functional Classification Year 2025), and Figure 6 (Planned Non-Motorized Network Map) in the Traffic Circulation Subelement of the CDMP to upgrade the designation of some segments of certain roadways of the County's roadway system. <p data-bbox="331 1629 610 1661">Standard Amendment</p>	

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. It is the intention of the Board, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board; however, pursuant to Section 163.3184(3)(c)4, Florida Statutes, the effective date of the plan amendment adopted in this ordinance shall be 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete, if the amendment is not timely challenged. If timely challenged, the amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on the adopted amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, the adopted amendment may nevertheless be made effective, subject to the imposition of sanctions pursuant to Section 163.3184(8), Florida Statutes, by adoption of a resolution affirming its effective status, a copy of which resolution shall be filed with the Clerk of the Board and sent to the State Land Planning Agency.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel

AW
ARK

7

Memorandum



Date: November 18, 2015

Agenda Item No. 4(B)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution for Application No. 8 in the May 2015 Cycle Applications to Amend the
Comprehensive Development Master Plan

The attached resolution addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate report that appears on this agenda which, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.

A handwritten signature in black ink, appearing to read "Jack Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 4(B)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(B)
11-18-15

RESOLUTION NO. _____

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 8, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION SW 88 STREET AND SW 177 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 8; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade County Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 8 was filed by private parties in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in the document titled "May 2015 Applications to Amend the Comprehensive Development Master

Plan," dated June 22, 2015, and kept on file with and available upon request from the Department; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015, and kept on file with and available upon request from the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 8; and

WHEREAS, the Department may issue final recommendations addressing the May 2015 CDMP Amendment Cycle Applications that are transmitted to the reviewing agencies; and

WHEREAS, this Board desires to further evaluate, without prejudice, Application No. 8 filed for review and action during the May 2015 CDMP Amendment Cycle, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to

transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
8	<p>Neighborhood Planning Company, LLC/ Joseph G. Goldstein Esq., Richard A Perez, Esq. & Hugo P. Arza, Esq.</p> <p>Southeast corner of the intersection SW 88 Street and SW 177 Avenue (±61.1 gross acres; ±53.4 net acres)</p> <p><u>Requested Amendment to CDMP Text and LUP Map:</u></p> <ol style="list-style-type: none"> 1. Expand the 2020 Urban Development Boundary (UDB) to include the application site. 2. Redesignate Parcel A (±51.1 gross acres; ±46.04 net acres) of the application site on the Land Use Plan map: From: "Agriculture" To: "Industrial and Office" 3. Redesignate Parcel B (±10.00 gross acres; ±7.36 net acres) of the application site on the Land Use Plan map: From: "Agriculture" To: "Business and Office" 4. Revise the Restrictions Table in Appendix A on page I-95 of the CDMP Land Use Element to include the proffered Declaration of Restrictions, if accepted by the Board of County Commissioners. <p>Standard Amendment</p>	

Section 3. The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 4. The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

Section 5. The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2016 to address the pending May 2015 CDMP Amendment Cycle Applications.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Dennis C. Moss
Sen. Javier D. Souto
Juan C. Zapata

Daniella Levine Cava
Audrey M. Edmonson
Barbara J. Jordan
Rebeca Sosa
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of November, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Dennis A. Kerbel

7

Memorandum

MIAMI DADE
COUNTY

Date: November 18, 2015

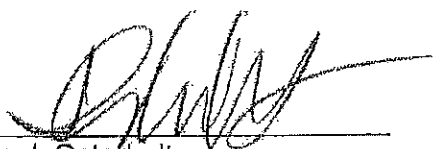
Agenda Item No. 4(B)(1)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance for Application No. 8 in the May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate report that appears on this agenda which, together with this ordinance, were prepared by the Department of Regulatory and Economic Resources.



Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 4(B)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 4(B)(1)

Veto _____

11-18-15

Override _____

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING DISPOSITION OF APPLICATION NO. 8,
LOCATED AT THE SOUTHEAST CORNER OF THE
INTERSECTION SW 88 STREET AND SW 177 AVENUE,
FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING SEVERABILITY, EXCLUSION FROM THE
CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 8 was filed by private parties in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") and is contained in the document titled "May 2015 Applications to Amend the Comprehensive Development Master

Plan," dated June 22, 2015, and kept on file with and available upon request from the Department; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015, and kept on file with and available upon request from the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 8; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board by resolution, transmitted Application No. 8 to the reviewing agencies; and

WHEREAS, the Board must take final action to adopt, adopt with change, or not adopt Application No. 8 to amend the CDMP no later than forty five (45) days after receipt of written comments from the reviewing agencies addressing transmitted applications, unless a greater time period is deemed necessary by the Director of the Department, pursuant to Section 2-116.1(4)(a) of the Code of Miami-Dade County, Florida; and

WHEREAS, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the County; and

WHEREAS, this Board has conducted the public hearings required by the referenced procedures preparatory to enactment of this ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. This Board hereby takes action on Application No. 8, filed for review during the May 2015 CDMP Amendment Cycle, as follows:

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Final Action
8	<p>Neighborhood Planning Company, LLC/ Joseph G. Goldstein Esq., Richard A Perez, Esq. & Hugo P. Arza, Esq.</p> <p>Southeast corner of the intersection SW 88 Street and SW 177 Avenue (±61.1 gross acres; ±53.4 net acres)</p> <p><u>Requested Amendment to CDMP Text and LUP Map:</u></p> <ol style="list-style-type: none"> 1. Expand the 2020 Urban Development Boundary (UDB) to include the application site. 2. Redesignate Parcel A (±51.1 gross acres; ±46.04 net acres) of the application site on the Land Use Plan map: From: "Agriculture" To: "Industrial and Office" 3. Redesignate Parcel B (±10.00 gross acres; ±7.36 net acres) of the application site on the Land Use Plan map: From: "Agriculture" To: "Business and Office" 4. Revise the Restrictions Table in Appendix A on page I-95 of the CDMP Land Use Element to include the proffered Declaration of Restrictions, if accepted by the Board of County Commissioners. <p>Standard Amendment</p>	

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. It is the intention of the Board, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board; however, pursuant to Section 163.3184(3)(c)4, Florida Statutes, the effective date of the plan amendment adopted in this ordinance shall be 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete, if the amendment is not timely challenged. If timely challenged, the amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on the adopted amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, the adopted amendment may nevertheless be made effective, subject to the imposition of sanctions pursuant to Section 163.3184(8), Florida Statutes, by adoption of a resolution affirming its effective status, a copy of which resolution shall be filed with the Clerk of the Board and sent to the State Land Planning Agency.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel

APW
[Signature]

L

Memorandum



Date: November 18, 2015

Agenda Item No. 4(C)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution for Application No. 9 in the May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached resolution addresses a Comprehensive Development Master Plan (CDMP) application that appears on the agenda pursuant to the Board of County Commissioners Resolution No. R-350-15, which directed the Mayor or Mayor's designee to file a CDMP amendment application to implement the results of the Ludlam Trail Corridor charrettes that were conducted in February and March of 2015. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda which, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.



Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 4(C)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(C)
11-18-15

RESOLUTION NO. _____

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 9, A CORRIDOR GENERALLY 100 FEET WIDE ALONG SW/NW 69 AVENUE FROM SW 80 STREET TO ±400 FEET NORTH OF NW 7 STREET; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 9; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade County Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, the Board directed that two charrettes be conducted for the ±6-mile long and ±100 feet wide former Florida East Coast Industries railroad corridor between SW 80 Street and NW 7 Street generally along SW/NW 69 Avenue (the Ludlam Trail Corridor); and

WHEREAS, the said charrettes were conducted in County Commission Districts 6 and 7 in February and March of 2015, respectively, and the results are expressed in the Ludlam Trail Corridor Charrette Report; and

WHEREAS, on April 21, 2015 the Board adopted Resolution No. R-350-15 directing the Mayor or the Mayor's designee to file a CDMP amendment application to implement the results of the Ludlam Trail Corridor charrettes; and

WHEREAS, Application No. 9 was filed by the Department and included in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") pursuant to Resolution R-350-15 and in accordance with Section 2-116.1(3)(b), Code of Miami-Dade County; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015, and kept on file with the Department; and

WHEREAS, the directly impacted Community Councils and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 9; and

WHEREAS, the Department may issue final recommendations addressing the May 2015 CDMP Amendment Cycle Applications that are transmitted to the reviewing agencies; and

WHEREAS, this Board desires to further evaluate, without prejudice, Application No. 9 filed for review and action during the May 2015 CDMP Amendment Cycle, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
9	<p>Miami-Dade County/Jack Osterholt, Deputy Mayor/Director Department of Regulatory and Economic Resources.</p> <p>A corridor generally 100 feet wide along SW/NW 69 Avenue extending from SW 80 Street to ±400 feet north of NW 7 Street.</p> <p><u>Requested Amendment to CDMP Text and LUP Map:</u></p> <ol style="list-style-type: none"> 1. Add text within the Land Use Element to create a new CDMP Land Use category titled 'Special District'; 2. Create a subcategory under the Special District text titled "Ludlam Trail Corridor District" including the addition of Figure 3.1 to the map series; 3. Apply the new "Special District" designation to the former FEC railroad corridor on the CDMP Land Use Plan Map: From: "Transportation (ROW, Rail, Metrorail, Etc.)" To: "Special District" 4. Add a new policy within the Intergovernmental Coordination Element to coordinate with the City of Miami for those portions of the corridor that are located within the municipal boundaries of the City; and 5. Add a new policy within the Recreation and Open Space Element to encourage developers of residential uses within the Ludlam Trail Corridor District to dedicate park land, improvements, and maintenance or some combination that adequately meets the developer's obligation to provide local recreation open space. <p>Standard Amendment</p>	

Section 3. The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 4. The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

Section 5. The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2016 to address the pending May 2015 CDMP Amendment Cycle Applications.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Dennis C. Moss
Sen. Javier D. Souto
Juan C. Zapata

Daniella Levine Cava
Audrey M. Edmonson
Barbara J. Jordan
Rebeca Sosa
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of November, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Dennis A. Kerbel

Memorandum



Date: November 18, 2015


Agenda Item No. 4(C)(1)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance for Application No. 9 in the May 2015 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan staff application that appears on the agenda pursuant to the Board of County Commissioners Resolution No. R-350-15, which directed the Mayor or Mayor's designee to file a CDMP amendment application to implement the results of the Ludlam Trail Corridor charrettes that were conducted in February and March of 2015. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda which, together with this ordinance, were prepared by the Department of Regulatory and Economic Resources.



Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 18, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 4(C)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(C)(1)
11-18-15

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING DISPOSITION OF APPLICATION NO. 9, A
CORRIDOR GENERALLY 100 FEET WIDE ALONG SW/NW
69 AVENUE FROM SW 80 STREET TO \pm 400 FEET NORTH
OF NW 7 STREET, FILED IN MAY 2015 CYCLE TO AMEND
THE COUNTY'S COMPREHENSIVE DEVELOPMENT
MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION
FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade Board of
County Commissioners ("Board") adopted the Miami-Dade County Comprehensive
Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of
Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures
for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida
Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division
of the Department of Regulatory and Economic Resources ("Department") by private parties or
by the County; and

WHEREAS, the Board directed that two charrettes be conducted for the \pm 6-mile
long and \pm 100 feet wide former Florida East Coast Industries railroad corridor between SW 80
Street and NW 7 Street generally along SW/NW 69 Avenue (the Ludlam Trail Corridor); and

3

WHEREAS, the said charrettes were conducted in County Commission Districts 6 and 7 in February and March of 2015, respectively, and the results are expressed in the Ludlam Trail Corridor Charrette Report; and

WHEREAS, on April 21, 2015 the Board adopted Resolution No. R-350-15 directing the Mayor or the Mayor's designee to file a CDMP amendment application to implement the results of the Ludlam Trail Corridor charrettes; and

WHEREAS, Application No. 9 was filed by the Department and included in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") pursuant to Resolution R-350-15 and in accordance with Section 2-116.1(3)(b), Code of Miami-Dade County; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015, and kept on file with and available upon request from the Department; and

WHEREAS, the directly impacted Community Councils and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 9; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board by resolution, transmitted Application No. 9 to the reviewing agencies; and

WHEREAS, the Board must take final action to adopt, adopt with change, or not adopt Application No. 9 to amend the CDMP no later than forty five (45) days after receipt of written comments from the reviewing agencies addressing transmitted applications, unless a greater time period is deemed necessary by the Director of the Department, pursuant to Section 2-116.1(4)(a) of the Code of Miami-Dade County, Florida; and

WHEREAS, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the County; and

WHEREAS, this Board has conducted the public hearings required by the referenced procedures preparatory to enactment of this ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. This Board hereby takes action on Application No. 9, filed for review during the May 2015 CDMP Amendment Cycle, as follows:

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Final Action
9	<p>Miami-Dade County/Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources.</p> <p>A corridor generally 100 feet wide along SW/NW 69 Avenue extending from SW 80 Street to ±400 feet north of NW 7 Street.</p> <p>Requested Amendment to CDMP Text and LUP Map:</p> <ol style="list-style-type: none"> 1. Add text within the Land Use Element to create a new CDMP Land Use category titled 'Special District'; 2. Create a subcategory under the Special District text titled "Ludlam Trail Corridor District" including the addition of Figure 3.1 to the map series; 3. Apply the new "Special District" designation to the former FEC railroad corridor on the CDMP Land Use Plan Map: From: "Transportation (ROW, Rail, Metrorail, Etc.)" To: "Special District" 4. Add a new policy within the Intergovernmental Coordination Element to coordinate with the City of Miami for those portions of the corridor that are located within the municipal boundaries of the City; and 5. Add a new policy within the Recreation and Open Space Element to encourage developers of residential uses within the Ludlam Trail Corridor District to dedicate park land, improvements, and maintenance or some combination that adequately meets the developer's obligation to provide local recreation open space. <p>Standard Amendment</p>	

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. It is the intention of the Board, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board; however, pursuant to Section 163.3184(3)(c)4, Florida Statutes, the effective date of the plan amendment adopted in this ordinance shall be 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete, if the amendment is not timely challenged. If timely challenged, the amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on the adopted amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, the adopted amendment may nevertheless be made effective, subject to the imposition of sanctions pursuant to Section 163.3184(8), Florida Statutes, by adoption of a resolution affirming its effective status, a copy of which resolution shall be filed with the Clerk of the Board and sent to the State Land Planning Agency.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel

A handwritten signature in black ink, appearing to read 'D.A. Kerbel', written over a horizontal line.

RESOLUTION NO. 1-15

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING
ADVISORY BOARD ACTING AS THE LOCAL PLANNING
AGENCY ISSUING RECOMMENDATIONS TO THE BOARD
OF COUNTY COMMISSIONERS REGARDING FINAL
DISPOSITION OF SMALL-SCALE AMENDMENT
APPLICATION NOS. 1 THROUGH 6 OF THE MAY 2015
CYCLE APPLICATIONS TO AMEND THE COMPREHENSIVE
DEVELOPMENT MASTER PLAN, AND ADOPTING
RECOMMENDATIONS AS TO SUBSEQUENT ACTION

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes (F.S.), the Comprehensive Development Master Plan (CDMP) for Miami-Dade County was adopted by the Miami-Dade Board of County Commissioners (Commission) in November 1988; and

WHEREAS, Section 2-116.1 of the Code of Miami-Dade County, Florida, provides procedures for amending the CDMP, which comply with the requirements of the Florida Statutes referenced above; and

WHEREAS, eight (8) applications to amend the CDMP Adopted 2020-2030 Land Use Plan map were filed by private parties on or before June 1, 2015, and are contained in the document titled "May 2015 Applications to Amend the Comprehensive Development Master Plan," dated June 22, 2015; and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of eligible small-scale amendments as defined in section 163.3187, F.S.; and

WHEREAS, six (6) Land Use Plan map amendments (Application Nos. 1, 2, 3, 4, 5 and 6) filed in the May 2015 CDMP Amendment Cycle requested expedited adoption, if eligible, as small-scale CDMP amendments; and

WHEREAS, Application No. 9 was filed by the Department of Regulatory and Economic Resources (Department) and included in the May 2015 Cycle; and

WHEREAS, the remaining three (3) applications (Application Nos. 7, 8 and 9) are standard amendments filed in the May 2015 CDMP Amendment Cycle are standard CDMP amendment requests; and

WHEREAS, the Department has published its initial recommendations addressing the referenced CDMP amendment applications in the report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan," dated August 2015; and

WHEREAS, affected Community Councils have conducted optional public hearings pursuant to Section 2-116.1 (3)(e), Code of Miami-Dade County, Florida, to address the CDMP amendment applications that would directly impact their respective council areas and issued recommendations to the Planning Advisory Board and the Commission; and

WHEREAS, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accord with the referenced State and County procedures, and has conducted a duly noticed public hearing to receive public comments and to address the referenced CDMP amendment applications, the initial recommendations of the Department, the transmittal by the Commission of standard CDMP amendments to the State Land Planning Agency and other state and regional agencies (the reviewing agencies) for review and comment, and to address the subsequent final action on the standard CDMP amendments by the Commission; and

WHEREAS, the Planning Advisory Board, acting as the Local Planning Agency, at its October 19, 2015 public hearing made recommendations on small-scale Land Use Plan map amendment Application Nos. 1, 2, 3, 4, 5 and 6, which are addressed herein, and continued the

**NOW, THEREFORE, BE IT RESOLVED BY THE MIAMI-DADE COUNTY
PLANNING ADVISORY BOARD ACTING AS THE LOCAL PLANNING AGENCY:**

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	Recommended Action on Small-Scale Amendment
1	<p>Mayres LLC,/Stanley B. Price, Esq. & Brian S. Adler, Esq.</p> <p>Northeast Corner of the Intersection of NE 109 Street and NE 13 Avenue / (±1.16 Gross; ±8.828 Net)</p> <p>Requested CDMP Amendment</p> <p>1. Redesignate application site on the Land Use Plan (LUP) map:</p> <p style="padding-left: 40px;">From: “Medium Density Residential (13 to 25 DU/Ac.)”</p> <p style="padding-left: 40px;">To: “Business and Office”</p> <p>2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.</p>	<p>Adopt with Acceptance of the Proffered Declaration of Restrictions as a Small-Scale Amendment</p>

A-3

Carla Ascencio-Savola	Yes	Javier Muñoz	Yes
Aida G. Bao-Garciga	Yes	Robert Ruano	Yes
Jose Bared	Yes	Georgina Santiago	Yes
Reginald Clyne	Yes	Alexander Soto	Absent
Peter DiPace	Yes	Richard Tapia	Absent
Horacio Huembes	Yes	Jesus R. Vazquez	Absent
Joseph James	Yes		

Raymond Marin, Vice Chair, Yes
William A. Riley, Chair, Yes

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	Recommended Action on Small-Scale Amendment
2	TEPA Properties, LLC/Jonathan J. Coto, Esq. & Rene J. Garcia Jr., Esq. Southeast corner of the intersection of SW 56 Street/Miller Drive and SW 89 Avenue / (±1.87 Net) <u>Requested CDMP Amendment</u> 1. Redesignate application site on the LUP map: From: "Low Density Residential (2.5 to 6 DU/Ac.)" To: "Business and Office" 2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.	Adopt with Acceptance of the Proffered Declaration of Restrictions as a Small-Scale Amendment

The motion to recommend "Adopt as a Small-Scale amendment with acceptance of the proffered Declaration of Restrictions" was moved by Board Member Raymond Marin. Board Member Peter DiPace seconded the motion. The motion passes unanimously as follows:

Carla Ascencio-Savola	Yes	Javier Muñoz	Yes
Aida G. Bao-Garciga	Yes	Robert Ruano	Yes
Jose Bared	Yes	Georgina Santiago	Yes
Reginald Clyne	Yes	Alexander Soto	Absent
Peter DiPace	Yes	Richard Tapia	Yes
Horacio Huembes	Yes	Jesus R. Vazquez	Absent
Joseph James	Yes		

Raymond Marin, Vice Chair, Yes
William A. Riley, Chair, Yes

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	Recommended Action on Small-Scale Amendment
3	<p>Southeast Investments, Inc./Juan J. Mayol, Esq., Hugo P. Arza, Esq., Richard A. Perez, Esq., Alejandro J. Arias, Esq., and Pedro Gassant, Esq.</p> <p>Southeast corner of the intersection of SW 127 Avenue and SW 56 Street / (± 10.0 Gross; ± 8.45 Net)</p> <p><u>Requested CDMP Amendment</u></p> <p>Redesignate application site on the LUP map:</p> <ol style="list-style-type: none"> 1. From: "Agriculture" To: "Business and Office" 2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board. 	<p>Transmit as a Standard Amendment with the Proffered Declaration of Restrictions</p>

The motion to recommend "Transmit as a Standard Amendment with acceptance of the Proffered Declaration of Restrictions" was moved by Board Member Aida Bao-Garciga. Board Member Georgina Santiago seconded the motion. The motion passed as follows:

Carla Ascencio-Savola	Yes	Javier Muñoz	Yes
Aida G. Bao-Garciga	Yes	Robert Ruano	No
Jose Bared	Yes	Georgina Santiago	Yes
Reginald Clyne	No	Alexander Soto	Absent
Peter DiPace	No	Richard Tapia	Yes
Horacio Huembes	Yes	Jesus R. Vazquez	Absent
Joseph James	Yes		

Raymond Marin, Vice Chair, No

William A. Riley, Chair, No

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	Recommended Action on Small-Scale Amendment
4	<p>TCAG, LLC, a Florida limited liability company/Alberto J. Parlade, Esq. & Parlade J. Corral, Esq.</p> <p>West side of SW 132 Avenue and ± 300 feet north of SW 136 Street / (± 10.0 Gross; ± 9.9 Net)</p> <p><u>Requested CDMP Amendment</u></p> <p>Redesignate application site on the LUP map:</p> <p>From: "Industrial and Office"</p> <p>To: "Office/Residential"</p>	<p>Adopt as a Small-Scale Amendment</p>

The motion to recommend to “Adopt as a Small-Scale Amendment” was moved by Board Member Javier Munoz. Board Member Horacio Huembes seconded the motion. The motion passed as follows:

Carla Ascencio-Savola	Yes	Javier Muñoz	Yes
Aida G. Bao-Garciga	Absent	Robert Ruano	No
Jose Bared	Yes	Georgina Santiago	Yes
Reginald Clyne	Yes	Alexander Soto	Absent
Peter DiPace	No	Richard Tapia	Yes
Horacio Huembes	Yes	Jesus R. Vazquez	Absent
Joseph James	Yes		

Raymond Marin, Vice Chair, Yes
William A. Riley, Chair, Yes

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	Recommended Action on Small-Scale Amendment
5	<p>Brown Development Group, LLC/Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Richard A. Perez, Esq., Alejandro J. Arias, Esq. & Pedro Gassant, Esq.</p> <p>Northeast corner of the intersection of SW 184 Street and SW 112 Avenue / (±1.98 Net)</p> <p><u>Requested CDMP Amendments</u></p> <ol style="list-style-type: none"> Redesignate application site on the LUP map: From: “Office/Residential” To: “Business and Office” Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board. 	<p>Adopt with acceptance of the Proffered Declaration of Restrictions as a Small Scale Amendment</p>

The motion to recommend to “Adopt as a Small Scale Amendment with acceptance of the Proffered Declaration of Restrictions” was moved by Board Member Joseph James. Board Member Reginald Clyne seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Yes	Javier Muñoz	Yes
Aida G. Bao-Garciga	Yes	Robert Ruano	Yes
Jose Bared	Yes	Georgina Santiago	Yes
Reginald Clyne	Yes	Alexander Soto	Absent
Peter DiPace	Yes	Richard Tapia	Yes
Horacio Huembes	Yes	Jesus R. Vazquez	Absent
Joseph James	Yes		

Raymond Marin, Vice Chair, Yes
William A. Riley, Chair, Yes

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	Recommended Action on Small-Scale Amendment
6	<p>Otto E & Barbara J. Kaufmann, Co-Trustees of The Kaufmann Family Trust / Tracy R. Slavens, Esq.</p> <p>Northeast corner of the intersection SW 200 Street and SW 177 Avenue / (±4.08 Gross; ±3.17 Net)</p> <p><u>Requested CDMP Amendment</u></p> <p>Redesignate application site on the LUP map:</p> <p>From: "Business and Office" and "Agriculture"</p> <p>To: "Business and Office"</p>	Adopt as a Small-Scale Amendment

The motion to recommend to "Adopt as a Small-Scale Amendment" was moved by Board Member Joseph James. Board Member Aida Bao-Garciga seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Yes	Javier Muñoz	Yes
Aida G. Bao-Garciga	Yes	Robert Ruano	Yes
Jose Bared	Yes	Georgina Santiago	Yes
Reginald Clyne	Yes	Alexander Soto	Absent
Peter DiPace	Yes	Richard Tapia	Yes
Horacio Huembes	Yes	Jesus R. Vazquez	Absent
Joseph James	Yes		

Raymond Marin, Vice Chair, Yes
William A. Riley, Chair, Yes

The motion was made by Board Member Raymond Marin to continue the PAB hearing to November 2, 2015 at 10:30 a.m. for Application Nos. 7, 8, and 9. Board Member Robert Ruano seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Yes	Javier Muñoz	Yes
Aida G. Bao-Garciga	Yes	Robert Ruano	Yes
Jose Bared	Yes	Georgina Santiago	Yes
Reginald Clyne	Yes	Alexander Soto	Absent
Peter DiPace	Yes	Richard Tapia	Absent
Horacio Huembes	Yes	Jesus R. Vazquez	Absent
Joseph James	Yes		

Raymond Marin, Vice Chair, Yes
William A. Riley, Chair, Yes

The motion to bifurcate the Planning Advisory Board (PAB) resolution to include votes on Application Nos. 1, 2, 3, 4, 5, and 6 was moved by Board Member Javier Munoz. Board Member Aida Bao-Garciga seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Yes	Javier Muñoz	Yes
Aida G. Bao-Garciga	Yes	Robert Ruano	Yes
Jose Bared	Yes	Georgina Santiago	Yes
Reginald Clyne	Yes	Alexander Soto	Absent
Peter DiPace	Yes	Richard Tapia	Yes
Horacio Huembes	Yes	Jesus R. Vazquez	Absent
Joseph James	Yes		

Raymond Marin, Vice Chair, Yes
William A. Riley, Chair, Yes

The motion to adopt the foregoing resolution was moved by Board Member Georgina Santiago. Board Member Horacio Huembes seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Yes	Javier Muñoz	Yes
Aida G. Bao-Garciga	Yes	Robert Ruano	Yes
Jose Bared	Yes	Georgina Santiago	Yes
Reginald Clyne	Yes	Alexander Soto	Absent
Peter DiPace	Yes	Richard Tapia	Yes
Horacio Huembes	Yes	Jesus R. Vazquez	Absent
Joseph James	Yes		

Raymond Marin, Vice Chair, Yes
William A. Riley, Chair, Yes

The above actions were taken by the Planning Advisory Board, acting as the Local Planning Agency, at its public hearing on October 19, 2015, and are certified correct by Jack Osterholt, Executive Secretary to the Planning Advisory Board.



Jack Osterholt, Deputy Mayor/Director
Department of Regulatory and Economic
Resources

RESOLUTION NO. 2-15

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD ACTING AS THE LOCAL PLANNING AGENCY ISSUING RECOMMENDATIONS TO THE BOARD OF COUNTY COMMISSIONERS REGARDING FINAL DISPOSITION AND TRANSMITTAL TO THE STATE LAND PLANNING AGENCY OF THE STANDARD MAY 2015 CYCLE APPLICATION NOS. 7, 8 AND 9 TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN, AND ADOPTING RECOMMENDATIONS AS TO SUBSEQUENT ACTION

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes (F.S.), the Comprehensive Development Master Plan (CDMP) for Miami-Dade County was adopted by the Miami-Dade Board of County Commissioners (Commission) in November 1988; and

WHEREAS, Section 2-116.1 of the Code of Miami-Dade County, Florida, provides procedures for amending the CDMP, which comply with the requirements of the Florida Statutes referenced above; and

WHEREAS, eight (8) applications to amend the CDMP Adopted 2020-2030 Land Use Plan map were filed by private parties on or before June 1, 2015, and are contained in the document titled "May 2015 Applications to Amend the Comprehensive Development Master Plan," dated June 22, 2015; and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of eligible small-scale amendments as defined in section 163.3187, F.S.; and

WHEREAS, six (6) Land Use Plan map amendments (Application Nos. 1, 2, 3, 4, 5 and 6) filed in the May 2015 CDMP Amendment Cycle requested expedited adoption, if eligible, as small-scale CDMP amendments; and

WHEREAS, Application No. 9 was filed by the Department of Regulatory and Economic Resources (Department) and included in the May 2015 Cycle; and

WHEREAS, the remaining three (3) applications (Application Nos. 7, 8 and 9) are standard amendments filed in the May 2015 CDMP Amendment Cycle are standard CDMP amendment requests; and

WHEREAS, the Department has published its initial recommendations addressing the referenced CDMP amendment applications in the report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan," dated August 2015; and

WHEREAS, affected Community Councils have conducted optional public hearings pursuant to Section 2-116.1 (3)(e), Code of Miami-Dade County, Florida, to address the CDMP amendment applications that would directly impact their respective council areas and issued recommendations to the Planning Advisory Board and the Commission; and

WHEREAS, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accord with the referenced State and County procedures, and has conducted a duly noticed public hearing to receive public comments and to address the referenced CDMP amendment applications, the initial recommendations of the Department, the transmittal by the Commission of standard CDMP amendments to the State Land Planning Agency and other state and regional agencies (the reviewing agencies) for review and comment, and to address the subsequent final action on the standard CDMP amendments by the Commission; and

WHEREAS, the Planning Advisory Board, acting as the Local Planning Agency, at its October 19, 2015 public hearing made recommendations on small-scale Land Use Plan map amendment Application Nos. 1, 2, 3, 4, 5 and 6, by separate resolution, and continued the public hearing to November 2, 2015 to address transmittal of standard Application Nos. 7, 8 and 9, which are addressed herein; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MIAMI-DADE COUNTY
PLANNING ADVISORY BOARD ACTING AS THE LOCAL PLANNING AGENCY:**

This Agency hereby makes the following recommendations to the Commission regarding the transmittal and adoption of standard Application Nos. 7, 8, and 9; and recommendations regarding the subsequent actions by the Commission.

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	<ul style="list-style-type: none"> • Transmittal Recommendation • Recommendation as to Subsequent Action
7	<p>Wonderly Holdings, Inc.; HL Mills Family LLC; Luis A. Posada; Section 31 Tract 50 Corp.; Ima Yaffer Trs; G.C.A.M. Investment Corp.; Limonar Development Inc.; Section 31 Tract 19 Corp.; Largo Enterprises, LLC/Mario Garcia-Serra Esq., Francisco Pines, Esq.</p> <p>Between SW 64 Street and SW 88 Street (Kendall Drive), and between SW 177 Avenue (Krome Avenue) and SW 167 Avenue (±859 Gross: ±831.4 Net)</p> <p><u>Requested CDMP Amendments</u></p> <ol style="list-style-type: none"> 1. Expand the 2020 Urban Development Boundary (UDB) to include the site; 2. Amend the Land Use Element to create the "Green City Miami" land use category 3. Redesignate ±819 gross acres (±791 net acres) of the application site on the Land Use Plan map from "Agriculture" to "Green City Miami" (excludes wellfield); 4. Amend the Adopted 2020 and 2030 Land Use Plan map to designate new Urban Centers (Metropolitan and Community Urban Centers); 5. Amend Policy LU-8F of the CDMP Land Use Element; 6. Create new Policy LU-8J in the CDMP Land Use Element; and 7. Amend Figure 1 (Planned Year 2025 Roadway Network), Figure 3 (Roadway Functional Classification Year 2025), and Figure 6 (Planned Non-Motorized Network Map) in the Traffic Circulation Subelement of the CDMP to change the designation of certain roadway segments. 	<p>Deny and Do Not Transmit</p>

The motion to recommend to “Deny and Do Not Transmit” was moved by Board Member Javier Munoz. Board Member Robert Ruano seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Yes	Javier Muñoz	Yes
Aida G. Bao-Garciga	Yes	Robert Ruano	Yes
Jose Bared	Absent	Georgina Santiago	Absent
Reginald Clyne	Absent	Alexander Soto	Absent
Peter DiPace	Absent	Richard Tapia	Absent
Horacio Huembes	Yes	Jesus R. Vazquez	Absent
Joseph James	Yes		

Raymond Marin, Vice Chair, Yes
William A. Riley, Chair, Yes

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	<ul style="list-style-type: none"> • Transmittal Recommendation • Recommendation as to Subsequent Action
8	<p>Neighborhood Planning Company, LLC/Joseph G. Goldstein, Esq., Richard A. Perez, Esq. and Hugo P. Arza, Esq.</p> <p>Southeast corner of SW 88 Street (Kendall Drive) and SW 177 Avenue (Krome Avenue) (±61.1 Gross; ±53.4 Net)</p> <p><u>Requested CDMP Amendments</u></p> <ol style="list-style-type: none"> 1. Expand the 2020 Urban Development Boundary (UDB) to include the application site; 2. Redesignate Parcel A (±51.1 gross acres) of application site from “Agriculture” to “Industrial and Office”; 3. Redesignate Parcel B (±10.00 gross acres) of application site from “Agriculture” to “Business and Office”; and 4. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board. 	<p>Transmit with the Proffered Declaration of Restrictions</p>

The motion to recommend “Transmit with the Proffered Declaration of Restrictions” was moved by Board Member Horacio Huembes. Board Member Javier Munoz seconded the motion. The motion passed as follows:

Carla Ascencio-Savola	No	Javier Muñoz	Yes
Aida G. Bao-Garciga	Yes	Robert Ruano	No
Jose Bared	Absent	Georgina Santiago	Absent
Reginald Clyne	Absent	Alexander Soto	Absent
Peter DiPace	Absent	Richard Tapia	Absent
Horacio Huembes	Yes	Jesus R. Vazquez	Absent
Joseph James	Yes		

Raymond Marin, Vice Chair, No
William A. Riley, Chair, Yes

Application Number	Applicant/Representative Location (Size) Requested Standard Amendment to the CDMP	<ul style="list-style-type: none"> • Transmittal Recommendation • Recommendation as to Subsequent Action
9	<p>Miami-Dade County Department of Regulatory and Economic Resources/Jack Osterholt, Deputy Mayor/Director</p> <p>North of NW 7 Street to approximately SW 80 Street, generally along theoretical NW/SW 69 Avenue (±68.2 Gross; ±66.7 Net)</p> <p><u>Requested CDMP Amendments</u></p> <ol style="list-style-type: none"> 1. Add text within the Land Use Element to create a new CDMP Land Use category titled 'Special District'; 2. Create a subcategory under the Special District text titled "Ludlam Trail Corridor District"; 3. Apply the new "Special District" designation to the former FEC railroad corridor on the CDMP Land Use Plan Map: From: "Transportation (ROW, Rail, Metrorail, Etc.)" To: "Special District" 4. Add a new policy within the Intergovernmental Coordination Element to coordinate with the City of Miami for those portions of the corridor that are located within the municipal boundaries of the City; and 5. Add a new policy within the Recreation and Open Space Element to encourage developers of residential uses within the Ludlam Trail Corridor District to dedicate park land, improvements, and maintenance or some combination that adequately meets the developer's obligation to provide local recreation open space. 	<p>Transmit and Adopt</p> <p>with the conditions recommended by Community Councils 10 and 12</p> <p>Conditions Include:</p> <ul style="list-style-type: none"> • Limiting height of buildings to six stories in Tamiami Trail Development Area; • Provide solution to issue of pedestrian crossings at major intersections; • Ingress/egress from east except for emergency vehicles; • A buffer be erected between the trail and the single-family homes as recommended in the charrette from SW 48 to SW 80 Streets; • No parks be developed between SW 48 and SW 80 Street; • Connectivity of the trail across roadways, 4-lanes or wider; • No east bound egress/ingress except for emergency vehicles at SW 48 Street to Bird Road area; • Tie development of the trail to building within the development areas; and • Limit building height within the Bird Road Development Area to no more than 4 stories.

The motion to recommend "Transmit and Adopt" with the conditions recommended by the Westchester Community Council (10) and the Kendall Community Council (12) was moved by Board Member Ascencio-Savola. Board Member Marin seconded the motion. The motion passed unanimously as follows:

Carla Ascencio-Savola	Yes	Javier Muñoz	Yes
Aida G. Bao-Garciga	Yes	Robert Ruano	Absent
Jose Bared	Absent	Georgina Santiago	Absent
Reginald Clyne	Absent	Alexander Soto	Absent
Peter DiPace	Absent	Richard Tapia	Absent
Horacio Huembes	Yes	Jesus R. Vazquez	Absent
Joseph James	Yes		


Raymond Marin, Vice Chair, Yes
William A. Riley, Chair, Yes

The motion to adopt the foregoing resolution was moved by Board Member Santiago. Board Member Huembes seconded the motion. The motion passed unanimously as follows:

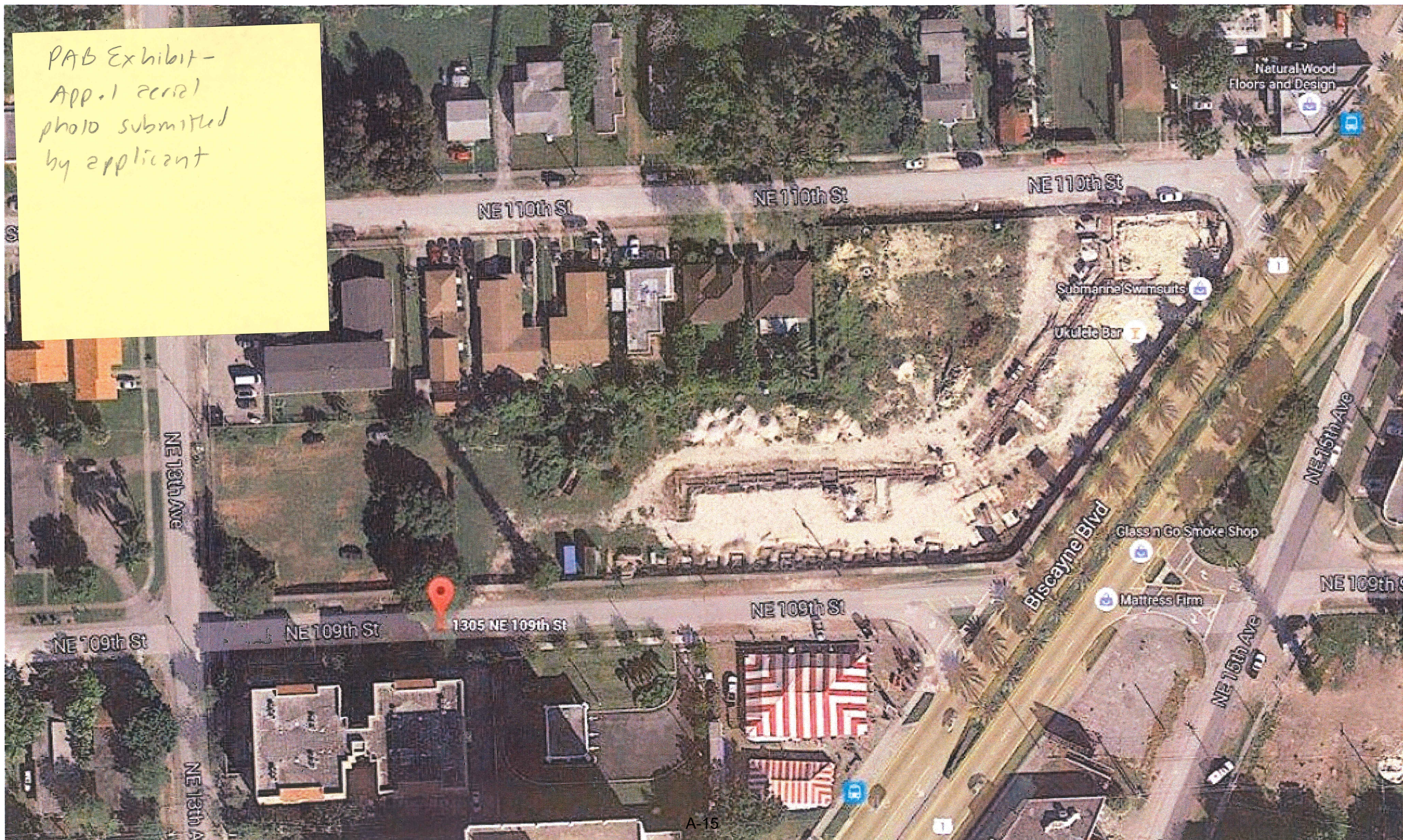
Carla Ascencio-Savola	Yes	Javier Muñoz	Yes
Aida G. Bao-Garciga	Yes	Robert Ruano	Absent
Jose Bared	Absent	Georgina Santiago	Absent
Reginald Clyne	Absent	Alexander Soto	Absent
Peter DiPace	Absent	Richard Tapia	Absent
Horacio Huembes	Yes	Jesus R. Vazquez	Absent
Joseph James	Yes		

Raymond Marin, Vice Chair, Yes
William A. Riley, Chair, Yes

The above actions were taken by the Planning Advisory Board, acting as the Local Planning Agency, at its public hearing on November 2, 2015, and are certified correct by Jack Osterholt, Executive Secretary to the Planning Advisory Board.


Jack Osterholt, Deputy Mayor/Director
Department of Regulatory and Economic
Resources

PAB Exhibit -
App. 1 aerial
photo submitted
by applicant



This instrument was prepared by:

Jonathan J. Coto, Esq.
Coto Garcia PLLC

5975 Sunset Drive, Suite 604
South Miami, Florida 33134 4

2015 OCT 15 A 10: 26
PLANNING & ZONING
METROPOLITAN PLANNING SECT

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, TEPA PROPERTIES, LLC, a Florida Limited Liability Company, (hereinafter referred to as "Owner") holds fee simple title to the land in Miami-Dade County, Florida, more specifically described in Exhibit "A," attached hereto (hereinafter referred to as "Property");

WHEREAS, the Owner is applying for an amendment to the Miami-Dade County Master Plan "CDMP" during the May 2015 cycle, the Property is the application area of the subject application;

WHEREAS, the Applicant seeks to re-designate the Property from "Low Density Residential (2.5 to 6 dwelling units per acre)" to "Business and Office" on the Miami-Dade County Comprehensive Development Master Plan Future Land Use Plan Map ("LUP");

NOW THEREFORE, in order to assure the Miami-Dade County that the representations made by the Owner during consideration of the Application will be abided by, the Owner freely, voluntarily, and without duress makes the following Declaration of Restrictions covering and running with the Property:

1. Notwithstanding the re-designation of the Property to "Business and Office" on the LUP, the uses on the Property shall be limited to a Restaurant and accompanying services, markets, catering, demonstrations, deliveries, and other ancillary uses, however, no residential or office development shall be allowed on the Property.
2. The use of the Property as described in Paragraph 1, will at all times be compatible to the surrounding residences.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami- Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration

does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Any such modification, amendments or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and the provisions of the municipality's ordinances that apply to the adoption of zoning district boundary changes. It is provided however that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law,

in equity or both.

County Inspections. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Authorization for Miami-Dade County (or successor municipality) to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County (or successor municipality) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County (or successor municipality), and inspections made and approval of occupancy given by the County (or successor municipality), then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

Recordation and Effective Date. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application by the Board of County Commissioners. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no

further effect.

Acceptance of Declaration. The Owner acknowledges that acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners retains its full power and authority to deny each such application in whole or in part and decline to accept any conveyance.

Owner. The term Owner shall include all heirs, assigns, and successors in interest.

Signature on the following page

IN WITNESS WHEREOF, we have executed this Declaration of Restrictions as of this _____ day of _____, 2015.

TEPA PROPERTIES LLC
A Florida Limited Liability Company

BY: _____
NAME: _____
TITLE _____

WITNESSES:

Signature

Printed Name

Signature

Printed Name

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by _____, who is personally known to me or has produced _____, as identification.

Notary Public

Print Name
My Commission Expires:

Exhibit "A"

Legal Descriptions of the Property

A portion of Tract "B" of HIDDEN VALLEY, according to the plat thereof recorded in the Plat Book 90, at Page 82, of the Public Records of Dade County, Florida, being particularly described as follows:

Commence at the Northeast corner of said Tract "B"; thence Run S89°36'00"W along the North line of said Tract "B" for 140.00 feet to the Point of Beginning of the parcel herein described; thence from the above established Point of Beginning run S00°03'15"W for 150.01 feet; thence S89°36'00"W for 103.56 feet; thence S00°24'00"E for 65.00 Feet; thence S89°36'00"W for 115.00 feet; thence N00 ° 24'00"W for 65.00 feet; thence S89°36'00"W for 275.00 feet to a point of boundary line of said Tract "B"; thence run the following courses and distances along the said boundary line of Tract "B": N00°02'10"E for 125.19 feet to a point of curvature of a circular curve to the right; thence to the right along said curve having for its elements a radius of 25.00 feet and a central angle of 89°33'50" for an arc distance of 39.08 feet to the point of tangency; thence N89°36'00"E for 468.80 feet to the Point of Beginning.

Folio No. 30-4028-023-0020

September 21, 2015

Dear Kendall Community Council - Area 12:

I am unable to attend tonight's hearing on CDMP Application No. 2 because I was not given effective or proper notice of this hearing. I am signing this document to signal my OPPOSITION to CDMP Application No. 2 and urge you to vote NO on the proposed application. In the alternative of a NO vote, I ask that you postpone a vote on Application No. 2 and order the County to give notice to all property owners within a one-mile radius of the Application No. 2 property via certified mail that allows at least 30 business days prior to the scheduled meeting.

Sincerely,

NAME	ADDRESS	PHONE
<u>Clyde Thompson</u>	<u>5841 SW 91 Ave</u>	<u>305-271-5110</u>
<u>Aline Thompson</u>	<u>5841 SW 91 Ave</u>	<u>305-271-5110</u>
<u>Leonardo Ruiz</u>	<u>5831 SW 91 Ave</u>	<u>786-271-7051</u>
<u>Ang H Ruiz</u>	<u>5831 SW 91 Ave</u>	<u>786-271-7051</u>
<u>Amaro Pineda</u>	<u>5811 SW 91 Ave</u>	<u>305-951-1491</u>
<u>Mary Dunne</u>	<u>5860 SW 90 Ct.</u>	<u>305-274-3815</u>
<u>Marcelo Stolarek</u>	<u>K 9041 SW 57 Ter</u>	<u>305-962-0856</u>
<u>Linda S. Davis</u>	<u>5821 S.W. 91 Ave</u>	<u>305-279-6999</u>
<u>Karen Munoz</u>	<u>5841 S.W. 90 Ct.</u>	<u>305-279-4559</u>
<u>Yleibis Sosa</u>	<u>9050 SW 59 St</u>	<u>(305) 877-8526</u>
<u>Orly H</u>	<u>5811 SW 90 Ct</u>	<u>(305) 279-4559</u>



App # 2 May 2015 - Community Council Exhibit

Rafael Yaniz <ryaniz07@gmail.com>

Re: Action Required: CDMP Application Hearing Tonight - Issues with Notice - Please Respond by 5:00 pm EST Today

Rafael Yaniz <ryaniz07@gmail.com>

Mon, Sep 21, 2015 at 4:51 PM

To: "Rowe, Garrett A. (RER)" <rowega@miamidade.gov>

Cc: Javi Correoso <jcorreoso@gmail.com>, "Morgan, Rick (DIST8)" <rickm@miamidade.gov>

Thank you, Mr. Rowe.

I have some follow-up questions.

- (1) Why was the notice only sent to property owners within a quarter mile?
- (2) Which specific point within the application property was used to calculate the quarter mile radius?
- (3) How many notices (please give an exact number) were mailed by your office within the quarter mile radius?
- (4) Was the "quarter mile" radius calculated by street distance or "as the crow flies" distance?
- (5) Please describe in substantive and complete detail the exact "technical issue" that prevented your office from sending notices via mail to the quarter mile radius.

Thank you in advance for your time and attention to this matter. **I await your complete and substantive response to these questions before 5:30 pm EST today.** As you know, notice was defective and sent very late in the application process to the affected neighborhoods surrounding the application. Therefore, any delays, whether intentional or accidental, by your office to respond to these questions will be viewed as an act of bad faith on behalf of the County against the neighborhood residents.

I urge you and your office to request a postponement of tonight's hearing concerning Application No. 2 so that the defective notice may be cured and all neighborhood residents within a 1 mile radius of the application property are notified with no less than 30 business days before a rescheduled hearing date. Please respond in writing if you and your office will support my suggested proposal in this paragraph.

Thank you,

Rafael

Rafael A. Yániz
305.562.2155 mobile

[Quoted text hidden]



App. #2 May 2015 - Community Council Exhibit

Rafael Yaniz <ryaniz07@gmail.com>

Re: Action Required: CDMP Application Hearing Tonight - Issues with Notice - Please Respond by 5:00 pm EST Today

Rowe, Garrett A. (RER) <rowega@miamidade.gov>

Mon, Sep 21, 2015 at 4:13 PM

To: Rafael Yaniz <ryaniz07@gmail.com>

Cc: Javi Correoso <jcorreoso@gmail.com>, "Morgan, Rick (DIST8)" <rickm@miamidade.gov>

Hi Mr. Yaniz, the answers to each of your questions are below. Please let me know if you have any further questions or need additional information.

Regards.

From: Rafael Yaniz [mailto:ryaniz07@gmail.com]

Sent: Monday, September 21, 2015 1:58 PM

To: Rowe, Garrett A. (RER) <rowega@miamidade.gov>

Cc: Javi Correoso <jcorreoso@gmail.com>

Subject: Re: Action Required: CDMP Application Hearing Tonight - Issues with Notice - Please Respond by 5:00 pm EST Today

Dear Mr. Rowe:

I hope that this message finds you well. I am writing in regards to the CDMP Application No. 2 set for hearing before the Kendall Community Council - Area 12 tonight at 6:30 pm.

My family did not receive notice about this hearing. Many of my neighbors have not received notice about this hearing. The few neighbors who did receive notice cards in the mail only received them on Friday, September 18th and Saturday, September 19th.

Please answer the following questions in writing before 5:00 pm EST today.

(1) What are the notice boundaries for this hearing? Please be as specific as possible. Courtesy mail notices were sent to owners of property within quarter mile of the application site

(2) Why did the County send notices so late in the process? There was a technical issue we had to work through before sending the notices

(3) What statutory authority, if any, does the County rely on for sending notices so late? Per Section 2-116.1(3)(e) of the County Code, Community Council hearings addressing Comprehensive Development Master Plan (CDMP) applications are required to be advertised in a newspaper of general circulation at least 7 calendar days prior to the date of the hearing. The hearing was advertised in the Miami Herald on Monday, September 14, 2015 (see attached esheet). The mailers are not required but are courtesy notices sent to property owners near the application site.

As you know, even the appearance of impropriety and special treatment is enough to engender mistrust within our community towards the County Government.

(4) What proof of deliveries do you, your office, anyone who works for you or your office, or any relevant County office or agent have in your possession? Please describe the exact type of proof of delivery used for this particular hearing. See advertisement Esheet (proof of advertisement from the herald) and copy of mailer attached.

(5) Please send a copy of your proof of deliveries as an attachment to your reply message in PDF or .JPEG format. See advertisement Esheet (proof of advertisement from the herald) and copy of mailer attached.

Seeing that the County and requesting party for the Application waited until mere days before the hearing in order to submit some paltry notices, any delays or ignoring of emails concerning this request will be used as evidence for a bad faith claim and action against your office and the County.

I appreciate your prompt attention to this matter.

Rafael

Rafael A. Yániz

ryaniz07@gmail.com

Sent from my iPhone

2 attachments

Esheet - Sept. 21 Hearing - CC12 - Kendall - Apps & 9.pdf

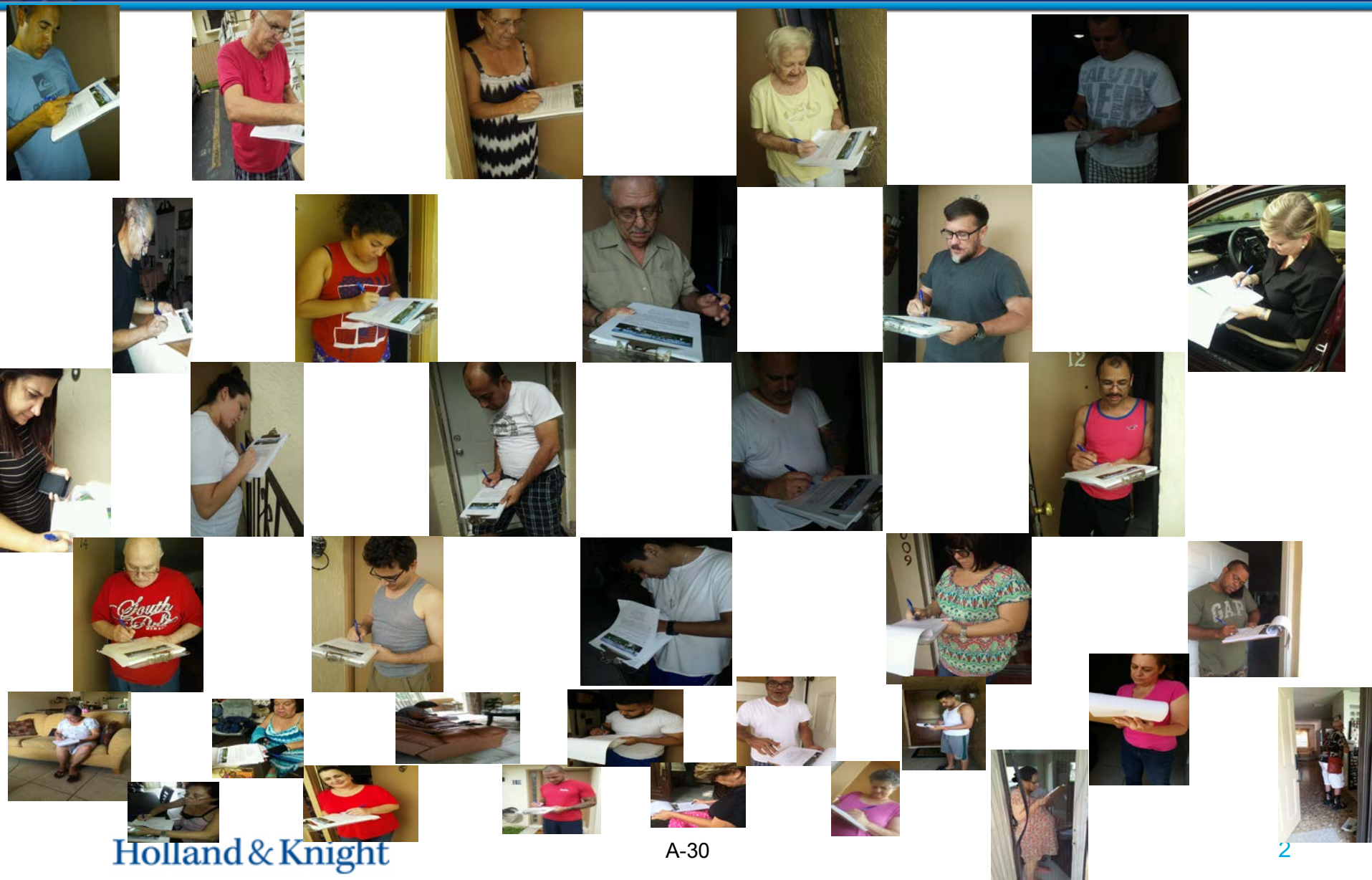
**Miami-Dade County Planning Advisory Board
Hearing**

**May 2015 CDMP Amendment Cycle
October 19, 2015**

**Southeast Investments, Inc.
Application No. 3**

Holland & Knight

*PARB Exhibit submitted
by Applicant*



Ferber Companies – Experience



APPLICATION NO. 3 AERIAL PHOTO



May 2015 Cycle

3-5

Application No. 3

POLICY LU-8E

Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated for consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:

- i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
- ii) Enhance or impede provision of services at or above adopted LOS Standards;
- iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods;
- iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
- v) If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.

Reference: Land Use Element, Miami-Dade County 2020 - 2030 CDMP, Page I-9

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Comprehensive Development Master Plan (CDMP) Objectives

GOAL

PROVIDE THE BEST POSSIBLE DISTRIBUTION OF LAND USE AND SERVICES TO MEET THE PHYSICAL, SOCIAL, CULTURAL AND ECONOMIC NEEDS OF THE PRESENT AND FUTURE POPULATIONS IN A TIMELY AND EFFICIENT MANNER THAT WILL MAINTAIN OR IMPROVE THE QUALITY OF THE NATURAL AND MAN-MADE ENVIRONMENT AND AMENITIES, AND PRESERVE MIAMI-DADE COUNTY'S UNIQUE AGRICULTURAL LANDS.

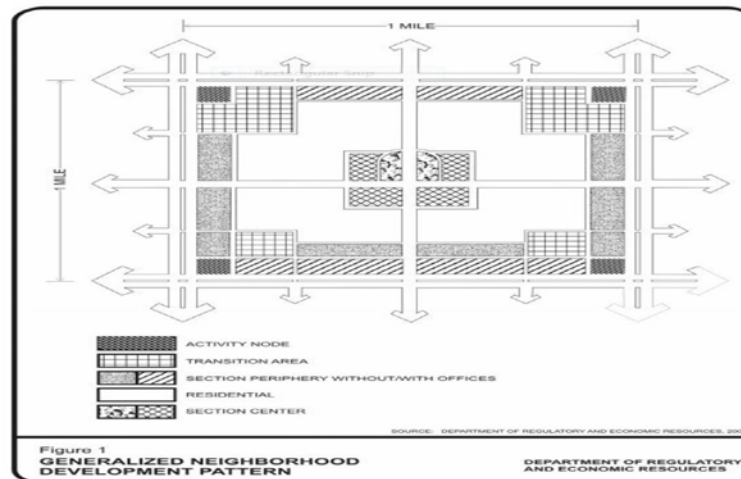
Objective LU-1

The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

- LU-1C. Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.

GUIDELINES FOR URBAN FORM

Guidelines that establish a generalized pattern for location of different uses, their intensity and density, and the interconnecting network of vehicular and pedestrian movement. The general pattern promoted by these guidelines is schematically illustrated in Figure 1.



Reference: Land Use Element, Miami-Dade County 2020 - 2030 CDMP, Page I-25

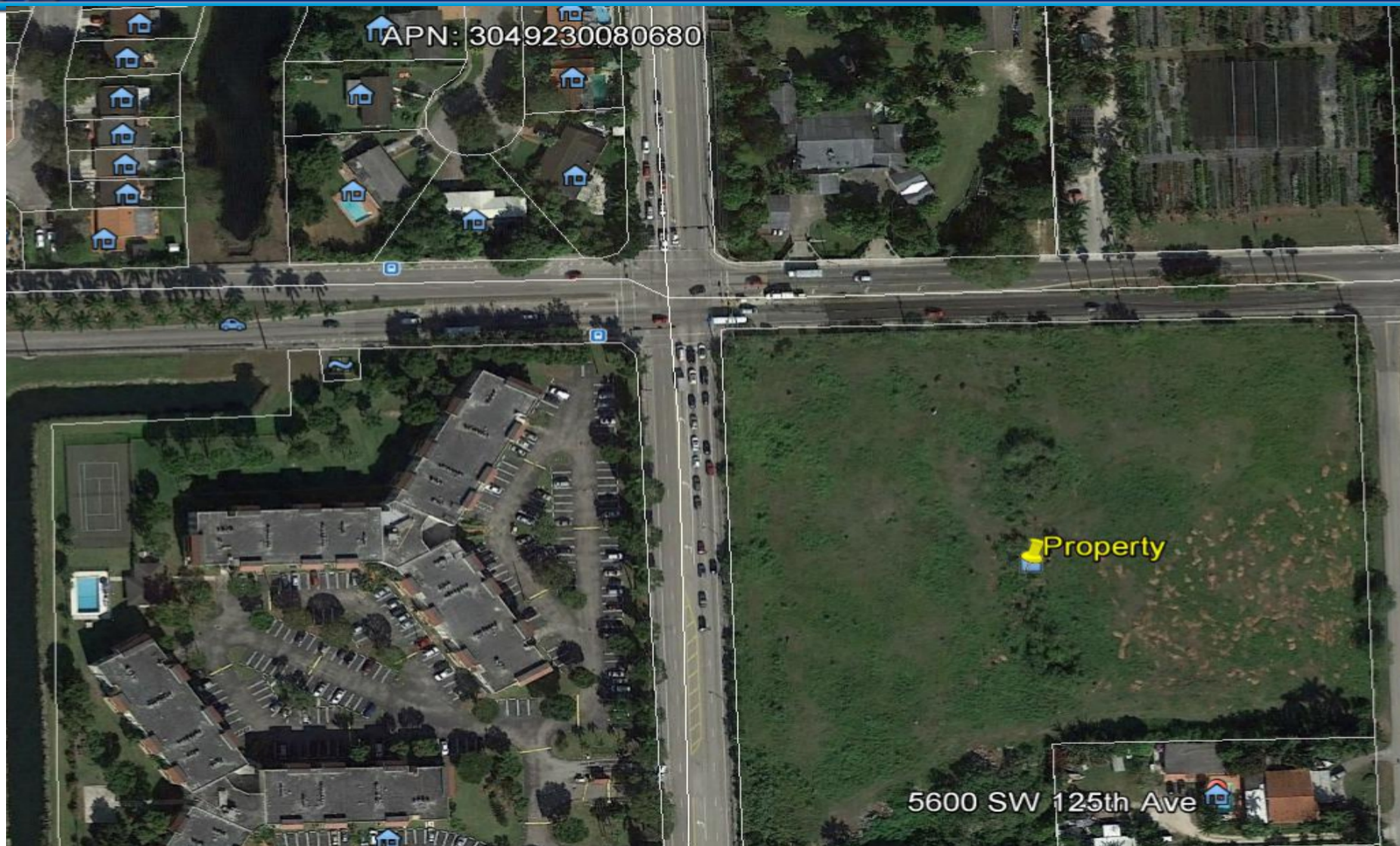
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GUIDELINE FOR URBAN FORM #4

4. Intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any nonresidential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes. In addition, of the various residential densities which may be approved in a section through density averaging or on an individual site basis, the higher density residential uses should be located at or near the activity nodes.

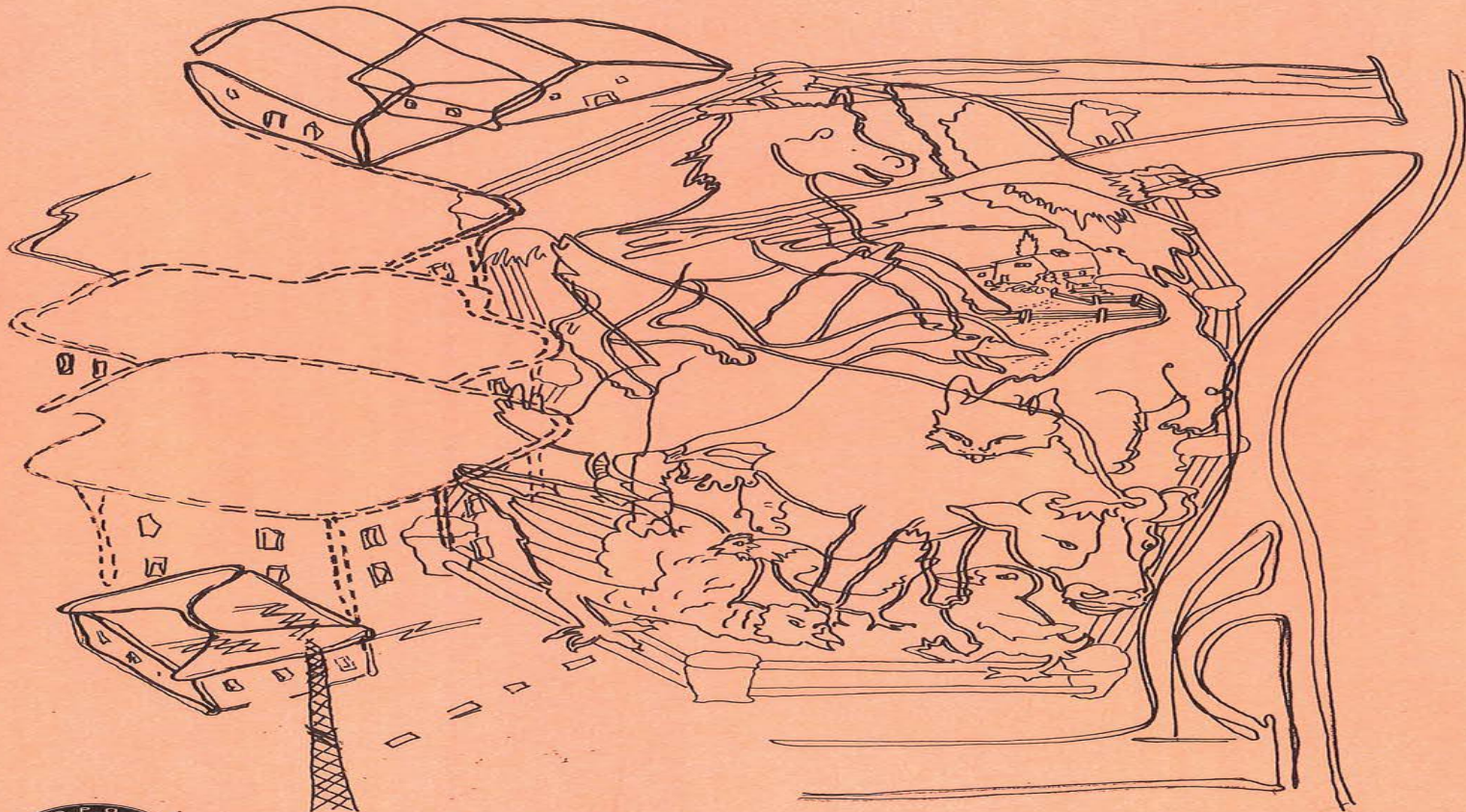
Reference: Land Use Element, Miami-Dade County 2020 - 2030 CDMP, Page I-25

The Intersection of Two Section line roads



Horse Country Study – 1975

BIRD - KENDALL ranch area



An Overview

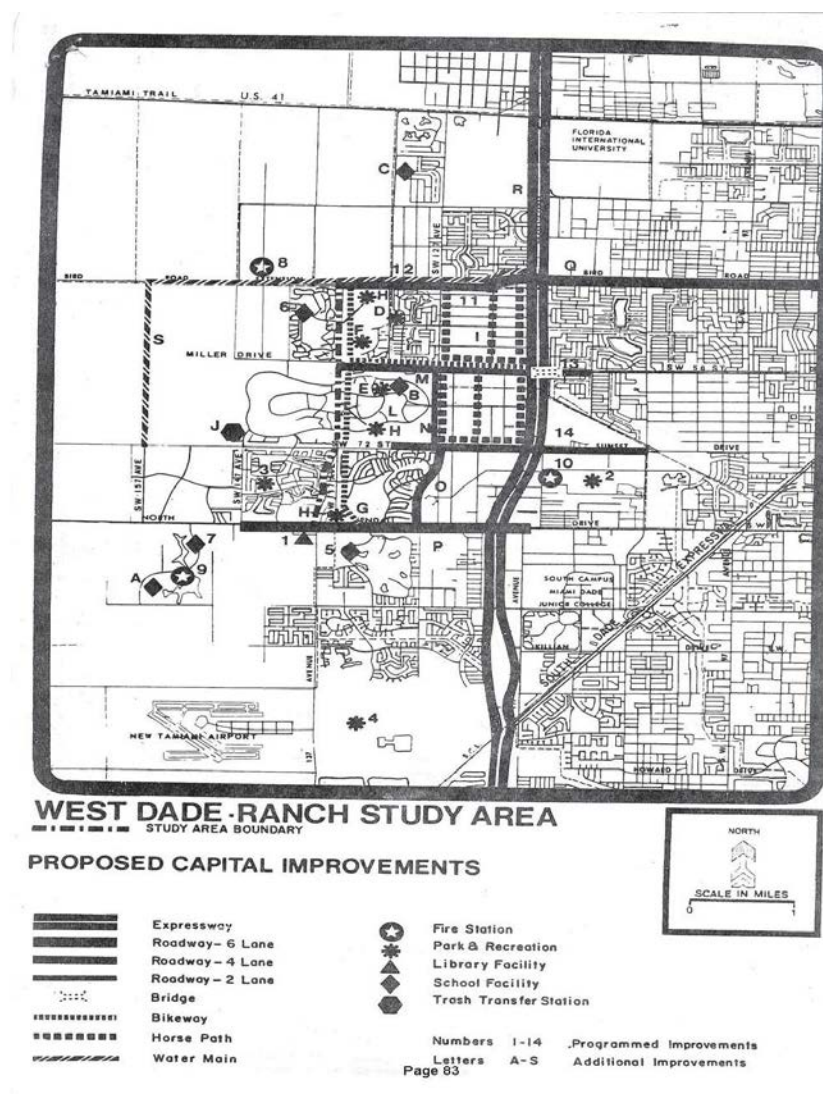
Page 29

METROPOLITAN DADE COUNTY PLANNING DEPARTMENT

JAN 1975

H.A. Pines

Horse Country Vision



Ranch Area Study Recommendation:

“Preliminary engineering plans for the Miller Drive bridge have been scheduled for 1983-84, with construction beginning in 1984-85, but it is recommended that construction be deferred. If Miller Drive bridge is constructed, increased traffic will flow through the heart of the ranch area. This traffic will conflict with the rural atmosphere and horse riding activities.”

Source: “Approved” West Dade – Ranch Area Study : Part Two
Future Conditions : Spring 1981, page 7.

Ranch Area Study Recommendation

In conjunction with the demarcation of horse paths, it is also recommended that horse crossing traffic controls be installed at Miller Drive and SW 118 Avenue, Miller Drive and SW 122 Avenue, Sunset Drive and SW 118 Avenue, and Sunset Drive and SW 123 Avenue. The County should periodically mow the grass within the rights-of-way where informal horsepaths have been established, particularly along SW 127 Avenue.

Source: "Approved" West Dade – Ranch Area Study : Part Two Future Conditions : Spring 1981, page 10.

1975 – Perspective



Richard Nixon was President

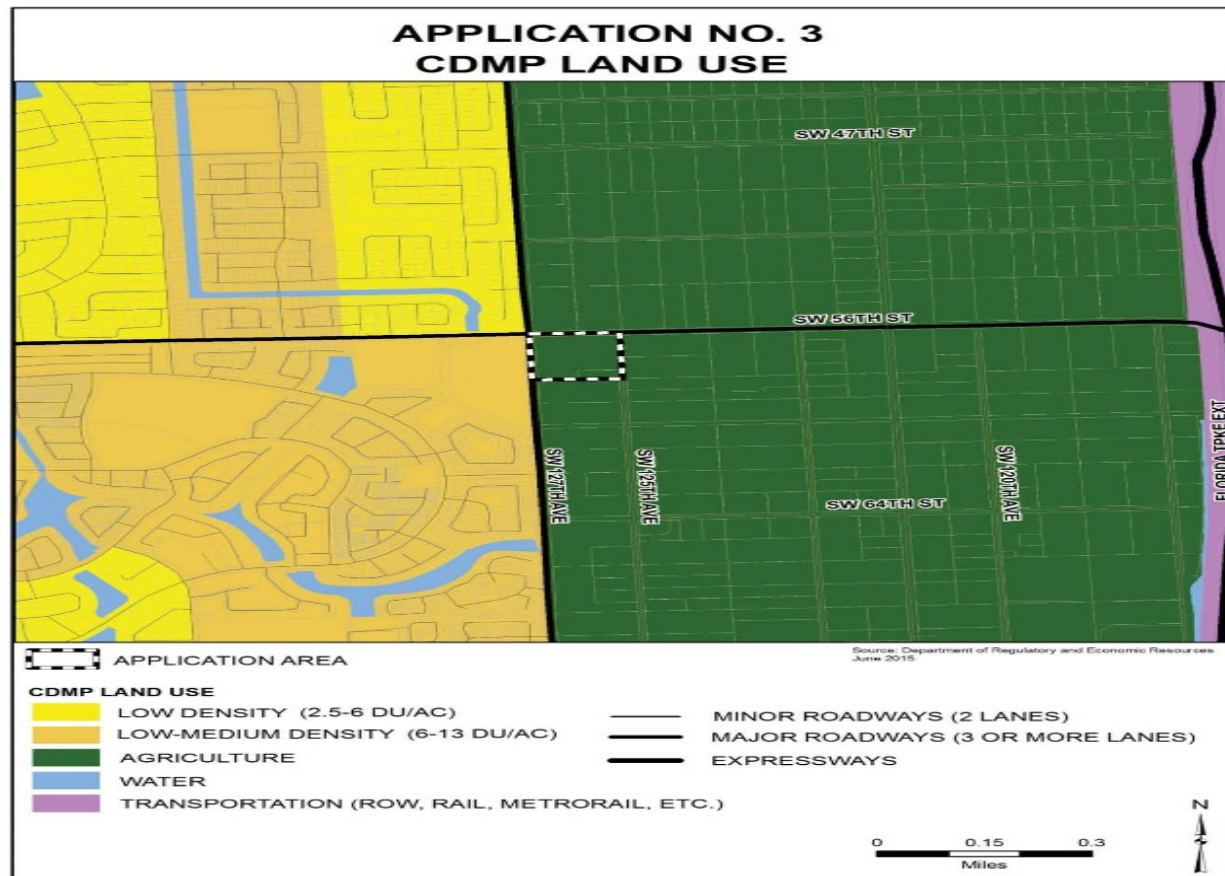
The Vietnam War Ended



Population Differences – Now and Then

Year	1975	2015	2030
Miami-Dade County Population	1,462,000	2,724,623	3,206,287

Source: Miami-Dade County, Department of Planning & Zoning, Planning Research Section, April 2009

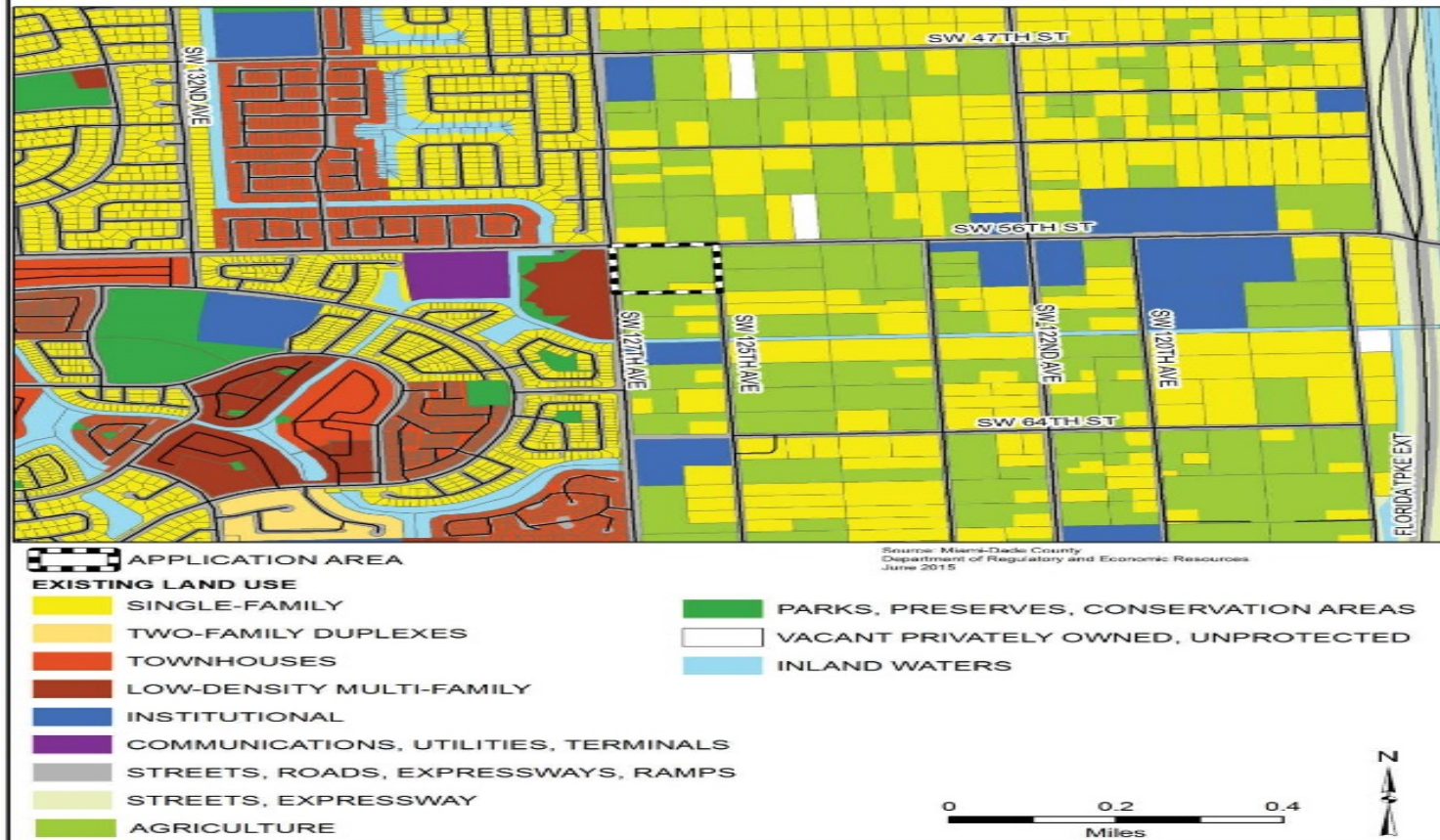


May 2015 Cycle

3-8

Application No. 3

APPLICATION NO. 3 EXISTING LAND USE

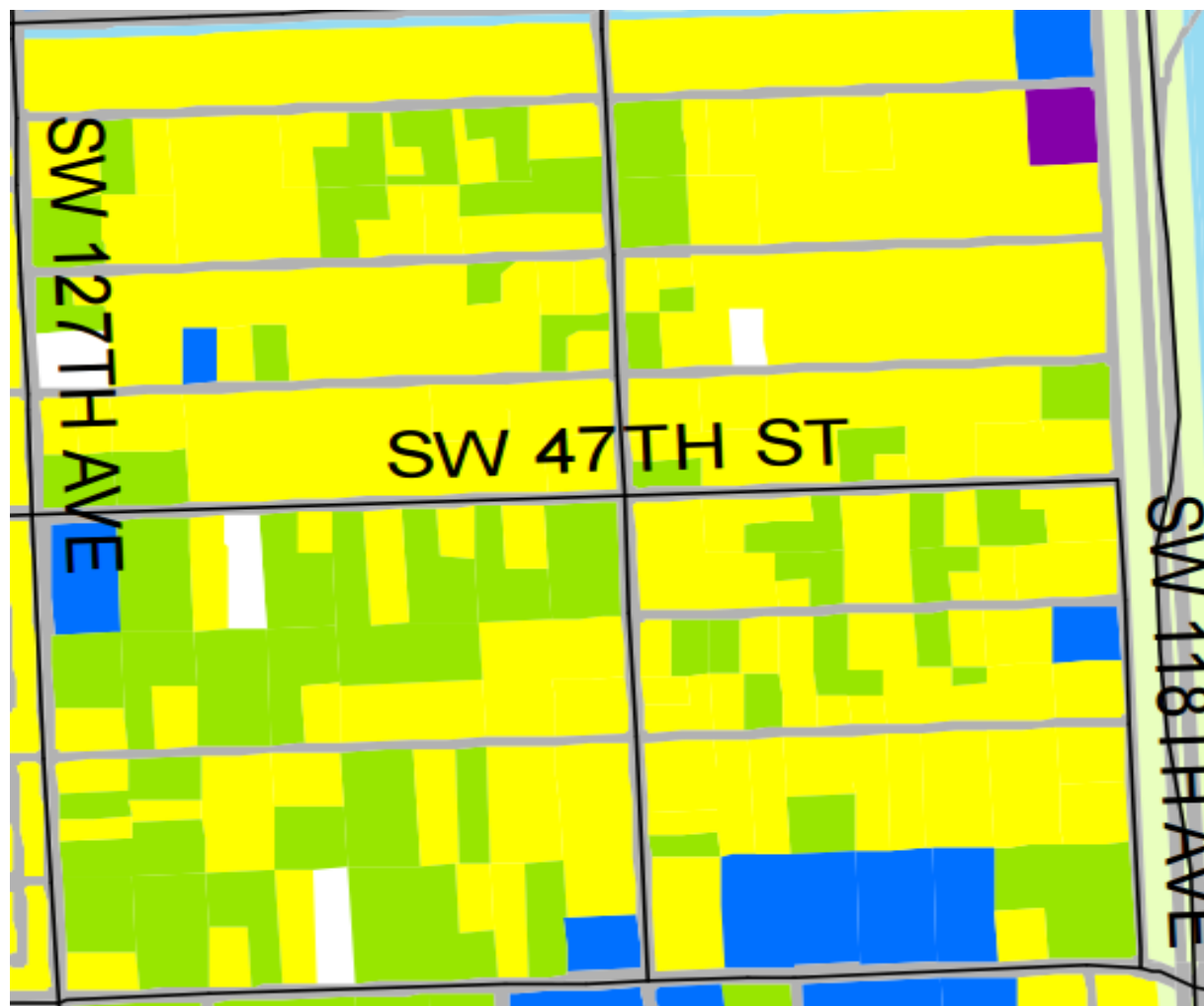


May 2015 Cycle

3-7

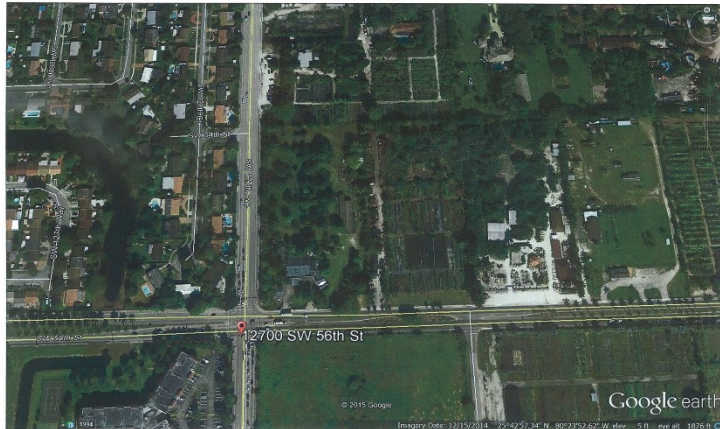
Application No. 3

Existing Land Use, cont'd



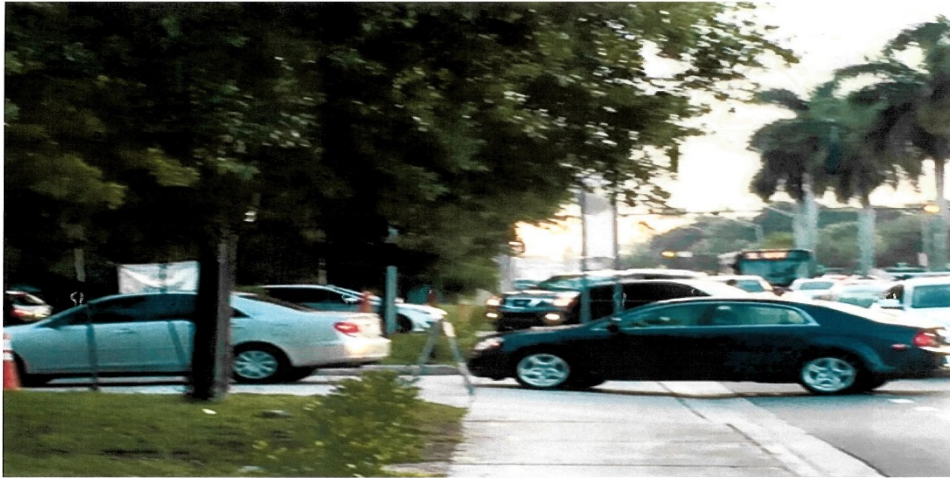
Horse Country Today – Urban Corridors

NE CORNER OF SW 127TH AVENUE & MILLER DRIVE



Horse Country Today – Urban Corridors

SW 72nd Street and 125th Avenue



	Number of Children
Village Green/Bridge Point Academy 4707 SW 127 Avenue	229
Iglesia Evangelica 5400 SW 122 Avenue	81
Early Start Daycare & Pre-School 11895 SW 56 Street	200
Sunset Preparatory 11925 Sunset Drive	280
Westwood Christian 5801 SW 120 Avenue	1,177
Smart Starts/Bridge Point 12001 SW 72 Street	325
Iglesia Jesucristo 12200 SW 56 Street	40
Calusa Preparatory 12601 SW 72 Street	250
Ambassador Baptist Church 6565 SW 127 Avenue	73
Archimedean Schools 12425 Sunset Drive	1,300
Holy Protection Monastery 7135 SW 125 Avenue	30
TOTAL	3,985

INSTITUTIONAL & COMMERCIAL USES ON THE NORTH SIDE OF MILLER



EARLY START LEARNING CENTER
11895 SW 56TH STREET



ELIM MISSIONARY ASSEMBLY
11989 SW 56TH STREET



GERMAN AMERICAN SOCIAL CLUB
11919 SW 56TH STREET



CIMAGO'S NURSERY & STATUARY
12475 SW 56TH STREET

INSTITUTIONAL & COMMERCIAL USES ON THE SOUTH SIDE OF MILLER



WESTWOOD CHRISTIAN
5801 SW 120TH AVENUE



LIGHTHOUSE GARDEN CENTER
12000 SW 56TH STREET



CENTRO DE ESPIRITUALIDAD IGNACIANA
12190 SW 56TH STREET



VILLAGE GREEN MISSIONARY
BAPTIST CHURCH
12200 SW 56TH STREET

TRAFFIC CALMING DEVICES



TRAFFIC CIRCLE LOCATED AT
SW 122ND AVENUE AND SW 47TH STREET



TRAFFIC CIRCLE LOCATED AT
SW 122ND AVENUE AND SW 47TH STREET



SPEED HUMP LOCATED ON SW 43RD ST
BETWEEN SW 118TH AVE AND SW 122ND AVE



SPEED HUMP LOCATED ON SW 122ND AVE
BETWEEN SW 64TH ST AND SW 72ND ST

Horse Country – Equestrian Uses



Horse Country– Agriculture is Not a Significant Portion of Employment in Horse County

TABLE 11.
Establishments in "Horse Country" Neighborhood
Miami-Dade County

Economic Sector	NAICS Digit	Industry Description	Establishments Number	Employees Number	Average Number of Employees	Percent of Area Employment
Agriculture	111	Crop Production	1	3	3	0.2%
	112	Dairy cattle & milk Production	2	5	3	0.3%
Construction	236	Construction of buildings	4	20	5	1.1%
	237	Heavy and Civil Engineering Construction	1	1	1	0.1%
Wholesale trade	238	Specialty Trade Contractors	6	35	6	2.0%
Manufacturing	311	Food Manufacturing	1	4	4	0.2%
	315	Apparel Manufacturing	1	2	2	0.1%
	332	Fabricated Metal Product Manufacturing	2	11	6	0.6%
	333	Machinery Manufacturing	1	3	3	0.2%
Wholesale Trade	423	Merchant Wholesalers, Durable Goods	3	5	2	0.3%
	441	Motor vehicle & parts dealers	1	1	1	0.1%
	442	Furniture & home furnishings stores	1	2	2	0.1%
	443	Electronics and Appliance Stores	1	1	1	0.1%
Retail Trade		Building Material and Garden Equipment and Supplies Dealers	15	59	4	3.3%
	446	Health & personal care stores	2	13	7	0.7%
	448	Clothing & clothing accessories stores	8	121	15	6.8%
	451	Sporting Goods, Hobby, Book, and Music Stores	3	105	35	5.9%
	452	General merchandise stores	1	28	28	1.6%
	453	Miscellaneous store retailers	5	16	3	0.9%
	512	Motion Picture and Sound Recording Industries	1	30	30	1.7%
Information	517	Telecommunications	2	137	69	7.7%
Finance and Insurance	522	Credit intermediation & related activities	3	28	9	1.6%
	524	Insurance Carriers and Related Activities	3	15	5	0.8%
Real Estate and Rental and Leasing	531	Real estate	8	79	10	4.4%
Professional, Scientific, and Technical Services	541	Professional, scientific, & technical services	15	64	4	3.6%

No Matter How You Slice It— Agriculture is Not a Significant Portion of Employment in Horse County, Cont'd

Industry	% of Workforce
Education	43%
Civil/Social/Religious	20%
Agricultural	18%
Construction/Manufacturing	11%
Retail	6%
Other Professional	2%

Source: Internal Analysis based on email from Manuel Armada, Chief, Planning Research and Economic Analysis Section, October 8, 2015 regarding InfoUSA Data referenced in Recommendation of CDMP Application No. 3.

POLICY LU-8E

Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated for consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:

- i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
- ii) Enhance or impede provision of services at or above adopted LOS Standards;
- iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods;
- iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
- v) If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.

Reference: Land Use Element, Miami-Dade County 2020 - 2030 CDMP, Page I-9

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Commercial Land Deficiency MSA. 6.1

**Projected Absorption of Land for Commercial Uses
Indicated Year of Depletion and Related Data**

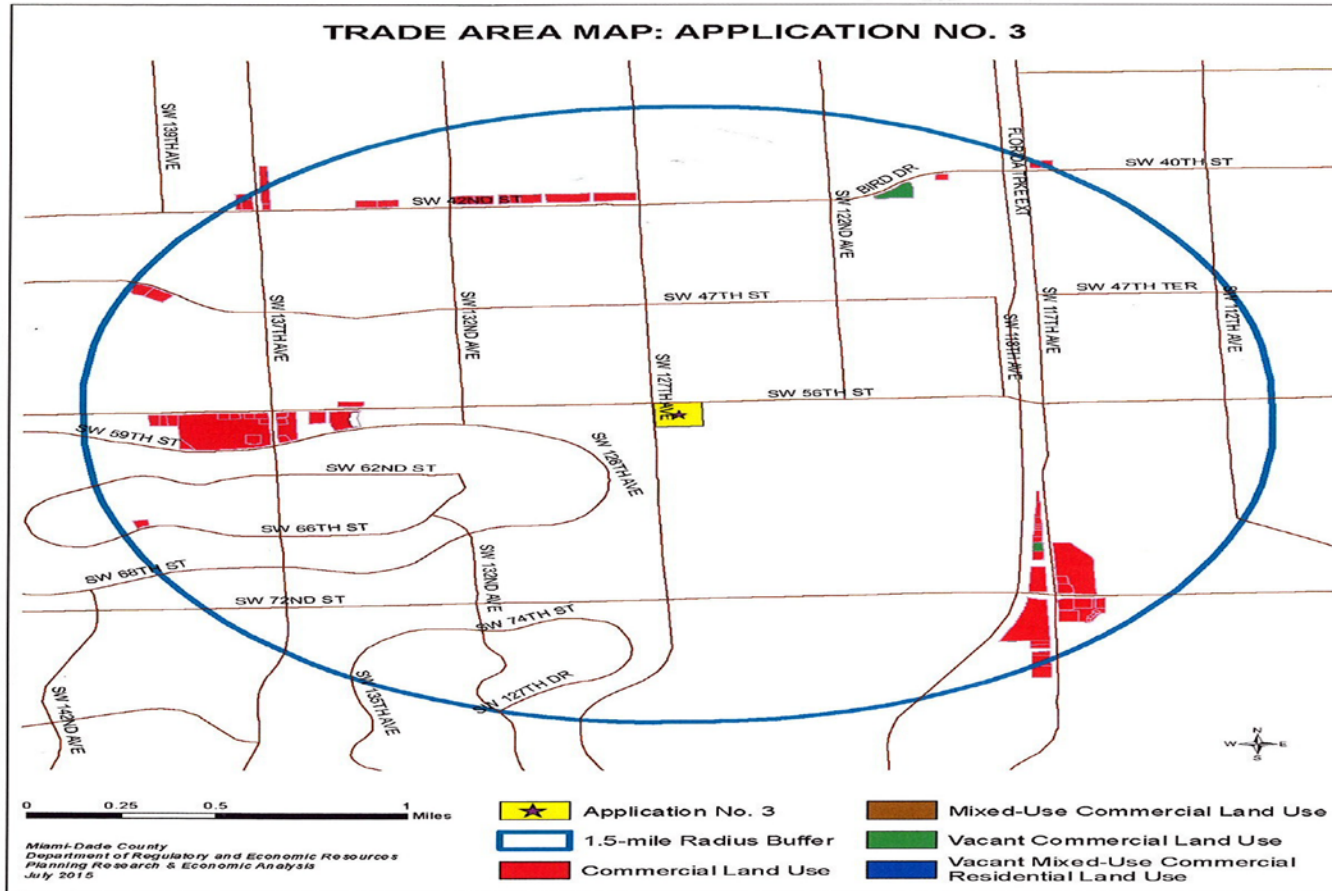
Analysis Area	Vacant Commercial Land 2015 (Acres)	Commercial Acres in Use 2015	Annual Absorption Rate 2015-2030 (Acres)	Projected Year of Depletion	Total Commercial Acres Per Thousand Persons in MSA 6.1 (2020)	Total Commercial Acres Per Thousand Persons in MSA 6.1 (2030)	Total Commercial Acres Per Thousand Persons—County Wide (2020)	Total Commercial Acres Per Thousand Persons—County Wide (2030)
MSA 6.1	33.8	525.10	6.97	2020	2.9	2.7	5.8	5.2

Source: Miami-Dade County, Regulatory and Economic Resources Department, Planning Division, Planning Research and Economic Analysis Section, July 2015

POPULATION PROJECTIONS FOR MSA 6.1

YEAR	POPULATION PROJECTIONS
2000	156,644
2010	186,579
2015	190,008
2020	194,688
2025	199,218
2030	203,218

Reference: E-mail message from Mr. Manuel Armada, Planning Research Division,
Miami-Dade County.



May 2015 Cycle

3-17

Application No. 3

Symptoms of Deficiency

COMMERCIAL VACANCY RATES WITHIN 1.5 MILES OF THE APPLICATION

Commercial Center	Vacancy Rate
Miller Square Shopping Center (13780 SW 56 th Street)	3%
Kendall Value Center (6801 – 7109 SW 117 th Avenue)	1.5%
Concord Shopping Plaza (11381 SW 40 th Street)	.009%
West Bird Plaza (11495 SW 40 th Street)	.05%

CONSEQUENCES OF DEFICIENCY – LONG LINES



CONSEQUENCES OF DEFICIENCY – CONGESTION IN RETAIL CENTERS



CONSEQUENCES OF DEFICIENCY – INCREASED TRAFFIC CONGESTION



CONSEQUENCES OF DEFICIENCY – NO AVAILABLE PARKING SPACES



POLICY LU-8E

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Reference: Land Use Element, Miami-Dade County 2020 - 2030 CDMP, Page I-9

#373401 72_v1

DEPARTMENTAL REVIEW

DERM	No adverse environmental conditions.
MDWASD	Water & sewer services available or can be made available at applicant's expense.
Solid Waste	No objections.
Parks	No objections / No impacts.
Fire / Rescue	No objections.
Public Schools	No impacts (However, would benefit from tax revenues).
Traffic	Impacts can be accommodated in the affected roadways (287 PM Peak Hour Trips).
Aviation	No objections.
Transit	Service is directly available.
No adverse fiscal impacts.	

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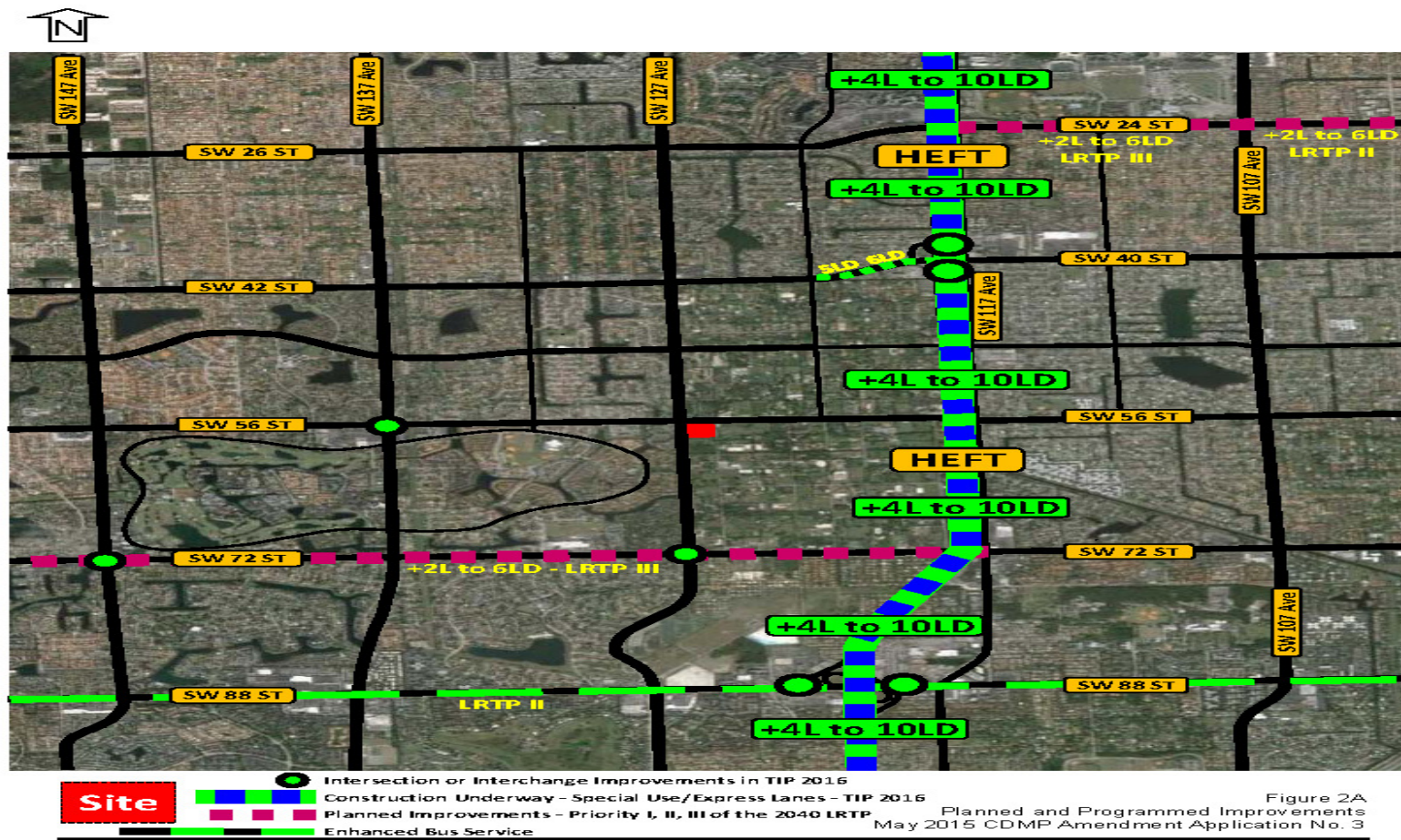


Site

Daily Trips in the Study Area

> XX,000 T/D

Source: Cathy Sweetapple & Associates



DEPARTMENTAL REVIEW

DERM	No adverse environmental conditions.
MDWASD	Water & sewer services available or can be made available at applicant's expense.
Solid Waste	No objections.
Parks	No objections / No impacts.
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#37340211_v1

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- iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
- v) If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.

Reference: Land Use Element, Miami-Dade County 2020 - 2030 CDMP, Page I-9

#37340172_v1

DEPARTMENTAL REVIEW

DERM	No adverse environmental conditions.
MDWASD	Water & sewer services available or can be made available at applicant's expense.
Solid Waste	No objections.
Parks	No objections / No impacts.
Fire / Rescue	No objections.
Public Schools	No impacts (However, would benefit from tax revenues).
Traffic	Impacts can be accommodated in the affected roadways (287 PM Peak Hour Trips).
Aviation	No objections.
Transit	Service is directly available.
No adverse fiscal impacts.	

#37340211_v1

POLICY LU-8E

Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated for consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:

- i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
- ii) Enhance or impede provision of services at or above adopted LOS Standards;
- iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods;
- iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
- v) If located in a planned Urban Center, or within 1/4 mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective LU-7, herein.

Reference: Land Use Element, Miami-Dade County 2020 - 2030 CDMP, Page I-9

#37340172_v1

APPLICATION NO. 3 AERIAL PHOTO

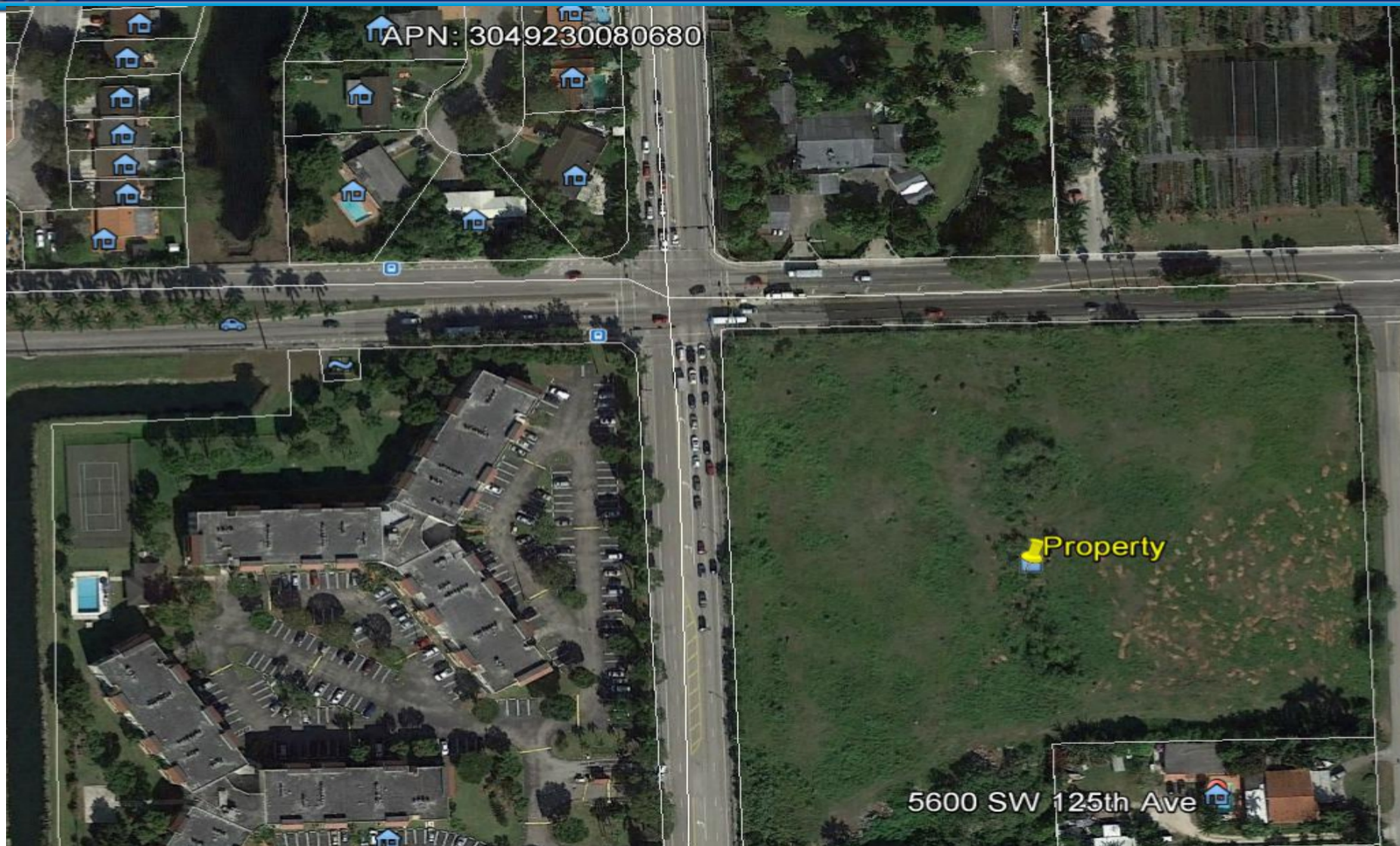


May 2015 Cycle

3-5

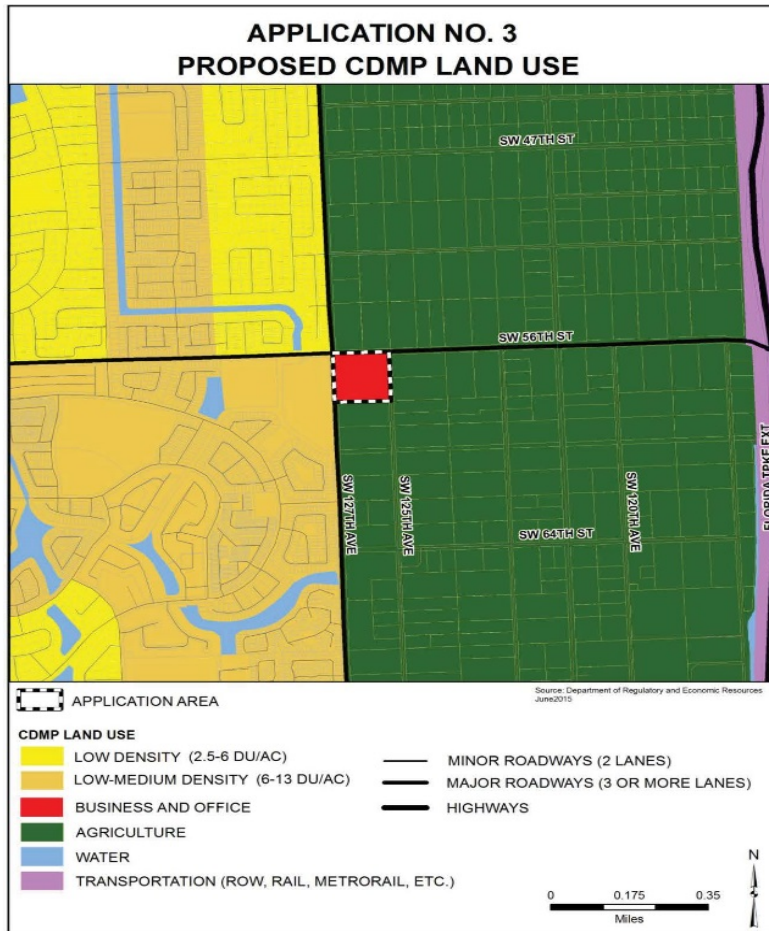
Application No. 3

The Intersection of Two Section line roads



SURROUNDING USES IN THE VICINITY OF SUBJECT PROPERTY

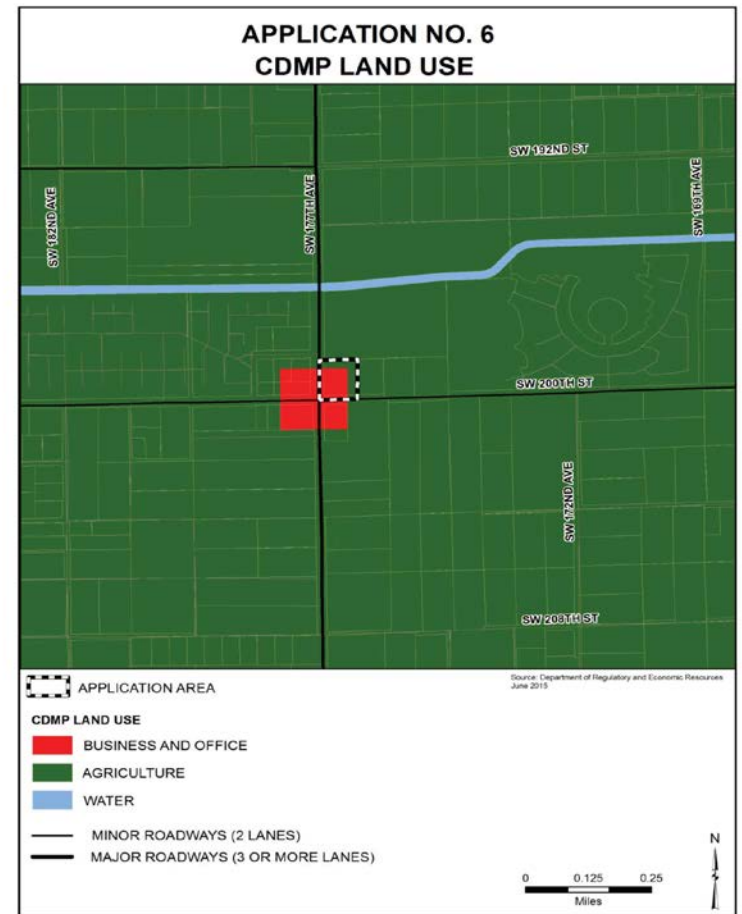




May 2015 Cycle

3-9

Application No. 3



May 2015 Cycle

6-7

Application No. 6

POLICY LU-4A

When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

POLICY LU-4D

Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements.

Reference: Land Use Element, Miami-Dade County 2020 - 2030 CDMP, Page I-9

CORSICA SQUARE SHOPPING CENTER 15719 SW 152ND ST

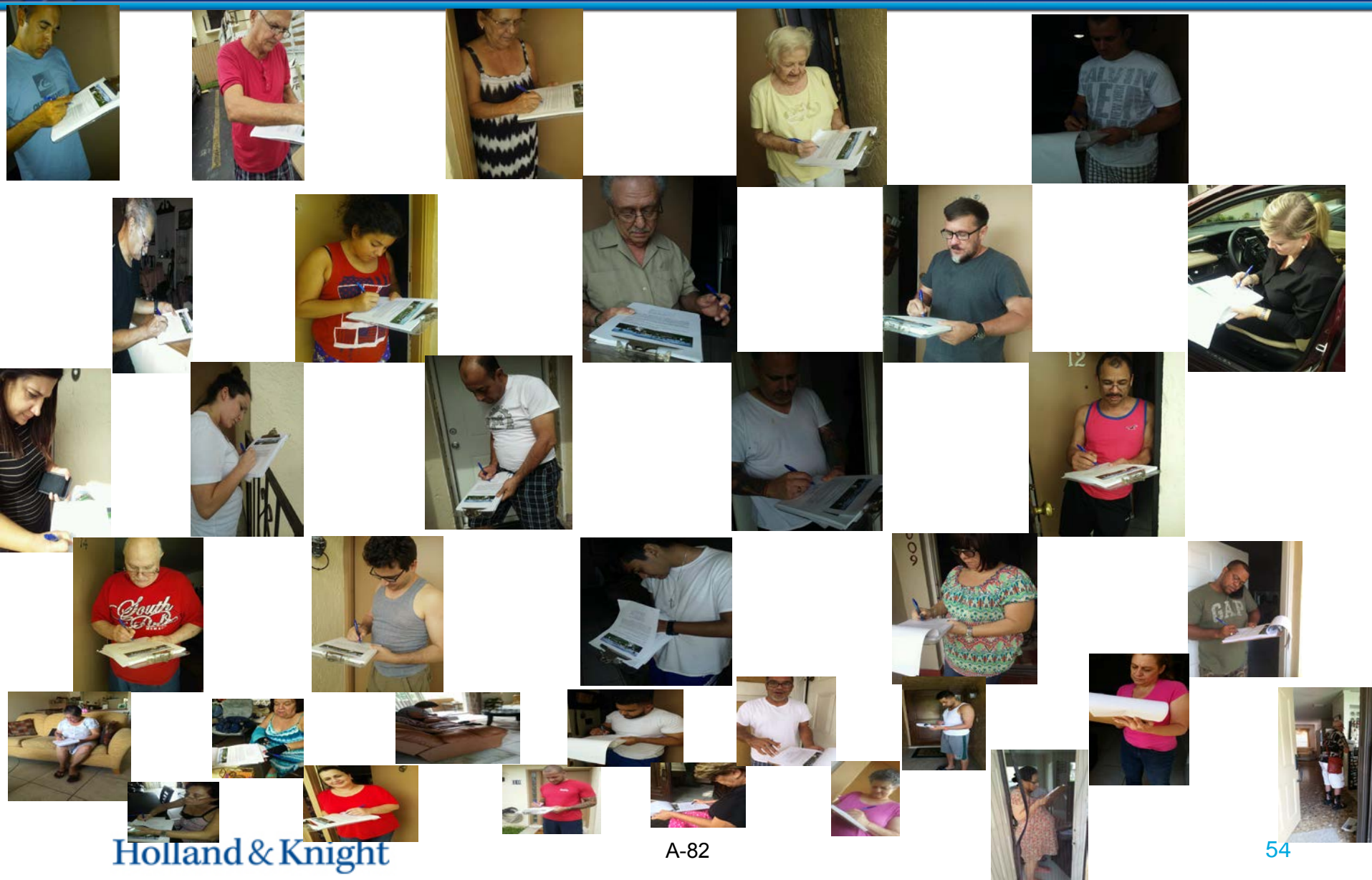


Amended Declaration of Restrictions

- » Permitted Uses; Prohibition on Residential Development
- » Prohibited Commercial Uses
- » Minimum Setbacks
- » Point of Sale Signs
- » Architectural Design/Site Plan Approval

PHOTOGRAPHS OF EXISTING CENTER IN NORTH PALM BEACH





Horse Country Land Use Change

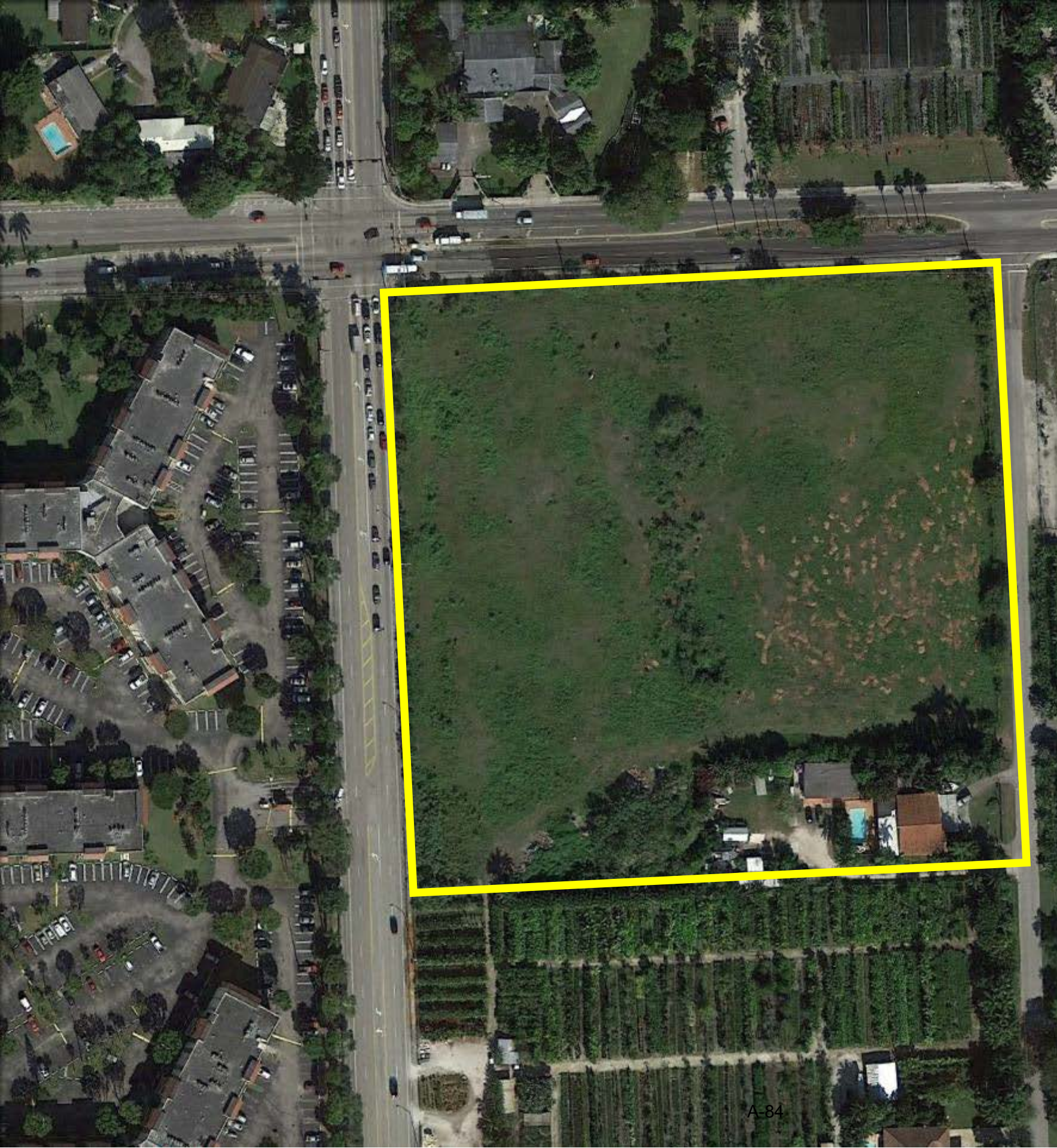
Presentation

for

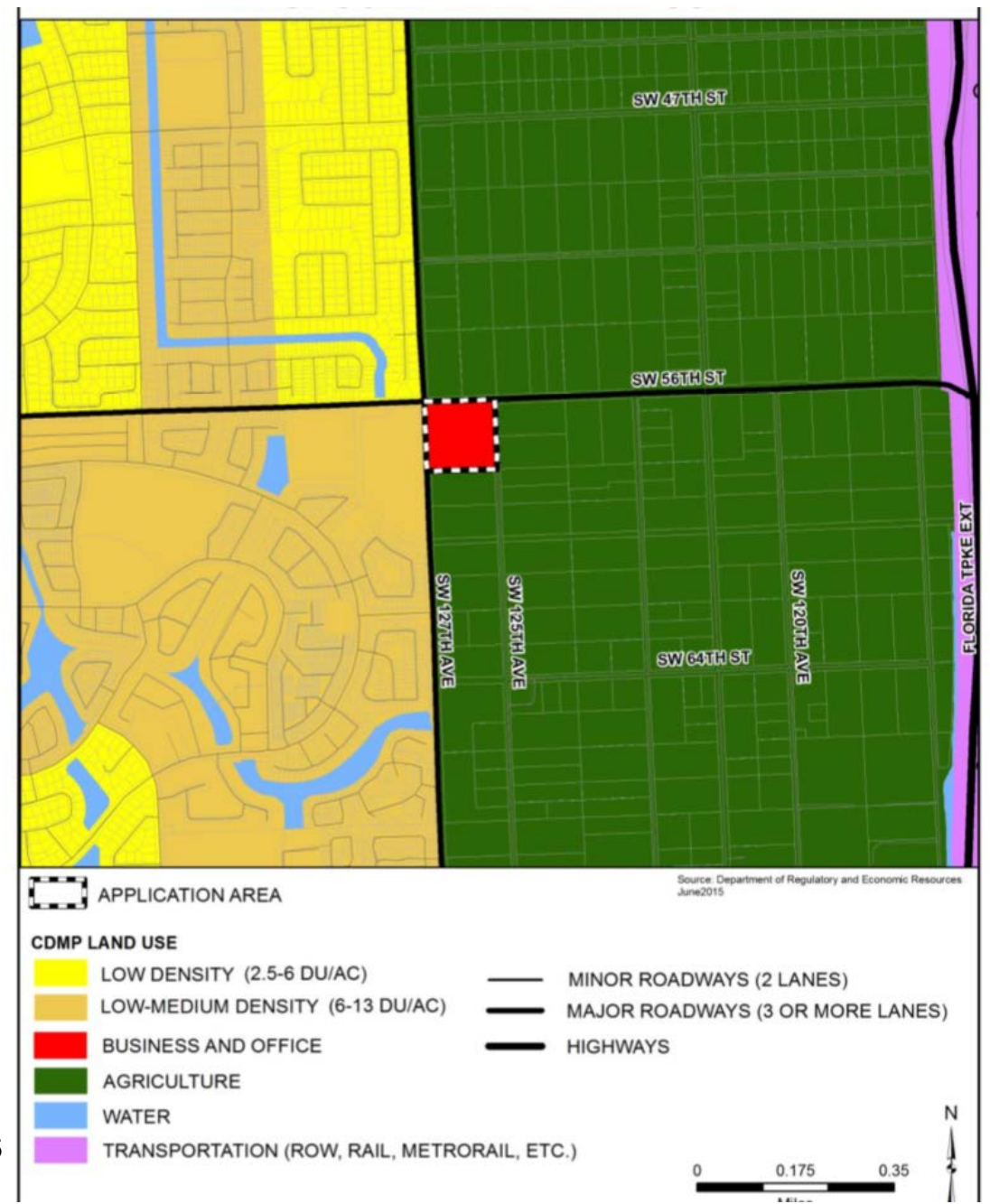
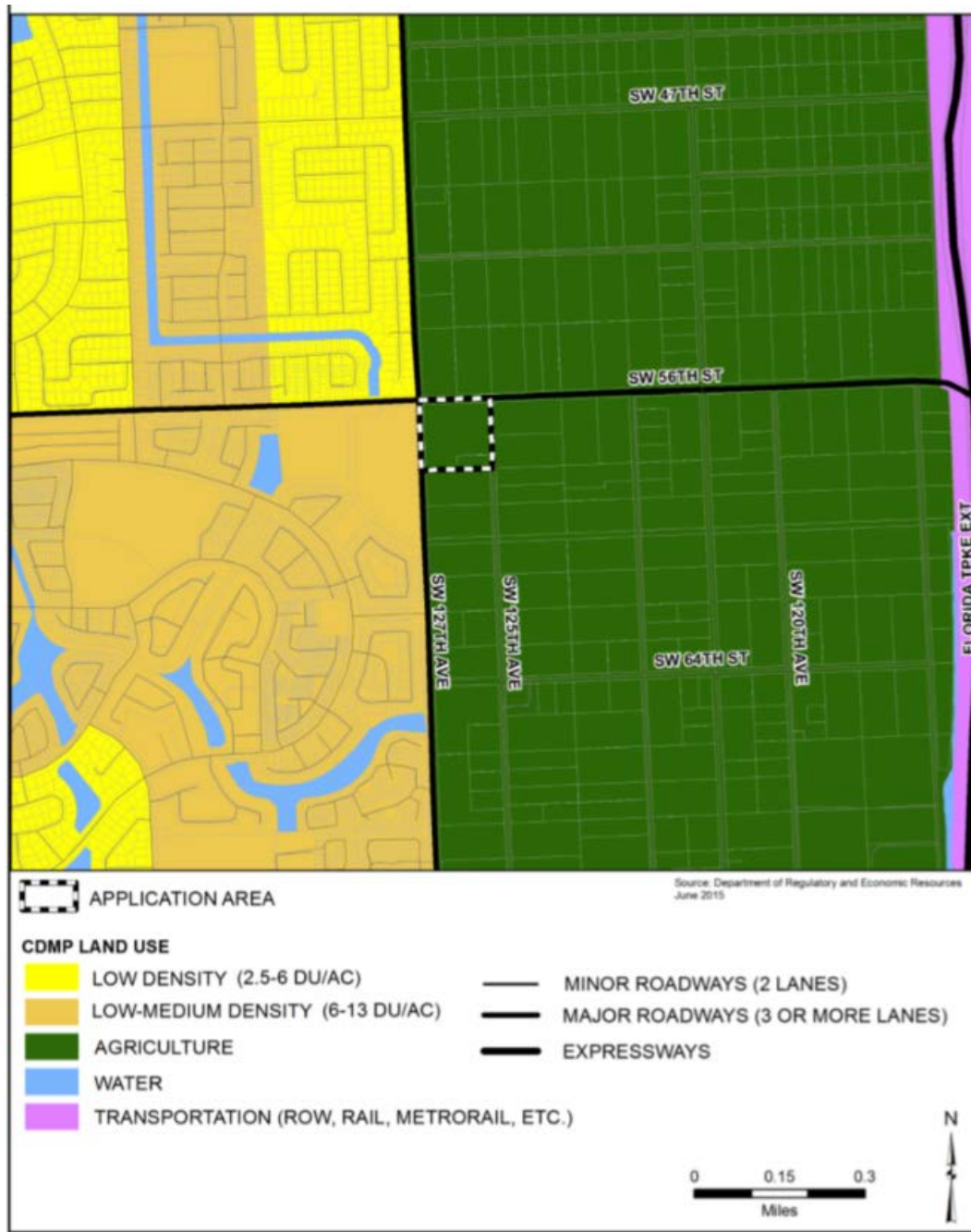
Bird Kendall Homeowner Association

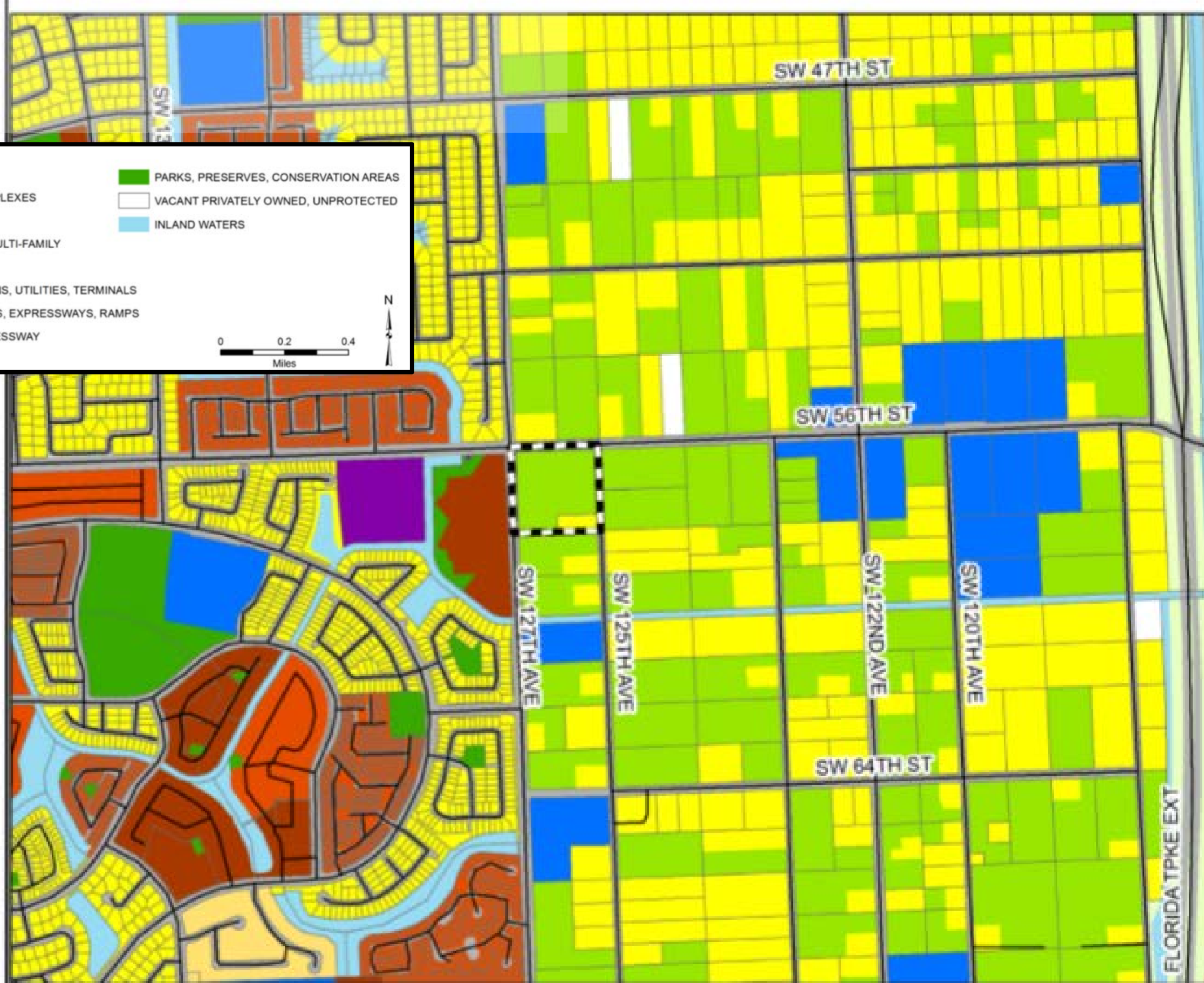
By Mark Alvarez

PAB Exhibit -
APP-3, May 2015
Submitted by Mark
Alvarez in opposition
of the application



Application: Amend Land Use Map from Agriculture to Business and Office

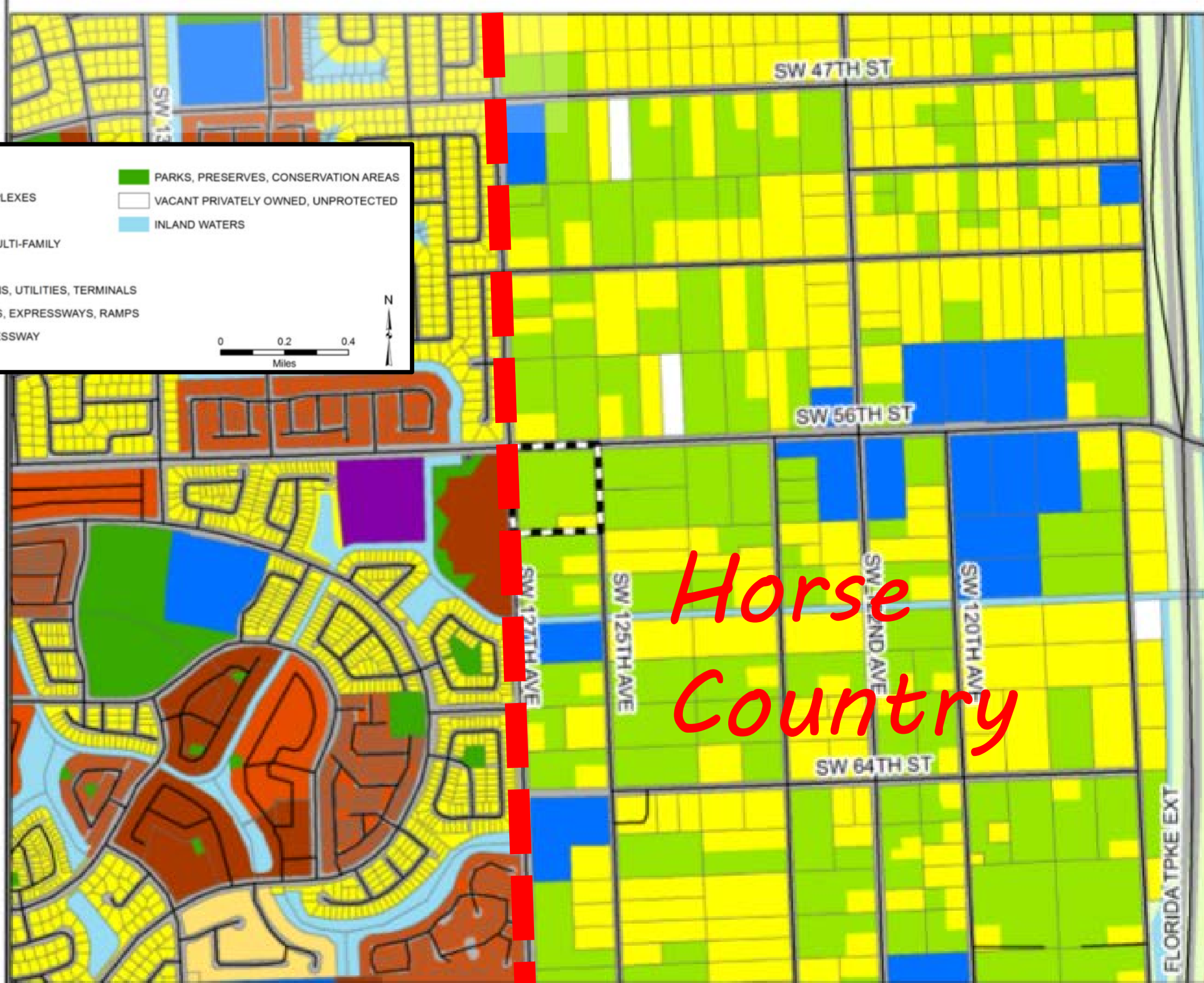




APPLICATION AREA

A-86

Source: Miami-Dade County
Department of Regulatory and Economic Resources
June 2015



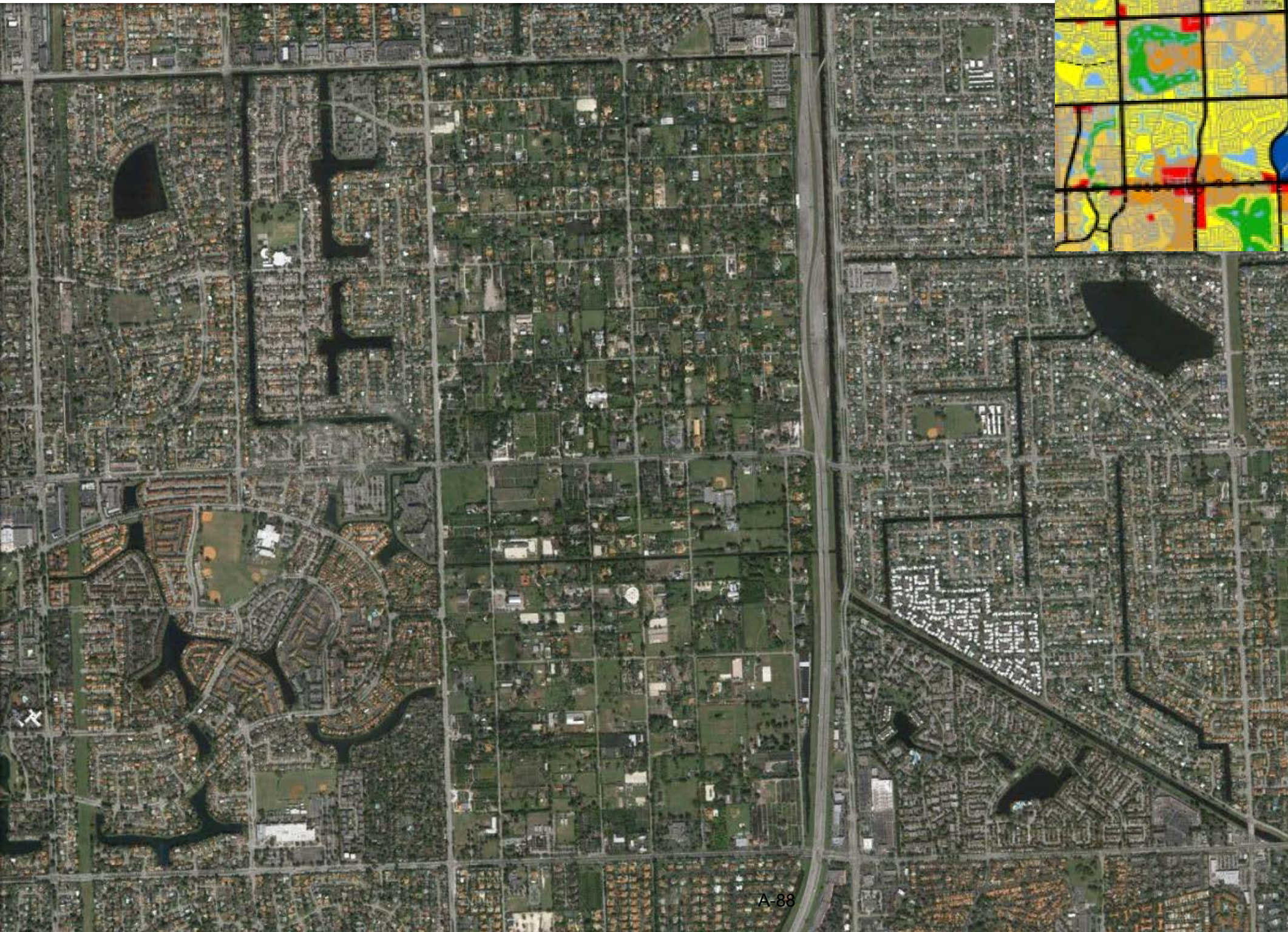
APPLICATION AREA

A-87

Source: Miami-Dade County
Department of Regulatory and Economic Resources
June 2015

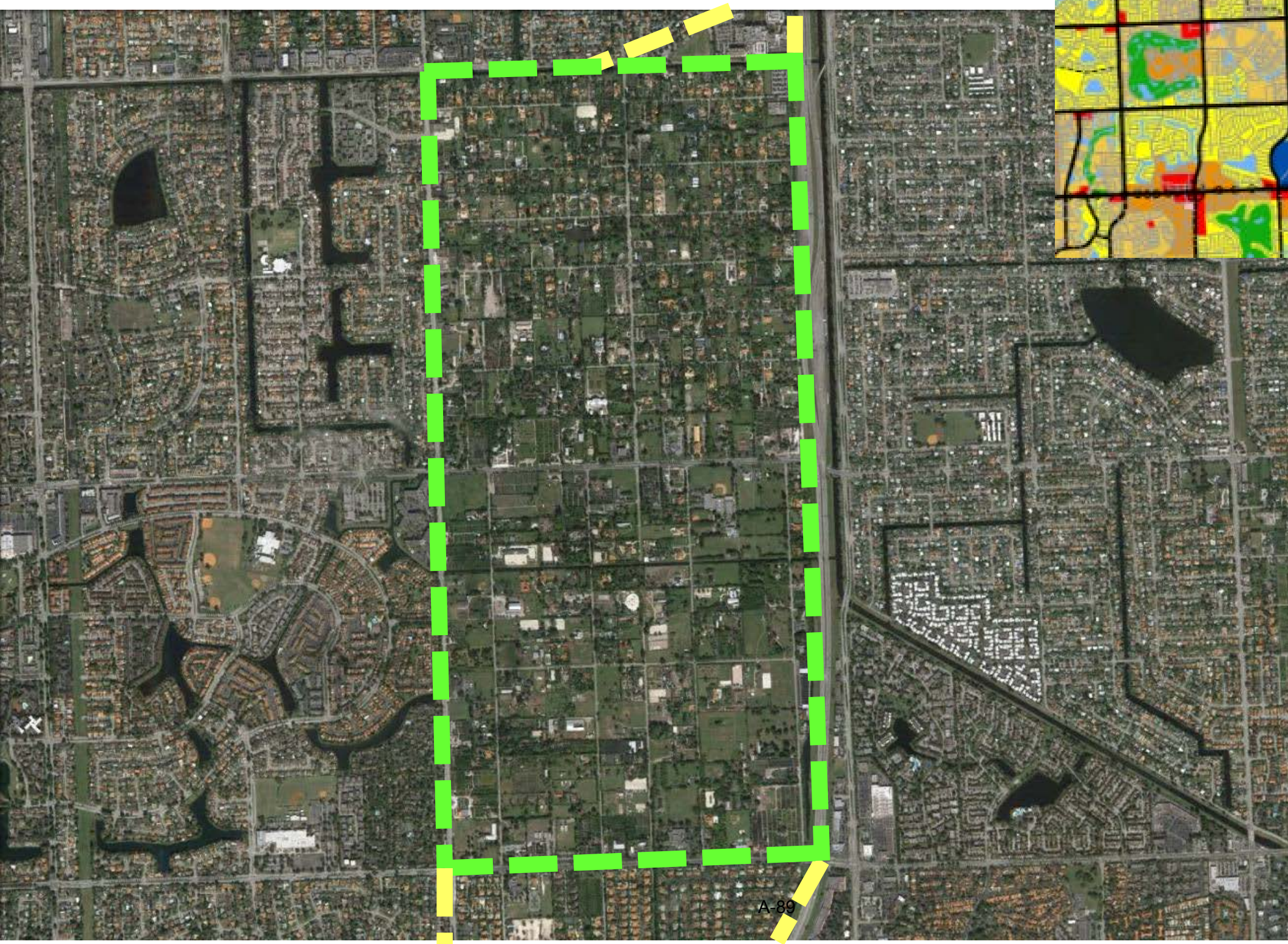
Land Use Perspective

an obviously preserved area



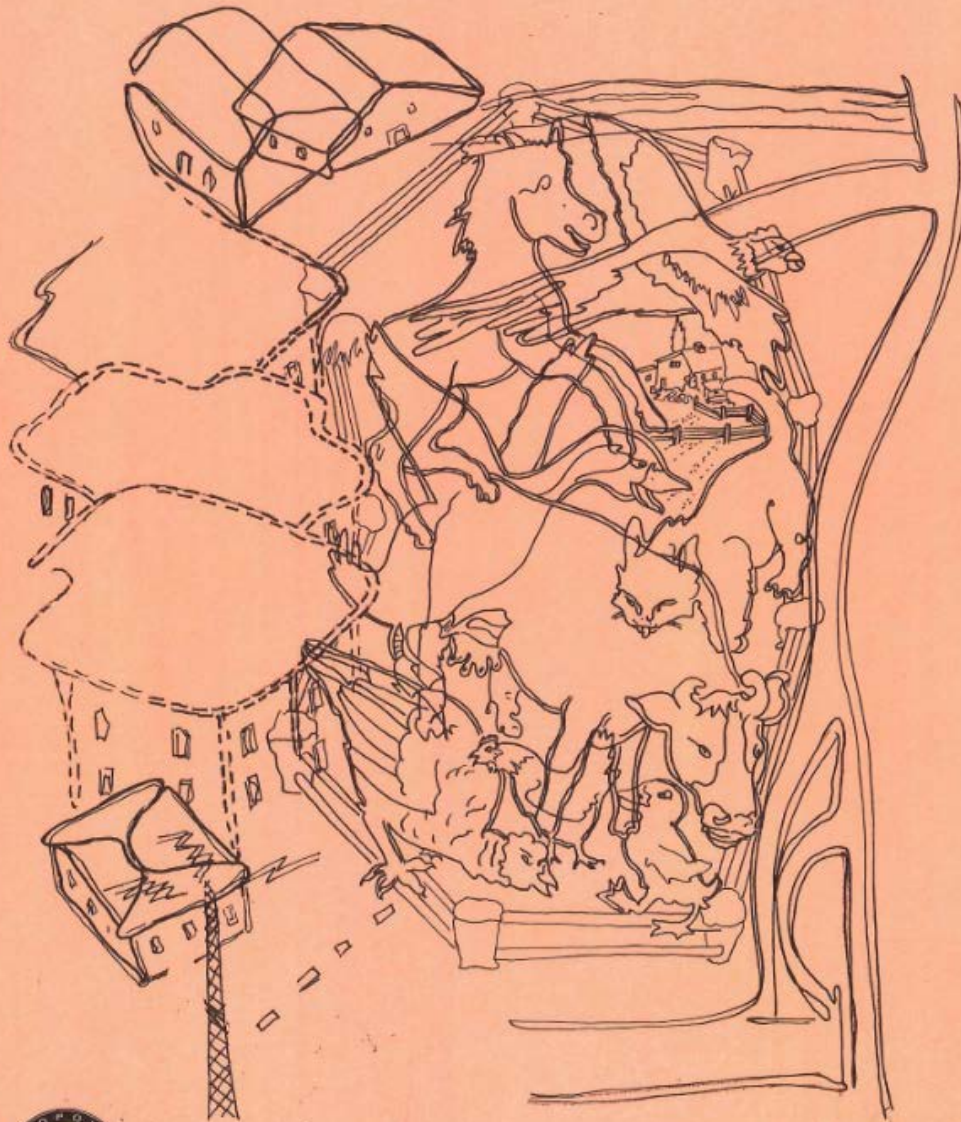
Land Use Perspective

an obviously preserved area





BIRD-KENDALL ranch area



An Overview

H.A. VES

METROPOLITAN DADE COUNTY PLANNING DEPARTMENT

JAN 1975

Study - 1975

Update- 1979

Approved - 1981

Study - 1987

Charrette - 2015

“The Bird-Kendall Ranch Area is a needed land use in Dade County. It is an open space in the midst of a disjointed urban sprawl.”

II EXISTING CONDITIONS

Physical Characteristics

According to the "Generalized Topography and Hydrography" Map of Metropolitan Dade County (1971), the ground elevation of this area ranges from 5 - 10 feet above mean sea level. The "Soil Association Map" of Dade County (1965, identifies the area soils as. . . ."poorly drained rockland with some moderately drained deep marls in the north and east portion, and some moderately well drained shallow soils in the northeast and southeast. . . ."

The Snapper Creek Canal at the northeast at S.W. 117 Avenue and the Bird Drive Extension Canal at the north boundary provide drainage for the area.

Land Ownership Patterns

The Bird-Kendall Ranch Area is a needed land use in Dade County. It is an open space oasis in the midst of a disjointed urban-suburban sprawl. Possibly one of the reasons for the bypassing of urban development in this area is wide variety of single ownerships that exist ranging from 60± acres south of Sunset Drive in pasture land to the 1 1/4 acre residential parcels at the northern end which are zoned EU-1 (one acre estates). The 60 acre parcel is currently receiving the special agricultural exemption. The following data which identifies the number and size of the parcels under separate ownership is as follows:

1.	More than 10 acres	13
2.	10 - 5 acres	26
3.	Less than 5 but larger than 2.5	121
4.	2.5 - 1	271
5.	Less than 1 acre	<u>26</u>
Totals Parcels		457

Existing Land Use (Figure 1)

Ranch-style and large estate uses predominate in the area. Several institutional uses are interspersed in the area consisting of two churches with related nursery and school uses, one private preparatory school (15± acres) on Sunset Drive, a Florida Power and Light substation, and parking facilities for American Hospital at the northeast corner (5 acres±).

“Encourage and protect agriculture as a viable economic use of Dade County’s land.”

“Control increases of density where the character of the immediate area would be adversely affected.”

This plan which was approved in 1965 designates this area as low-density residential, (2.0 to 12.9 dwelling units per net residential acre). Major arterials indicated are: Bird Road to the north and 137 Avenue to the west and North Kendall Drive to the south. The Homestead Extension of Florida Turnpike appears as the "West Dade Expressway" to the east.

Recent area studies that include the areas to the east at South Sunset Drive Area Re-Study and South Dade Junior College Area Study which were published in 1973.

Proposed Development Master Plan Part I

The recommendations of this part of the Plan which relate to the study area are discussed under the following headings and paragraphs:

Development Pattern

- IA. 1. Limit urban expansion to those areas most suitable for new development or redevelopment on the basis of accessibility, cost of energy, extension of services, terrain, and criteria directed toward preserving vital aspects of the County's natural and man-made environment.
- IB. 4. Encourage and protect agriculture as a viable economic use of Dade County's land.
- IC. 2. Control increases of density where the character of the immediate area would be adversely affected.
- ID. 1. Conserve and protect existing sound residential areas. (Page X) *
- 2. Establish creative taxation as a technique to encourage preservation of agriculture, recreational, greenbelt lands, native pinelands, hammocks, and other open spaces within the urban area through the maintenance of private property and the protection of native and unique vegetation thereon. (Page 22)*

Comprehensive Development Master Plan Part III

* Metropolitan Dade County Planning Department, Part I of Comprehensive Development Master Plan for Metropolitan Dade County, May 1974.

What Is Horse Country?

A Viable Land Use to Protect & Extend (infill) 1981

III RECOMMENDATIONS

Planning Guidelines

The Proposed Comprehensive Development Guide has provided generalized guidelines for the future development of Dade County, there are some additional guidelines that should be followed to help preserve the integrity of the area.

1. Future traffic and transportation improvements should give careful consideration to the existing horse traffic that is generated in the area on existing rights-of-way.
2. Projected road alignments should be re-evaluated to prevent the conflicts that may occur due to horse traffic.
3. Some linkage of various ranch and riding academy facilities should be explored to provide maximum use of this type of recreational activity. A possible means of implementing this proposal may be a "park and recreational district." Bridle paths and horse trails were discussed in the Linnear Park Study. However, due to a conflict with the Bikeways Proposal this idea was dropped. Since the completion of H.E.E.T. to the east it may be appropriate to consider the possibility of using a portion of the swale area inside the fence for future equestrian trails if proper safeguards can be provided for separating the horse and vehicular traffic.

Conclusions

Recommended Land Use (Figure 3)

The existing land use should be preserved and extended to the vacant parcels that are currently overgrown with weeds and various noxious exotic plants such as the Brazilian Pepper and Australian Pine. The only significant changes should occur as indicated in section 36 which provides for a gradation of densities beginning with two per acre at North Kendall Drive and one acre and agricultural uses to Sunset Drive.

Recommended Rezoning (Figure 4)

The changes recommended are being made to implement the Recommended Land Use Plan and are as follows:

What Is Horse Country?

Arterial Frontages 1987

1. That the subject application to amend the West Dade - Ranch Area Study be denied.

If approved, this amendment would lead to the development of neighborhood commercial and office uses on Sunset Drive between SW 123 and 127 Avenues. In addition, a precedent would be established for commercializing the remainder of Sunset Drive, and Miller Drive as well, as this latter roadway is currently being improved to four lanes and provided with a bridge over the Snapper Creek Canal. It should also be noted that there is no need for additional neighborhood commercial and office uses in the vicinity of the West Dade - Ranch Area, as there are at present about 119 acres of existing neighborhood shopping and almost 19 acres of existing office uses within an easy driving distance of the subject application area.

2. That the most appropriate uses for the frontages of Sunset Drive and Miller Drive are those which would maintain the existing primary uses of the "Ranch Area" (agriculture and country estates) as well as appropriate secondary uses (institutional and other activities) that support and maintain the unique character of the area.

Institutional uses, such as schools, churches and temples, do not conflict with the character and intent of the area. Commercial development (including offices), as proposed in the request, would violate the integrity of the "Ranch Area." One reason for this distinction is the amount of open space usually provided with these different types of development. While institutional uses typically provide 50 percent (or more) open space, offices frequently provide only half that much (25%) and commercial developments may provide only a quarter as much (12.5%). In addition to the intensity of development, there is also the intensity of signage that is associated with such developments. Institutional uses usually have very few signs, while offices have more and commercial developments have the most. Furthermore, commercial establishments and offices tend to operate more hours/day and days/week than do institutional uses which usually means additional traffic, noise, lights, odors and refuse.

3. That the agricultural and estate character of the "Horse Country" area should be preserved and enhanced.

Of immediate concern is the impact that the widening of Miller Drive and Sunset Drive will have on the area. Land uses and the design of future structures fronting on both of these four-lane roads should be regulated to insure compatibility with the agricultural and estate character of the area. Specifically, it is recommended that a new overlay zoning district be established with appropriate design standards which could be applied to any district upon determination of need by the Board of County Commissioners. This proposed district should be applied initially to the properties fronting both sides of Miller and Sunset Drives in the "Ranch Area".

“agricultural and estate character of the “Horse Country” area should be preserved and enhanced.”

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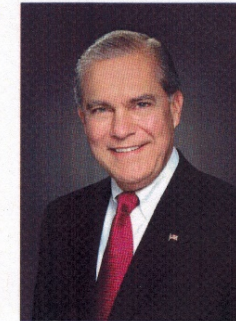
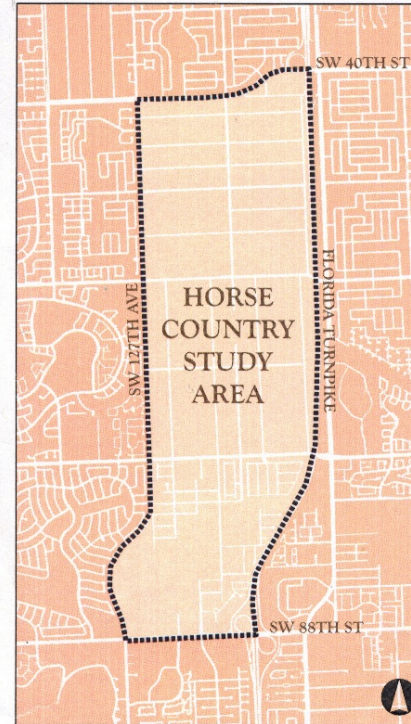
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What Is Horse Country?

Today



HORSE COUNTRY CHARRETTE



Public Workshop *Taller Público*

District 10 residents are invited to discuss the future of Horse Country.
Los residentes del Distrito 10 están invitados a participar en un taller acerca del futuro del área de Horse Country.

District 10, Commissioner Javier D. Souto
Distrito 10, Comisionado Javier D. Souto

Join us:

Acompáñenos:

Saturday, October 17 at 10 a.m.

Sábado, octubre 17 a las 10 a.m.

West Dade Regional Library
9445 Coral Way • Miami, FL 33165

In addition, planning staff will be available to meet with the community
Oct. 19 from 12 - 6 p.m. • Oct. 20 from 2 - 8 p.m. • Oct. 21 from 12 - 6 p.m.
at West Dade Regional Library: 9445 Coral Way • Miami, FL 33165

*Adicionalmente, personal de planificación estará disponible para reunirse con la comunidad
Oct. 19 de 12 a 6 p.m. • Oct. 20 de 2 a 8 p.m. • Oct. 21 de 12 a 6 p.m.
en West Dade Regional Library: 9445 Coral Way • Miami, FL 33165*

For more information, please call: 305-375-2513
Para más información, por favor llamar al: 305-375-2513

Multiple members of individual community councils may be present. These events are free and open to the public. For sign language interpreter services and for materials in accessible format, call Frank Gutierrez at 305-375-1244 five days in advance.

Puede estar presente más de un integrante de los consejos de comunidad (community councils). Estos eventos son gratuitos y están abiertos al público. Para servicios de intérprete en lenguaje de señas y para obtener material en un formato accesible, por favor llamar a Frank Gutierrez al 305-375-1244 con cinco días de anticipación.



- A place of unique open rural character within urban area
- Equine Industry
- Equestrian recreation and education accessible to the people of Dade County
- Youth education for equestrian, agricultural, and natural ecology



- Other domestic animals

- Canine & Feline rescue, training boarding

- Wildlife Preserve

- Wildlife Habitats

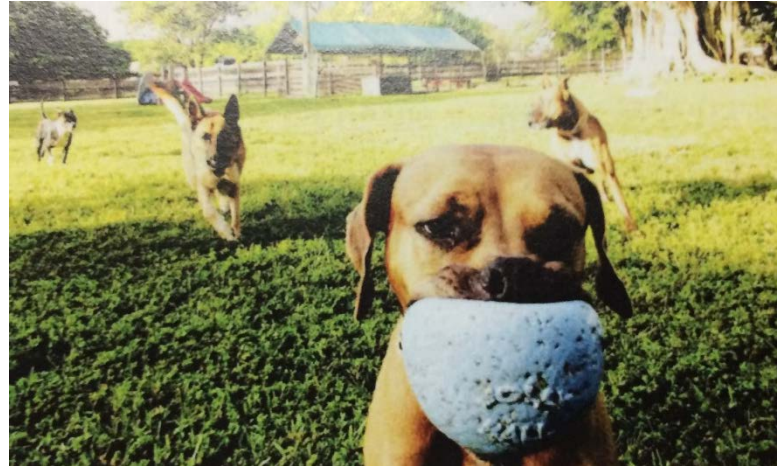
- Aviaries

- Aquaculture

- Horticulture

- USDA Quarantine Facilities

- Built in 2009, Horse Country important location to keep livestock close to airport



Florida Burrowing Owl

Source: 2011
Horse Country
MPO Community
Background Reports
Miami Dade County
FIU Digital Commons



- Not about Economics
- Not about the Commercial Needs of the area
- Preservation of Special Values that the Larger Community Considers Important
- We preserve, because it is not highest and best economic use



- Assuring compatible uses
- Maintain continuity
- Protect from encroachment
- Bridle Trail safety from traffic
- Appropriate roadways for uses
- Maintain 5 acre minimum
- Maintain rural infrastructure



1. Inconsistent with Agricultural Land Use and detrimental to the unique community character
2. Does not demonstrate proper consideration of the unique character of Horse Country required by Policy LU-8B
3. Inappropriately cites CDMP Guidelines for Urban Form, specifically Guide #4
4. Deficiency of commercial land is not appropriate to area, and no impending need demonstrated
5. Available commercial land within trade area
6. Legitimate and recognized agricultural activities are viable

Application No. 3 Commission District 10 Community Council 11	
APPLICATION SUMMARY <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>Applicant/Representative:</p> <p>Location:</p> <p>Total Acreage:</p> <p>Current Land Use Plan Map Designations:</p> <p>Requested Land Use Plan Map Designation:</p> <p>Amendment Type:</p> <p>Existing Zoning District/Site Condition:</p> </div> <div style="width: 65%;"> <p>Southeast Investments, Inc./Juan J. Mayol, Esq., Hugo P. Arza, Esq., Richard A. Perez, Esq., Alejandro J. Arias, Esq., and Pedro Gassant, Esq.</p> <p>Southeast corner of SW 127 Avenue and SW 56 Street/Miller Road</p> <p>±10.0 Gross Acres (±8.45 Net Acres)</p> <p>"Agriculture"</p> <p>"Business and Office"</p> <p>Small-Scale</p> <p>GU (Interim)/Pasture and single-family residence</p> </div> </div>	
RECOMMENDATIONS <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>Staff:</p> <p>West Kendall Community Council (11):</p> <p>Planning Advisory Board (PAB) Acting as the Local Planning Agency:</p> <p>Final Action of Board of County Commissioners:</p> </div> <div style="width: 65%;"> <div style="background-color: yellow; padding: 5px; margin-bottom: 5px;"> DENY (AS A SMALL-SCALE AMENDMENT) (August 25, 2015) </div> <p>TO BE DETERMINED (September 24, 2015)</p> <p>TO BE DETERMINED (October 19, 2015)</p> <p>TO BE DETERMINED (November 18, 2015)</p> </div> </div>	
May 2015 Cycle	3-1
Application No. 3	

**It is incompatible with Agricultural Land Use
and the Unique Character of the Area**

Staff reasons 1, 4, 5, 6

It is inconsistent with the CDMP

Staff reasons 2, 3

CDMP Objectives and Policies		Consistency
Objective LU-1	The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.	Stated by Applicant: Not Consistent this is not a center of activity
Policy LU-1C	Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand	Stated by Applicant: Not Consistent although surrounded by an urban area it is planned to be not urban
Policy LU-1G	The County should identify sites having good potential to serve as greenbelts, and should recommend retention and enhancement strategies, where warranted. Such greenbelts should be suggested on the basis of their ability to provide aesthetically pleasing urban spaces, recreational opportunities, or wildlife benefits. Considered sites should include canal, road or powerline rights-of-way, or portions thereof, particularly where they could link other parklands, wildlife habitats, or other open spaces	Stated by Applicant: Not Consistent The site is a contiguous greenbelt, and the proposal interrupts its continuity
LU-5	All public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goal, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Development Master Plan.	Not Consistent The existing land use designation is consistent. Response of preserved non-urban lands to urban needs is not balanced with other objectives and policies of the CDMP.
LU-5A	The textual material titled "Interpretation of the Land Use Plan Map" contained in this Element establishes standards for allowable land uses, and densities or intensities of use for each land use category identified on the adopted Land Use Plan (LUP) map, and is declared to be an integral part of these adopted Land Use Policies.	Not Consistent The Interpretation of the Land Use Map addresses Agricultural Land Use on p. I-62. It states that protection of viable agriculture is a priority. To protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area.
LU-5B	All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Regulatory and Economic Resources shall be the principal administrative interpreter of the CDMP	

CDMP Objectives and Policies		Consistency
Objective LU-8	Miami-Dade County shall maintain a process for periodic amendment to the Land Use Plan map consistent with the adopted Goals, Objectives and Policies of this plan, which will provide that the Land Use Plan map accommodates projected countywide growth.	Stated by Applicant: Not Consistent Note Staff Response: Policy LU-B8 provides that the distribution of neighborhood and community serving retail uses and personal and professional offices should reflect population distribution in addition to social, economic, and physical considerations.
Policy LU-8B	Distribution of neighborhood or community-serving retail sales uses and personal and professional offices throughout the urban area shall reflect the spatial distribution of the residential population, among other salient social, economic and physical considerations	
Objective LU-9	Miami-Dade County shall continue to maintain, update and enhance the Code of Miami-Dade County, administrative regulations and procedures, and special area planning program to ensure that future land use and development in Miami-Dade County is consistent with the CDMP, and to promote better planned neighborhoods and communities and well designed buildings.	Stated by Applicant: Not Relevant Existing land use is compatible. No update is required.
Policy LU-9A	To maintain consistency between Miami-Dade County's development regulations and comprehensive plan, Miami-Dade County's land development regulation commission shall review proposals to amend Miami-Dade County's development regulations and shall report on the consistency between said proposals and the CDMP, as required by Chapter 163, F.S.	Stated by Applicant: Procedural So far, proposal is found to be inconsistent by staff, and CZAB 11.
Policy LU-9H	Miami-Dade County shall continue its special area planning program with emphasis on the preparation of physical land use and urban design plans for strategic and high growth locations, such as urban centers and certain transportation corridors as defined in the CDMP.	Stated by Applicant: Not Consistent The County continues to plan the area through the charrette process. The application is premature to area plan.
Policy LU-9J	Miami-Dade County shall continue to use the design guidelines established in its urban design manual as additional criteria for use in the review of all applications for new residential, commercial and industrial development in unincorporated Miami-Dade County, and shall consider the inclusion of such guidelines into its land development regulations.	Stated by Applicant: Not Consistent The design guidelines and Guideline #4 is not applicable to the contiguous non-urban character of the Horse Country area. See staff report reason #3

CDMP Objectives and Policies		Consistency
LU-10	Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multimodal transportation systems.	Stated by Applicant: Not Consistent Energy efficiency refers to transportation efficiency. Response of preserved non-urban lands to urban needs is not balanced with objectives and policies of the CDMP that support preservation of the unique character of the area and its agriculture.
LU-10A	Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, moderate to high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation. To facilitate and promote such development Miami-Dade County shall orient its public facilities and infrastructure planning efforts to minimize and reduce deficiencies and establish the service capacities needed to support such development.	
CON-9	Freshwater fish, wildlife and plants shall be conserved and used in an environmentally sound manner and undeveloped habitat critical to federal, state or County designated endangered, threatened, or rare species or species of special concern shall be preserved.	Not Consistent: The 2011 <i>Horse Country</i> MPO Community Background Report notes that burrowing owls have been sited as nesting (burrows) in Horse Country. The Florida Burrowing Owl (<i>Athene cunicularia</i>) is listed in the CDMP as a “species of special concern” by the /state and listed in the CDMP due to low population numbers or limited / localized population; impacts resulting from habitat destruction or environmental contamination; or nesting destruction / disturbance / failures. Policy requires mapping of the species’ habitat within the County that may be impacted by the premature land use re-designation and subsequent development. Conservation has not been accounted for.
CON-9D	The County should work with the US Fish and Wildlife Service, the Florida Fish and Wildlife Conservation Commission and other appropriate entities to describe and map wildlife populations, and by 2020, to determine the wildlife habitat values for all remaining freshwater wetlands and environmentally sensitive natural forest communities.	
CON-9E	Conservation of upland wildlife habitats shall be taken into consideration during development evaluation and permitting processes.	

Horse Country Land Use Amendment

➔ Incompatible

➔ Inconsistent



Appendix 1

Staff principal reasons of recommendation to Deny

Staff Recommendation 1

Deny: Incompatible Use

Staff recommends **DENY** the proposed small-scale amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2020-2030 Land Use Plan (LUP) map to redesignate the ±10.0 gross-acre application site from "Agriculture" to "Business and Office" based on staff analysis summarized in the "Principal Reasons for Recommendation" below.

Principal Reasons for Recommendation:

1. The application proposes a small-scale Land Use Plan map amendment for a ±10-acre site within the 'Horse Country' community that is inconsistent with the "Agriculture" designation of the area and is detrimental to the unique character of community. A similar application Land Use Plan map was filed for this property in the April 2012 CDMP amendment cycle. That prior application was recommended for denial by staff and by the West Kendall Community Council 11 at its September 2012 public hearing, and was subsequently withdrawn by the Applicant on October 3, 2012.

The Horse Country community is a two square mile area that has historically and intentionally retained its rural character despite its location inside the County's Urban Development Boundary. Horse Country is the only "Agriculture" designated area inside of the Urban Development Boundary and has retained this distinction to protect and preserve the area's rural character in keeping with the recommendations of the Bird Kendall Ranch Area study of 1975 and the West Dade — Ranch Area Study adopted by the Board of County Commissioners in 1981 (see Background on page 3-10). The "Agriculture" land use designation provides for agriculture and agriculture-related uses, therefore, plant nurseries, landscape supply companies, and horse riding and boarding academies exist within this unique community; large lot residential development is also permitted within "Agriculture" designated areas. The requested "Business and Office" designation allows the full range of sales and service activities including urban commercial uses such as auto body shops, department stores and private clubs that are incompatible with agriculture. Urban commercial uses are prohibited in the "Agriculture" designated areas. Approval of the application would set a precedent and be a catalyst for future non-agricultural Land Use Plan map amendments on land within the Horse Country community.

2. The application requests a future land use designation change that does not demonstrate proper consideration of the unique character of the Horse Country area as required by CDMP Land Use Element Policy LU-8B and as provided by the Guidelines for Urban Form. Policy LU-8B provides that the distribution of neighborhood and community serving retail uses and personal and professional offices should reflect population distribution in addition to social, economic and physical considerations. The Guidelines for Urban Form consider exceptions "...to conform the density, intensity, use, building, envelope, traffic generation and demand on services and infrastructure of a proposed new use to such contextual elements and the general pattern of use, intensity and infrastructure which exists in an established neighborhood". Therefore, the impact of a commercial/retail development on the unique character of the Horse Country area and its preservation should be a primary consideration in any land use change within the area.
3. The Applicant inappropriately cites the CDMP Guidelines for Urban Form, specifically the provisions of Guideline No. 4, as a justification for locating urban commercial uses within the rural Horse Country community without giving the required consideration to the unique character of the community. Guideline No. 4 provides that the intersection of section line roads shall serve as focal points of activity or "activity nodes" that shall be occupied by

Staff Recommendation 2

Deny: Unique Character

Staff recommends **DENY** the proposed small-scale amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2020-2030 Land Use Plan (LUP) map to redesignate the ±10.0 gross-acre application site from "Agriculture" to "Business and Office" based on staff analysis summarized in the "Principal Reasons for Recommendation" below.

Principal Reasons for Recommendation:

1. The application proposes a small-scale Land Use Plan map amendment for a ±10-acre site within the 'Horse Country' community that is inconsistent with the "Agriculture" designation of the area and is detrimental to the unique character of community. A similar application Land Use Plan map was filed for this property in the April 2012 CDMP amendment cycle. That prior application was recommended for denial by staff and by the West Kendall Community Council 11 at its September 2012 public hearing, and was subsequently withdrawn by the Applicant on October 3, 2012.

The Horse Country community is a two square mile area that has historically and intentionally retained its rural character despite its location inside the County's Urban Development Boundary. Horse Country is the only "Agriculture" designated area inside of the Urban Development Boundary and has retained this distinction to protect and preserve the area's rural character in keeping with the recommendations of the Bird Kendall Ranch Area study of 1975 and the West Dade — Ranch Area Study adopted by the Board of County Commissioners in 1981 (see Background on page 3-10). The "Agriculture" land use designation provides for agriculture and agriculture-related uses, therefore, plant nurseries, landscape supply companies, and horse riding and boarding academies exist within this unique community; large lot residential development is also permitted within "Agriculture" designated areas. The requested "Business and Office" designation allows the full range of sales and service activities including urban commercial uses such as auto body shops, department stores and private clubs that are incompatible with agriculture. Urban commercial uses are prohibited in the "Agriculture" designated areas. Approval of the application would set a precedent and be a catalyst for future non-agricultural Land Use Plan map amendments on land within the Horse Country community.

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Staff Recommendation 3

Deny: Inappropriate CDMP Cite

Staff recommends **DENY** the proposed small-scale amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2020-2030 Land Use Plan (LUP) map to redesignate the ±10.0 gross-acre application site from "Agriculture" to "Business and Office" based on staff analysis summarized in the "Principal Reasons for Recommendation" below.

Principal Reasons for Recommendation:

1. The application proposes a small-scale Land Use Plan map amendment for a ±10-acre site within the 'Horse Country' community that is inconsistent with the "Agriculture" designation of the area and is detrimental to the unique character of community. A similar application Land Use Plan map was filed for this property in the April 2012 CDMP amendment cycle. That prior application was recommended for denial by staff and by the West Kendall Community Council 11 at its September 2012 public hearing, and was subsequently withdrawn by the Applicant on October 3, 2012.

The Horse Country community is a two square mile area that has historically and intentionally retained its rural character despite its location inside the County's Urban Development Boundary. Horse Country is the only "Agriculture" designated area inside of the Urban Development Boundary and has retained this distinction to protect and preserve the area's rural character in keeping with the recommendations of the Bird Kendall Ranch Area study of 1975 and the West Dade — Ranch Area Study adopted by the Board of County Commissioners in 1981 (see Background on page 3-10). The "Agriculture" land use designation provides for agriculture and agriculture-related uses, therefore, plant nurseries, landscape supply companies, and horse riding and boarding academies exist within this unique community; large lot residential development is also permitted within "Agriculture" designated areas. The requested "Business and Office" designation allows the full range of sales and service activities including urban commercial uses such as auto body shops, department stores and private clubs that are incompatible with agriculture. Urban commercial uses are prohibited in the "Agriculture" designated areas. Approval of the application would set a precedent and be a catalyst for future non-agricultural Land Use Plan map amendments on land within the Horse Country community.

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3. The Applicant inappropriately cites the CDMP Guidelines for Urban Form, specifically the provisions of Guideline No. 4, as a justification for locating urban commercial uses within the rural Horse Country community without giving the required consideration to the unique character of the community. Guideline No. 4 provides that the intersection of section line roads shall serve as focal points of activity or "activity nodes" that shall be occupied by

Staff Recommendation 4

Deny: Insufficient Need Shown

non-residential components of the neighborhood, and when commercial uses are warranted they should be located within such activity nodes. The application site is located on the southeast corner of SW 56 Street/Miller Road and SW 127 Avenue, both of which are section line roads. The property in the northeast corner of the intersection is also within Horse Country, is designated "Agriculture" and contains a single-family home and a plant nursery. The properties in the northwest and southwest corners of the intersection are residentially designated and developed with single and multifamily residences (see map series on pages 3-5 through 3-9). Pursuant to the CDMP provisions discussed in Principal Reason No. 2 above, Guideline No. 4 is not applicable given the non-urban character of the Horse Country area. Therefore, the location of commercial uses within the area as proposed in the application is inconsistent with the CDMP.

4. The Applicant cites a deficiency of commercial land within Minor Statistical Area (MSA) 6.1, where the application site is located, as a reason for the application. However, given the unique character of Horse Country, the recommendations of the West Dade - Ranch Area Study to preserve the Horse Country area as adopted by the Board of County Commissioners, and the proximity of existing retail and commercial centers along Kendall Drive and Bird Road, the subject property is not an appropriate location for the requested land use change. The Supply and Demand Analysis conducted for MSA 6.1 indicates that the MSA has 525.10 acres of in-use commercial land and 33.8 acres of additional land designated for commercial use. The analysis also identifies the average annual absorption rate for commercial land as 6.97 acres per year. At this rate of absorption, the MSA would deplete its vacant commercial land by the year 2020. Redesignation of the application site to "Business and Office" could add ±10 acres to the commercial land supply of the wider MSA. However, the urbanization of land within the rural Horse Country community, as proposed in the application, should not be used to address the commercial land deficiency in the urbanized portion of the MSA.

Notwithstanding the projected depletion of commercial land in MSA 6.1, there is no demonstrated need for neighborhood serving commercial development as proposed in the application that justifies the potential deleterious impacts to the rural character of the Horse Country Community. An analysis of the trade area within a 1.5 mile radius of the application site indicates that there are 122.22 acres of existing commercial uses containing over 1 million square feet of commercial development, providing ample shopping opportunities for Horse Country residents. Some of the existing commercial uses within the 1.5-mile radius area include the Miller Square Shopping Center, one-mile west of the site at the intersection of SW 137 Avenue and SW 56 Street, and the T. J. Maxx Plaza at SW 117 Avenue and SW 72 Street. There are also numerous shopping centers along SW 88 Street/Kendall Drive in the general vicinity of the application site, as well as shopping centers along SW 40 Street/Bird Road including the Westbird Shopping Center at SW 117 Avenue. With the depletion of commercial land in the MSA projected for 2020, there is no impending need for additional commercial land in the area that warrants the detrimental impacts to the unique rural character of the Horse Country community as proposed in the application.

5. The Applicant has submitted a Declaration of Restrictions (covenant) prohibiting residential development on the site and limiting the site to 75,000 square feet of development, less than half the 147,240 square feet of development that would be allowed on the site without the covenant. The trade area analysis mentioned above identified that there are 4.24 acres of vacant commercial land within the 1.5-mile radius trade area. Alternative to the proposed development, the vacant 4.24 acres could be developed with

Staff Recommendation 5

Deny: Agricultural Viability *specious argument*

a maximum of 73,877 square feet of commercial development adjacent to the Horse Country community with no significant negative impact to the community. (See Appendix B: Proffered Declaration of Restrictions on Appendices Page 19.)

6. The Applicant has concluded that Horse Country has very little "classic agriculture" and has mostly become an area of plant nurseries, religious and educational uses, and private residences. It must be highlighted that such uses as horse boarding and riding stables, and landscape nurseries are among legitimate and recognized agriculture activities currently within Horse Country. While it is true these are the predominate type of agricultural uses within Horse Country, this phenomenon has taken place since the 1950's, but not in overwhelming numbers and basically along the periphery of the Horse Country area. Currently there are 22 such institutions in the Horse Country area, the breakdown is as follows: 12 churches, 3 church/school combined, and 5 schools including Charter Schools. When further examining these parcels by year built a more nuanced pattern appears. For example: 20% percent were built before 1960; 25% percent between 1960 and 1980; 10% percent between 1980 and 1990; 25% percent between 1990 and 2000; and only 5% percent since the year 2000. In addition, it should be noted that schools and religious institutions are allowed where compatible in the "Agriculture" designated Horse Country area, pursuant to provisions of the CDMP.

Furthermore, on June 30, 2015, the Board of County Commissioners (Board) adopted Resolution No. R-605-15 directing the Mayor or the Mayor's designee to organize a charrette for the Horse Country area, and to place the completed charrette report on the Board's agenda no later than January 2016. The charrette will allow residents and other stakeholders in the community to develop a unified vision for the future development of the entire Horse Country community and express that vision in the charrette report that is to be brought before the Board. Notwithstanding the fact the application is inconsistent with the CDMP as discussed above, it would also be premature to consider the land use change and development proposed in the application without having had the benefit of the community's vision for its development as to be presented in the required charrette report.

Staff Recommendation 6

Deny: Good Planning Process

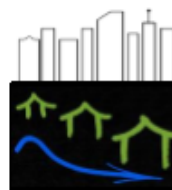
a maximum of 73,877 square feet of commercial development adjacent to the Horse Country community with no significant negative impact to the community. (See Appendix B: Proffered Declaration of Restrictions on Appendices Page 19.)

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Appendix 2

Qualifications



Mark Alvarez
Integrated Urban Planning, LLC
 3109 Grand Avenue, #331 Miami, Florida 33133

resume
 tel. 786.208.6655
 mark@integratedurbanplanning.com

Experience

Principal December 2006 - present
Integrated Urban Planning, LLC Miami, Florida
 Provides land use, development, community preservation and transportation planning services to private, community and government clients. Expertise in zoning, community compatibility, land use, and highest and best use analysis. Experience in quasi-judicial settings and negotiating complex settlements among private parties, community groups and governments. Provides detailed regional multimodal transportation impact review for very large scale regional and downtown development. Develops regional transit plans through *Lehman Center for Transportation Research*, local transit circulator plans, "last-mile" transit links, alternative fuel transportation, and car-sharing plans.

Senior Research Associate June 2003 - December 2006
Center for Urban Transportation Research at USF (CUTR) Tampa, Florida
 As CUTR's Principal Investigator to Miami-Dade Transit and the County's Office of Performance Management, led work on county-wide transit system optimization, sub-area service improvements, policy analysis, and staffing organizational analysis. Led student, faculty, and sub-consultant teams ranging from 1 to 40 people, including the scoping, management, report writing, presentations, final production and follow-up.

Capital Improvements Administrator August 1999 - June 2003
City of Miami Beach Miami Beach, Florida
 After establishing an approved GO Bond program, he integrated the programming of the City's \$400-million Capital Improvement Program through coordination with City departments of finance, budgeting, planning, public works, parking, buildings, and media relations. He developed and verified a new database, then institutionalized functions to help establish the City's CIP Department in 2002-2003. (contract position)

Principal April 1998 - June 2003
North Meridian, Inc. (dba Meridian Consulting) Miami, Florida
 Meridian Consulting specialized in strategic advice to redevelopment organizations for developing transportation-related infrastructure and policy improvements to support downtown revitalization programs. Performed analysis for the establishment of community redevelopment areas (CRA). Developed plans for community transit that are still in operation. Developed a successful general obligation (GO) bond program for the City of Miami Beach and led intensive community outreach toward ballot approval.

Senior Planner November 1993 - April 1998
The Corradino Group Miami, Florida
 Led the company's planning services, managed planning staff in the fields of downtown community redevelopment, designation of community redevelopment areas, regional transit development plans, transportation corridor studies, traffic calming studies, and transit planning for electric bus service implemented in South Beach (Electrowave, 1995-2004).

Regional Planner August 1992 - November 93
South Florida Regional Planning Council (SFRPC) Hollywood, Florida
 Evaluated local comprehensive plan amendments and updated the Transportation Element of the Strategic Regional Policy Plan. Project Manager for the inception of the US Department of Energy sponsored South Florida Clean Cities Coalition to develop policy for, coordinate, and promote the use of alternative fueled vehicles.

Transportation Engineer Intern January 1992 - August 1992
Burgess & Niple Columbus, Ohio
 Developed demand models and ridership projections for feasibility study of light rail transit to link Ohio State University Campus athletic venues, hospital complex, and City.

Engineering Aide April 1988 - August 1992
Science Applications International Corp. (SAIC) Columbus, Ohio
 Performed analysis and preparation of NEPA documents, and related field work for environmental remediation work at DOD and DOE sites in the Midwest.

Professional:

Commercial Real Estate, Advanced
 Miami Association of Realtors, 2015
 Licensed Florida Real Estate Sales
 Associate, 2014
 Professionalism & Ethics Certification
 FIU Metropolitan Center, 2011, 2013
 American Institute of Certified Planners,
 1996 (# 086841)
 Pedestrian & ADA Safety Program
 Florida Dept. of Transportation, 1995
 Dispute Resolution Program
 Florida Conflict Resolution Consortium, 93

Education:

Master of Science, Civil Engineering
 Ohio State University, 1992
 Master of City & Regional Planning
 Ohio State University, 1992
 Bachelor of Science, Operations Mgt.
 Ohio State University, 1988

Community Service:

Southeast Florida Clean Cities Coalition,
 Member, 2014-2015
 South Florida SPCA Horse Rescue
 Volunteer, 2014-2015
 MSPCS School Parent Board
 Member, 2009-2012; Chair 2011-2012
 Shake-a-Leg Miami
 Volunteer Skipper, 2007-2008
 City of Miami Upper East Side Council
 Boulevard Oversight Committee, 2004
 City of Miami Selection Committee
 Midtown Trolley Plan, 2004
 Miami Beach Transportation & Parking Com.
 Commission Appointee, 1999
 Miami Beach Traffic Calming Committee
 Chair, 1988-1989

Professional Presentations & Papers

*Using Survey Results to Design Regional
 Transit Improvements;*
 APTA, Minneapolis, Minnesota; 2005
*Intermodal Trends - Changes Over a
 Decade and Emerging Trends;*
 APTA, Vancouver, British Columbia, 2004



Horse Country

May 2015 - App 3
DAB Exhibit -
Submitted in opposition
to App. 3 by
Michael Miller

"Of all the questions which can come before this nation, short of the actual preservation of its existence in a great war, there is none which compares in importance with the great central task of leaving this land even a better land for our descendants than it is for us."

- President Theodore Roosevelt

Written by Jesse Scheckner and members of the Bird-Kendall Homeowners Association



Miami's Horse Country

A Self-Sustaining Economic Ecosystem and Treasure of the Community

Preamble

The intent of this document is to convey a narrative – one of history, nature, industry and legacy – with the purpose of expressing the importance of preserving the area in West Kendall, known as Horse Country. Horse Country is located between SW 40 Street and SW 72 Street, and from SW 118 Avenue to SW 127 Avenue, bounded by residential communities on all four sides.

Horse Country enthusiasts remind us that “even New York has Central Park” and urge that these surroundings in a suburban setting be protected for posterity, not only for the services its residents provide but to preserve a productive lifestyle that exists nowhere else in Miami-Dade County.



Preservation Through Perseverance

The transition from rural to urban civilization since Miami's official inception 117 years ago appears to have reached an impasse in regards to one of the last remnants of our community's heritage: Miami's Horse Country. Two arguably symbiotic factors – a move towards modernity (both in commerce and technology) and the increasingly widespread reach of commercial development – have once more put this historically-celebrated region in peril, as the area continues to be targeted by external interests, both corporate and otherwise.



Example:

Two years ago, Pan American Companies Inc. sought entry by soliciting assistance of local legislators and a few profit-minded residents to develop a shopping center on the southeast corner of Miller Drive and SW 127 Ave. for business and office use. Pan American claimed the area's agricultural history was largely cosmetic with "very little classic agriculture" (1). Its application to build a shopping center on the western edge of Horse Country was rejected by hundreds of residents protesting the proposal. On September 27, 2012, the West Kendall Community Council voted to recommend to the County Commission that the change be rejected (2). The message was clear: regardless of a company promise to "fit the project in" Horse Country, such commercial development was unneeded and unwanted.

Growth in the vicinity of the area is not inherently negative since progress in commerce is to be expected with outward expansion characteristic of an expanding metropolitan area such as Miami Dade County. It is, however, of the utmost importance that an area remarkably preserving both a historic and traditional way of life is not corrupted by intrusion of non-compatible elements. Once re-designated for business and office use if only by relaxation of restrictions, whether permitting department stores, shopping malls, private clubs, auto shops or similar enterprises, the intrinsic purity of Horse Country would be ruined.

Horse Country, Past

Horses have been part of Miami Dade County's heritage for more than a century, with the equine industry flourishing since early agricultural settlements. In 1939, two cattlemen, J. Pendray and George Larkins, established P&L Ranch and opened a rodeo grounds south of the present-day Galloway Road intersection with Kendall Drive. Even then, this region was beginning to be regarded as an epicenter for equestrian activity, prior to the beginning of World War II, which would temporarily delay such equine-centered development.

During the immediate post-war era, Kendall remained largely rural while renewing a reputation as the region's "Horse Country" upon opening of the South Miami Riding Club in 1945. With ample facilities for horses and a clubhouse, the Club hosted several of the largest horse shows in the State of Florida (3). By that time, Kendall residents who still plied their trade on farmland and ranches began protesting the relentless commercial expansion that had already transformed many neighborhoods seemingly overnight.

In a 1978 interview with The Miami Herald, John Frederick, a lifelong Miamian who served as president of the Dade County Agricultural Council (which then oversaw a \$184.4-million industry), pointed to the constantly diminishing land available for cultivation, stating that unless urban sprawl stops taking over farmlands, consumers would have to look elsewhere for fresh agricultural products (4).



Tropical Park Race Track, which held the first legal horse race in Miami Dade County on December 26, 1931, (5) ceased holding horse races in 1972 when the county purchased its 240 acres of park grounds to open seven years later as a county park with an equestrian center without major racing events (6). At that time, Horse Country became the sole haven for equestrian and horse-oriented ranch operations.

Horse Country, Present Day

Although much of the original Horse Country area has disappeared as a result of commercial impingement, the currently-defined region continues not only as one of the most autonomous county areas, but as one of its most unique. According to the 2007 Agricultural Census, only 8.85 percent of land designated for agricultural purposes is reserved for pasture use. Because of the nature of much of Horse Country's equine-related businesses, the territory is all the more valuable in relation to its modest-sized farmlands.



As a legitimate area of agricultural enterprise, of the 2,498 farms in the county (an 11 percent increase from 2002's count of 2,244), approximately 1,750 (70 percent) fall within the one- to nine-acre range.



Listed on the next few pages are just some of the inimitable services Horse Country renders unto Miami Dade County. But for the four USDA quarantine locations, each field is being represented by just a portion of its population in this document. In a few instances, some community members associated with these facilities comment about their concerns regarding the future of the area.





The Equine Industry

Despite its namesake, Horse Country offers far more services than just the equine variety. Along with California and Texas, Florida leads the country in both horse ownership and economic impact (7), and, according to the Florida Department of Agriculture and Consumer Services, the Florida horse industry generates \$5.1 billion (13 percent of the nation's total) towards



the state's economy that includes spending by industry suppliers and employees, producing goods and services valued at \$3 billion, as well as generating more than 38,300 full-time jobs. Suppliers and employees related to direct production generates additional jobs for a total employment effect of 104,700 (8).

Equine-related businesses in Horse Country run the full gamut of services, including breeding, caring for and boarding both personally and professionally-used horses. In addition to breeding horses of quality stature, appearance and disposition, horse breeders are equally-responsible for breeds displaying parasitic resistance, strong heart and lung functions and other similar beneficial characteristics. Horses may be randomly blood tested by veterinarians working with government agencies to control the spread and investigate treatment of equine illnesses including equine herpes virus (EHV) and Coggins (Equine Infections Anemia Virus – EIAV), a service with impact that is often taken for granted as a result of its preventative nature.

Culturally, Horse Country facilities offer numerous invaluable services to the community. Many of its ranches are open to school field trips that allow children to interact with and learn about the horses and the equine industry. In addition, equine-facilitated learning (EFL) programs for children with special needs and disabled veterans, and equine-based summer camps, provide self-reliance and responsibility. Operated as nonprofits, several owners dedicate their lives to improving the lives of others. Many ranches will work with Felix Varela Senior High School's Veterinary Science Magnet Program to offer workforce experience and community services opportunities with the cooperation of local livestock vets who service Horse Country stables and farms.

The following is a sample of the various equestrian-based Horse Country facilities and their unique public services.

- South Florida's hunter/jumper community seeks top-tier equestrian locations, and Horse Country's newest equestrian center is luring back riders who formerly were forced to relocate their activities to other horse-friendly areas, such as Wellington in Palm Beach County. This Horse Country facility provides two custom-built jumping arenas (one is the largest in South Florida) and features amenities such as automated waterers, automatic fly control, feeder doors and an underground drainage system covering both arenas. Visitor-friendly viewing areas allow friends and family members of riders to relax and enjoy watching training sessions in a comfortable setting.



This center is the most advanced in Horse Country, and exemplifies energy efficient forward-thinking principles evidenced by its double-ventilated barn roof, windmills and solar panels.

"You can actually just see what it has done for Wellington as far as bringing people in for the show season. They host the biggest shows in the country, and bringing that amount of people down for that helps the economy," says the owner/operator about the economic impact of the equestrian industry in Palm Beach County. This statement also suggests that allowing Horse Country to erode would be counter intuitive to the recent county investment in the multi-million dollar renovation of the Ronald Reagan Equestrian Center at Tropical Park. *"If they do away with Horse Country, they're not really promoting their investment of millions of dollars."*

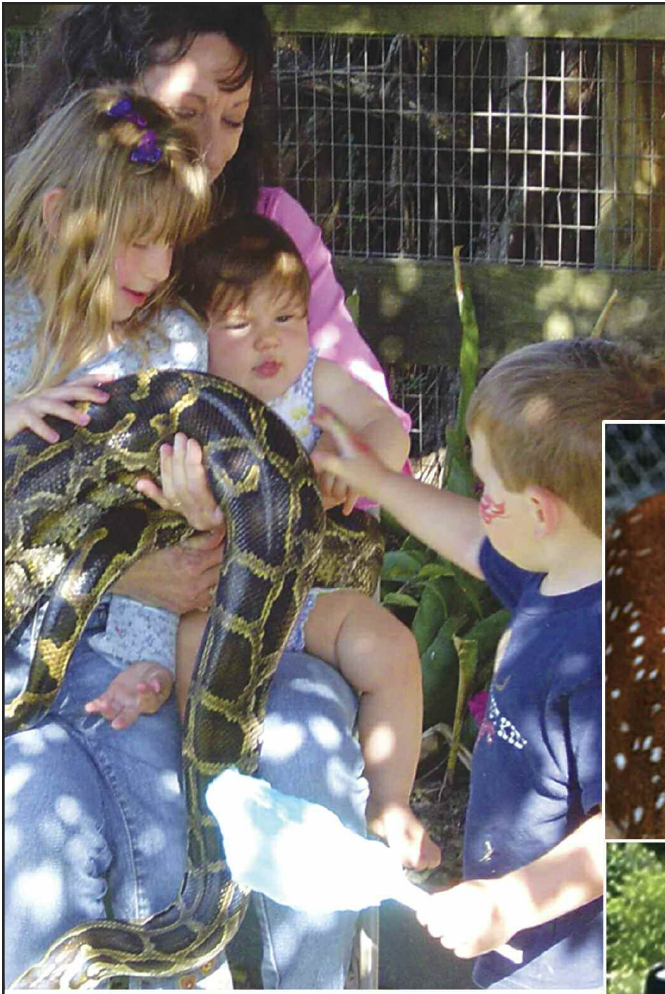
- Another first class Horse Country boarding facility established over 50 years ago has an exceptionally experienced staff and focuses on proper veterinary care, spacious grazing and comfortable social groups for the horses when in turn-out areas. Great care is given to providing horses with special needs proper dietary restrictions and supplementation to ensure good equine health.

- The Osceola Florida Panther Fund, a non-profit charity, promotes awareness for the endangered Florida Panther. Owners of its headquartered ranch use partial funds for learning programs for children and adults with special needs and school

field trips, bringing inner-city students to the ranch for firsthand experience with a menagerie that includes horses, goats, ponies, flamingos, chickens, monkeys, birds, deer, Osceola, the captive-bred panther, an alligator, donkey and zebra. All are occasionally taken to special children's events and charity functions. Horseback riding lessons, family enrichment programs and equine-assisted learning are available for personal growth, leadership and teambuilding. County Commissioner Javier Souto presented a proclamation on behalf of Miami Dade County on Friday, April 7, 2006, to commemorate the Osceola Florida Panther Fund on its 30th anniversary.

- A Therapeutic Center, certified by the Professional Association of Therapeutic Horsemanship, offers hippotherapy, a proven benefit for children with special needs and disabled veterans. The Center services between 38 and 43 riders per week, ranging between the ages of five to 70 years old. It's staffed by more than 60 volunteers from local service organizers. The center participates directly with the Veterans Administration Medical Center, the Down Syndrome Association of Miami, Miami Cerebral Palsy Sunset Residence and multiple special education schools and private individuals.





USDA Quarantine Facilities

“Chance favors the prepared mind.” - Louis Pasteur, chemist, discoverer of the principles of vaccination, microbial fermentation and pasteurization.

No greater protection preparation from agricultural catastrophe exists in the United States than its quarantine facilities, the first line of defense in safeguarding horses and livestock from communicable diseases. These centers are critical in protection from foreign illnesses that can cause widespread, national livestock infections. Currently, four USDA quarantine facilities are located within Horse Country. Those who own, operate and are employed in their operations assume added risk to help protect against the severe loss of livestock and economic consequences to local, state, national and international agricultural interests. Included in this group are:

(1) A facility established after razing of a predecessor facility at Miami International Airport works with government agencies in the importation and exportation of horses, cattle and small ruminants. It is a very efficient facility with energy-saving devices and equipped with rubber paved flooring, automatic watering and fly control systems and feeders. A separate center with a custom-built jumping ring, underground drainage system and upscale accommodations provides special facilities for public/private use.

(2) This 74-stall USDA Permanent Export Inspection Facility is equipped with complete horse installations and oversees the import and export of horse, cattle and small ruminants.

(3) Horse Country is also home to a USDA-approved export and isolation facility and is relatively new to the area, having been built in 2009. More than 22,000-square feet of barn, custom stalls, 20-foot ceilings, rubber flooring, automated fly control, filtered water and a combined ventilation, misting and fan system help ensure mid-80 degree temperatures, monitored 24 hours by an experienced staff.

(4) This first-class animal treatment center specializes in the transport of horses, cattle, swine and small ruminants, working with the USDA animal importations and exportations. In addition, the business supplies exotics to a range of companies that include Walt Disney Studios, private zoos and international animal parks. The center also is involved in cross-country breeding, shipping semen to and from worldwide locations.

Kennels, Dog Training, Canine Rescue and Feline Services

A wide variety of services including personal dog training for obedience, protection, service and therapy are provided by Horse Country establishments, with K-9 training for professional use in search and rescue, contraband detection and police services. Partnerships also are established with feline rescue groups for low cost feral cat spay-and-neuter programs, facilitating foster care for rescued cats and feline boarding. Future plans will include offering high school students an opportunity to associate with licensed vets to obtain “hands on” work experience.

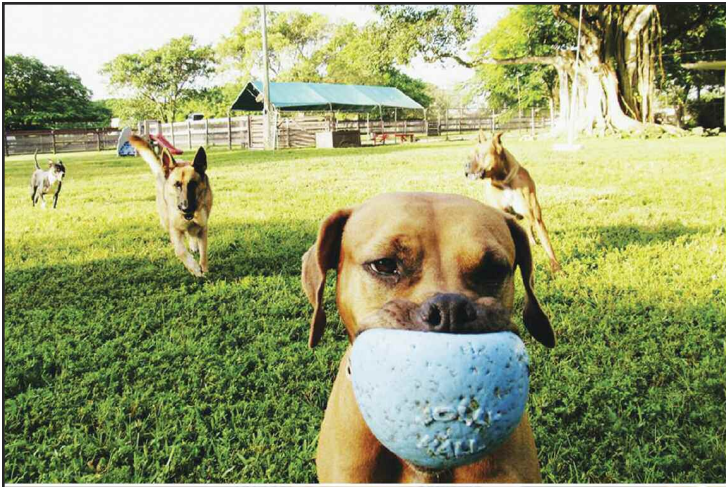


These Horse Country facilities directly contribute to the livelihood of veterinarians and their staff as well as pharmaceuticals purveyors, dog and cat food providers, groomers and pet accessory suppliers.

- One family-owned business on 2.5 acres has operated in Horse Country since the early 1980s, providing all forms of behavior training, including personal pet obedience, security and dog-to-dog socialization, and sales from licensed breeders. Boarding, foster care and rehabilitation of rescue dogs for adoption also are offered at this facility.

- This county-designated “Rural Kennel” is truly an agricultural kennel that provides canines with expansive outdoor space to run and play freely with one another in a safe, secure setting, under expert supervision by experienced kennel caregivers. Dog groupings are formed by size and age for activity and social skill development. By prioritizing recycling, all collected waste is used as fertilizer, ensuring a minimal ecological footprint. This full service, cage-free dog daycare and overnight boarding retreat also hosts special programs for physically- and mentally-challenged individuals to experience therapeutic benefits of interacting with dogs.

- Horse Country’s feline boarding facility offers owners a homelike environment for their cat boarding needs, and a staff with over 25 years of experience. Daycare and extended stay/overnight boarding is available.



Aquatic Flora and Fauna

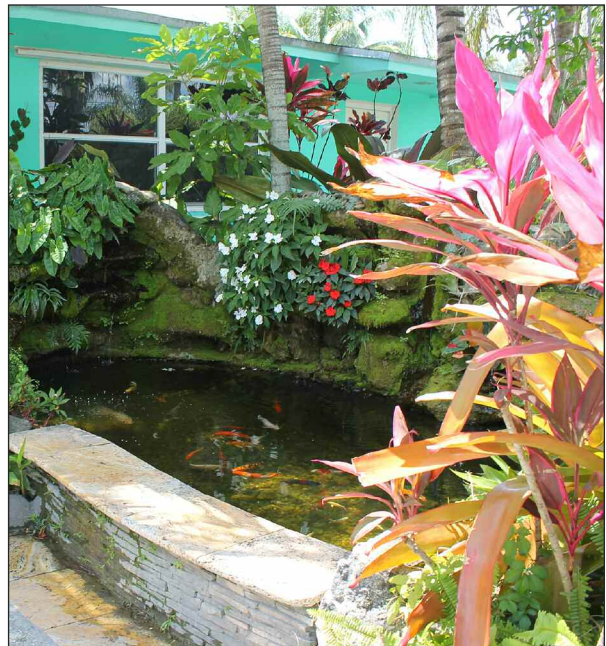
Not all of the animals cared for and cultivated in Miami Horse Country walk on land. This aquatic-oriented business raises fish and aquatic flora for wholesale and consumer sales. It also welcomes local schools field trips to witness rural fish

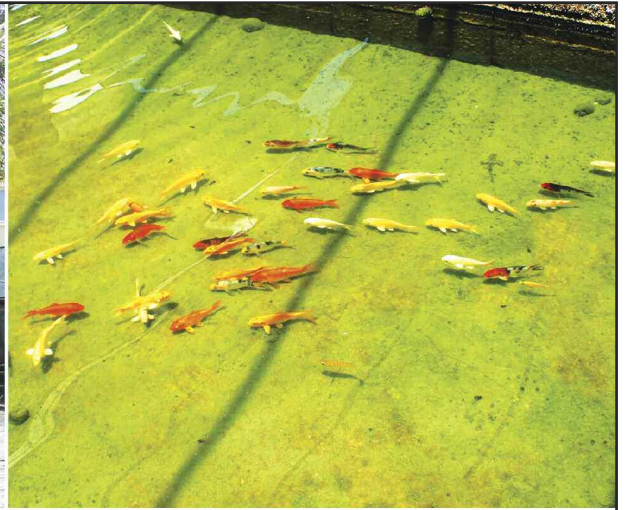


farming firsthand and the science and technology involved in proper breeding and care. A business such as this directly contributes the incomes of fish breeders, shippers, wholesalers, retailers, employees and industry service purveyors.

One unique establishment, a working fish farm, breeds and sells tropical fish (including Koi) and provides all necessary supplies for fully-functional aquariums, complete with live tank plants and medication. Since 1971, the firm has employed both high school and college students, offering internships for those interested in marine biology careers. A lifelong marine enthusiast, its owner says:

“Maybe people don’t know how nice of an area this is; how much slower-paced everything feels as soon as you get off main roads; how much quieter it is; and how you see the stars at night.”





Horticulture

Horse Country horticulture includes the cultivation of various local fruit, vegetation and flora including mangoes, mamey, bananas, lychees, avocados, aroids, topiaries, bougainvilleas and palms.

Several nurseries also propagate the culture of orchids and are continually developing new hybrids. Local growers regularly participate in area Farmer's Markets, a defining aspect of a self-reliant community. Container nurseries provide a wide variety of plants for landscaping, as well as soils, mulch, creek and lava rock, marble and granite chips, garden statuary and fountains, decorative pots, and large natural and man-made rocks for garden accents.

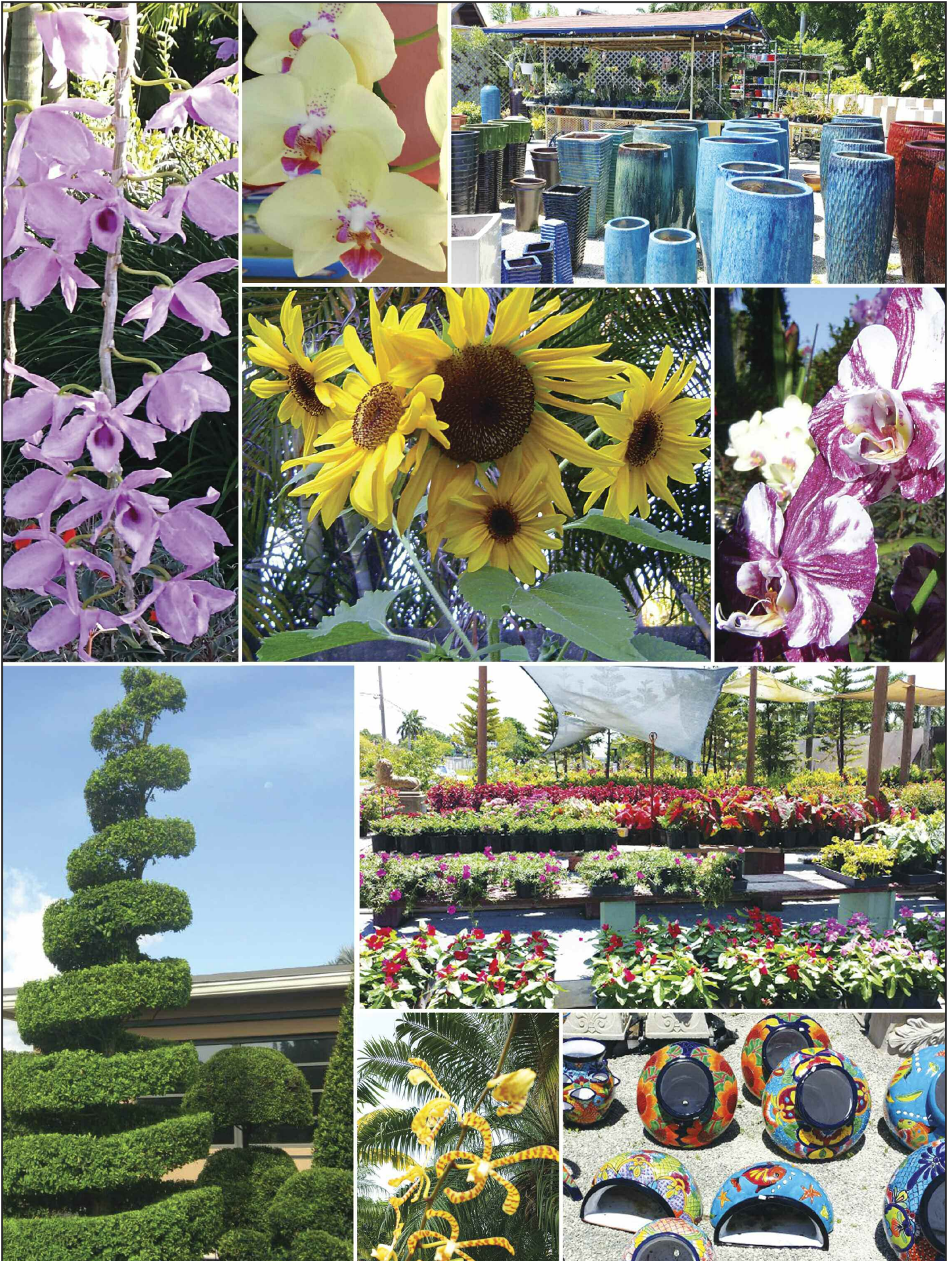
Fruit groves and plant nurseries cooperate with the University of Florida Institute of Food and Agricultural Sciences' (IFAS) Miami-Dade extension to collect data and test potential solutions for diseases and pests posing threat to the state's agricultural industry. In this capacity, Horse Country groves and nurseries offer supplemental protection layers to both local and regional food supplies – a significant assurance for a healthy Miami Dade agricultural economy.

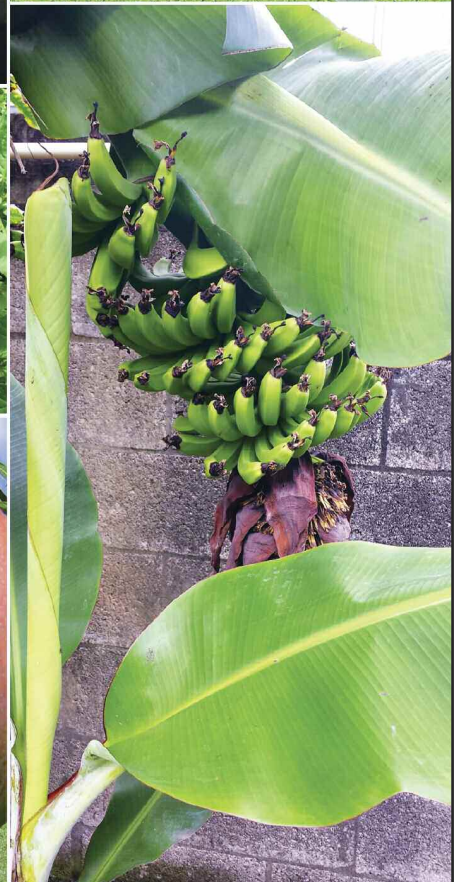
All of these aspects play a direct fiscal role on the income of local growers through use of soils, mulch, rock and fertilizer supplies from wholesalers, haulers and retailers; wholesale and retail plant nursery owners, landscapers, ornamental garden statuary businesses, ornamental plant rental businesses, and employees; cafes, fruit and juice stands whose operations support local growers through product purchases. Aside from unparalleled freshness, locally-grown fruit often is more likely to be pesticide free, as many Horse Country growers do not use them on their crops.

There are two new, health-minded crops popping up in Horse Country. Moringa is the most nutrient dense plant ever tested. It has more vitamins, minerals, proteins, antioxidants and amino acids than any other food. It gained popularity in the U.S. when it was recommended by Dr. Oz. Originally cultivated in North Africa and India for use in both human and bovine diets, plant production has since spread across the world to Central and South America and Southeast Asia.

The Honduran government has promoted Moringa agro-forestry as a potential solution to deforestation with current research indicating potential for additional unique economic opportunities.

Miracle Fruit is a plant with a berry that causes sour foods consumed after it to taste sweet. The berry itself has a low sugar content and a mildly sweet tang. Attempts are being made to create a commercial sweetener from the fruit, with the idea of developing this for patients with diabetes.





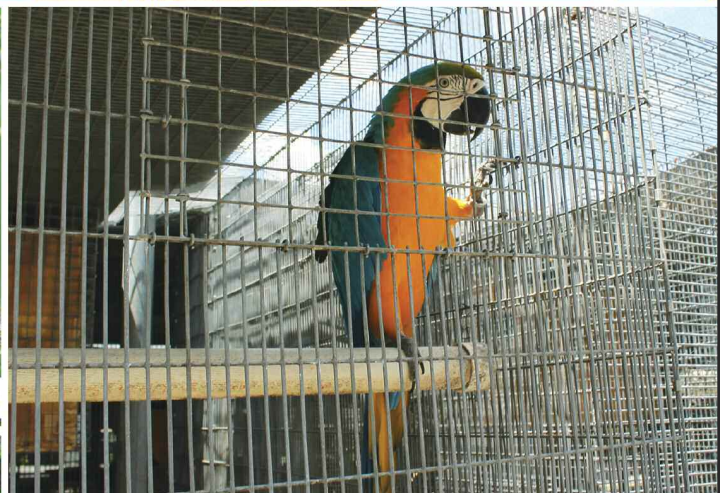
Aviaries

Exotic bird breeding is alive and well in Horse Country with Macaws, Cockatoos, Amazons, African Greys, Parakeets and Cockatiels being the most commonly bred birds. Pet stores and consumers rely on these bird breeders to provide locally-raised and completely domesticated baby birds that provide years of companionship.



At least one bird breeding facility works with avian veterinarians to aid in the eradication of diseases, parasites and other bird-borne ailments adversely affecting avian agriculture. Facilities are readily available for research and testing procedures for such sicknesses as Rotavirus and Newcastle disease or parasitic infestation (i.e., mites). Exotic bird breeding is directly involved with other breeders, wholesalers, retailers, employees, avian veterinarians, staffs, and bird and feed supply distributors.





A Legacy

“Here is your country. Cherish these natural wonders, cherish the natural resources, cherish the history and romance as a sacred heritage, for your children and your children’s children. Do not let selfish men or greedy interests skin your country of its beauty, its riches or its romance.” - President Theodore Roosevelt



When people discuss hardship, despondency or an inability to find inner peace, more often than not they attribute these feelings to the complexities in their lives, the feeling of inescapability, of being trapped with no possible means to find even the briefest respite. In this modern world, we occasionally forget that simplifying things – stepping away from the noise – is sometimes all we truly need to right ourselves. Finding a place that offers such solace from that noise, however, has become increasingly difficult over the years. The reasons – a lack of peaceful surroundings – should by now be evident.

We have enough malls. We have enough gas stations. Our needs for more supermarkets, chain stores or office buildings are more than fulfilled throughout the Kendall landscape. There is inadequate room for additional church and school expansion by sacrificing productive farmlands, nurseries, animal havens and ranches that significantly contribute to the health of the area’s economy. Too much has already been taken. There is no more to give.

Horse Country is a part of Miami Dade County’s legacy, one of its oldest neighborhoods, cherished not only by its inhabitants but by environmentalists, naturalists and agricultural interests who recognize the distinction of a fundamental purity and natural beauty, uncommon throughout South Florida.

It is only just that the community should seek to preserve one of the last vestiges of a more simple and tranquil era of Dade County’s history without further intrusion that corrupts its landscape.

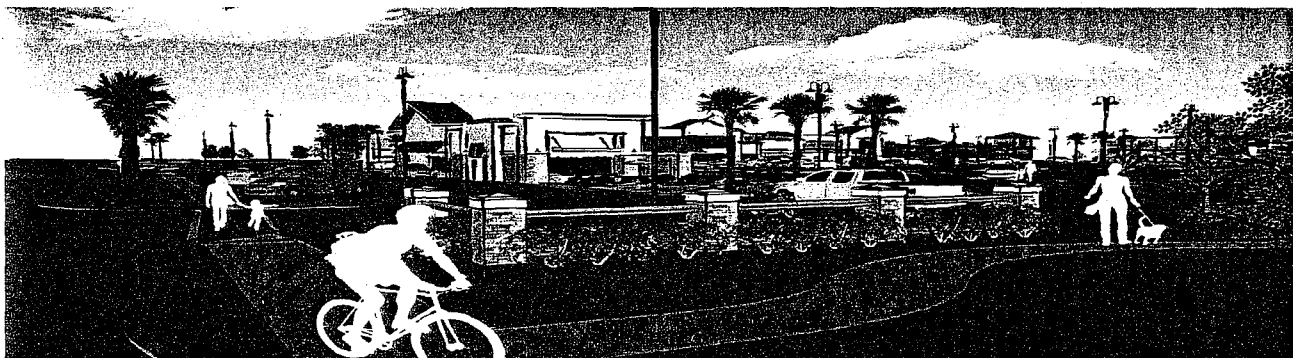
Horse Country is one of a kind and must be protected.

Bibliography

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For additional information, please contact Michael Miller at 305-669-7030 or visit facebook.com/horsecountryorganizationmiami



conceptual rendering

LETTER OF SUPPORT FROM MEMBERS OF THE COMMUNITY

Chairperson and Members, Board of County Commissioners, Planning Advisory Board, Community Council 11

Re: Propuesta Para Centro Comercial (CDMP Application No. 3—May, 2015 Cycle)

Estimado Presidente y Miembros de la Comisión del Condado:

Entiendo que el 18 de Noviembre, la Comisión del Condado considerara la aprobación de un centro comercial en la esquina sureste de la intersección de Miller Drive y la 127 Avenida, muy cerca de mi hogar.

He firmado esta petición para expresar mi apoyo de la solicitud y del centro comercial. La localización de la propiedad, en la intersección de dos vías principales, es muy conveniente para mi familia y mis vecinos. Este centro comercial nos daría la habilidad de hacer nuestras compras en camino a casa. Hoy en día, nos vemos forzados a viajar mayores distancias fuera de nuestro vecindario para hacer nuestras compras o para obtener servicios personales. También sería un gran beneficio tener oportunidades adicionales de empleo cerca de nuestros hogares ya que la transportación pública es muy limitada en esta zona y cada día las carreteras están más congestionadas.

Como residente del área, mi familia y mis vecinos nos beneficiaríamos mucho de la construcción del proyecto comercial.

Respetuosamente le pedimos a la Comisión del Condado que apruebe la designación comercial de esta esquina para permitir la construcción del centro comercial.

IMPRIMA SU NOMBRE

Rosa Roldan

FIRMA

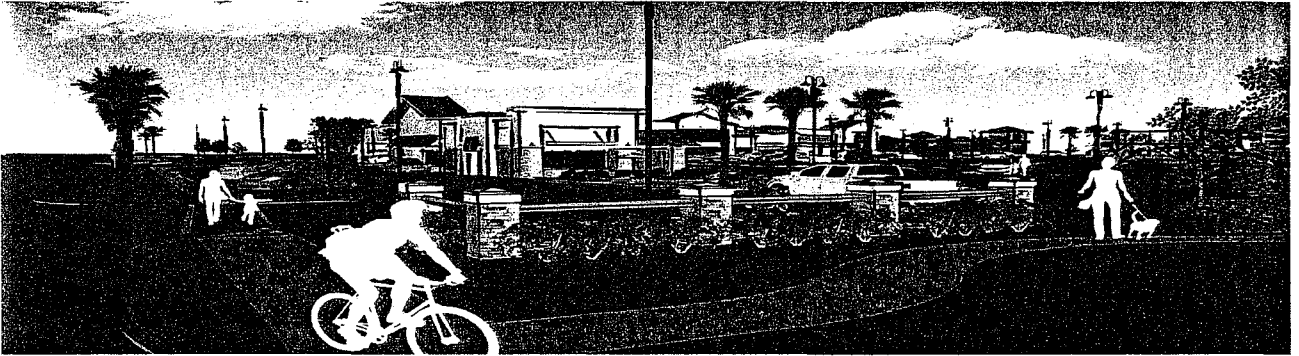
[Signature]

DIRECCION

13407 SW 62 St Miami

CORREO ELECTRONICO

TELEFONO



conceptual rendering

LETTER OF SUPPORT FROM MEMBERS OF THE COMMUNITY

Chairperson and Members, Board of County Commissioners, Planning Advisory Board, Community Council 11

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Como residente del área, mi familia y mis vecinos nos beneficiaríamos mucho de la construcción del proyecto comercial.

Respetuosamente le pedimos a la Comisión del Condado que apruebe la designación comercial de esta esquina para permitir la construcción del centro comercial.

IMPRIMA SU NOMBRE

M. GARCIA

FIRMA

DIRECCION

15407 SW 62 St #1

Miami FL 33183

CORREO ELECTRONICO

-

TELEFONO

-

Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Pedro Gassant
305-789-7430
pedro.gassant@hklaw.com

2015 NOV -9 P 2:25
PLANNING & ZONING
METROPOLITAN PLANNING SECT

By Hand-Delivery and E-mail

November 9, 2015

Mr. Mark Woerner
Chief –Planning Division
111 NW 1st Street, 12th Fl.
Miami, FL 33128

Re: Fully Executed Declaration of Restrictions for CDMP Application No. 3

Dear Mr. Woerner,

Enclosed please find the fully executed version of the Declaration of Restrictions for CDMP Application No. 3.

Should you have any questions or concerns please do not hesitate to call me at my direct line: (305)789-7430 or to email me at pedro.gassant@hklaw.com.

Respectfully Submitted,

Holland & Knight LLP



Pedro Gassant

This instrument was prepared by:

Name: Juan J. Mayol, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue, Suite 3300
Miami, FL 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, Miller Country Plaza, Inc., a Florida Corporation (the “Owner”) holds fee simple title to that certain parcel of land in Miami-Dade County, Florida, which is more particularly described in Exhibit "A" to this Declaration;

WHEREAS, Southeast Investments, Inc., a Florida Corporation (the “Applicant”), is the contract purchaser of the Property and is applying for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the “CDMP”) in the May 2015 Cycle (the “Application”); and

WHEREAS, the Application seeks to re-designate the Property from “Agriculture” to “Business and Office” on the Miami-Dade County Comprehensive Development Master Plan Future Land Use Plan Map (“LUP”).

NOW, THEREFORE, in order to assure Miami-Dade County (the "County") that the representations made by the Applicant during the consideration of the Application will be abided by, the Owner freely, voluntarily, and without duress, makes the following Declaration of Restrictions covering and running with the Property:

1. **Permitted Uses; Prohibition on Residential Development.** Notwithstanding the re-designation of the Property to “Business and Office” on the County’s LUP map, the maximum development of the Property shall not exceed 75,000 square feet of such uses as may be permitted

under the Business and Office land use designation; provided, however, that no residential development shall be allowed on the Property.

2. **Prohibited Commercial Uses.** Notwithstanding the re-designation of the Property to “Business and Office” on the County’s LUP map, the following commercial uses shall not be permitted:

- Allied health care clinical colleges/universities.
- Attended, non-motorized donation collection vehicles as described in Section 33-19.
- Amusement center as defined in Section 33-1(5.1).
- Auditoriums.
- Automobile and light truck, new sales agency or rental agency.
- Automobile storage within a building.
- Billiard rooms and pool rooms.
- Bowling alleys.
- Convention halls.
- Dancing halls or dancing academies.
- Donated goods centers.
- Employment agencies.
- Health and exercise clubs, with a leasable area greater than 5,000 square feet
- Jewelry loan centers.
- Medical observation dormitory as defined in Section 33-1(69.05).
- Mortuaries or funeral homes.
- Motorcycles sales and repair.
- Museum.

- Natatoriums.
- Open-air theaters.
- Private clubs.
- Religious facilities.
- Schools (traditional; public or private).
- Self-service storage facility.
- Skating rinks.
- Theaters for live stage production and motion pictures.
- Bottling of beverages.
- Cabinet working and carpentry shops.
- Cold storage warehouse and pre-cooling plants.
- Contractor's plants and storage yards.
- Dry cleaning and dyeing establishments other than satellite locations, with an off-premise processing plant.
- Auto Body shops
- Glass installation.
- Gun shops.
- Leather goods manufacturing, excluding tanning.
- Lumber yards.
- Pawnbrokers.
- Poultry markets and commercial chicken hatcheries.

- Railroad motor truck and water freight and passenger stations.
- Secondhand stores for the disposal of furniture, fixtures and tools.
- Self-service mini-warehouse storage facility.
- Television and broadcasting stations, including studio, transmitting station and tower, power plants and other incidental and unusual uses permitted to such a station.
- Tire vulcanizing and retreading or sale of used tires.
- Truck storage.
- Upholstery and furniture repairs.
- Wholesale salesroom and storage rooms.

3. **Minimum Setbacks.** No retail building shall be located any closer than forty feet (40') from the southern property line. Prior to the issuance of a building permit for any retail building on the Property, the Owner shall submit for review and approval by the Zoning Division of the Department of Regulatory and Economic Resources a landscape plan for the Property which shall, at a minimum, require the installation of a row of trees (of such native species as may be approved by the Department), which shall be planted at least twenty-feet on center and at a minimum height of sixteen (16) to twenty (20) feet, along the eastern and southern boundaries of the Property, and such other landscaping as may be required by the Department. The Owner shall install all required landscaping prior to the issuance of a certificate of use for any retail building within the Property.

4. **Point of Sale Signs.** To the extent that the Owner desires to install detached, point of sale signs on the Property, any such signs shall be of a monument type and shall be limited to a height of twelve feet (12').

5. **Architectural Design/Site Plan Approval.** In consideration of the Property's location within that certain area of the County known as the West Dade Ranch Area or Horse Country, the improvements shall be designed and maintained with an equestrian design and architectural expressions and features, such as rail fencing, hip roof lines, and horse trail. Moreover, prior to the issuance of a building permit for the construction of any retail building on the Property, the Owner shall submit to the Department for review and approval a site plan in accordance with Section 33- 251.5 of the Code of Miami-Dade County. Said plan shall be accompanied by elevations to ensure that the plan comply with the architectural design requirements of this Paragraph.

6. **Miscellaneous.**

A. **Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at the Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owners and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owners, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

B. **Term.** This Declaration of Restrictions is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration of Restrictions is recorded, after which time it shall be extended

automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded in the public records agreeing to change the Declaration of Restrictions in whole, or in part, provided that the Declaration of Restrictions has first been modified or released by Miami-Dade County.

C. **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II , Florida Statutes or successor legislation which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth in Section 2-116.1 of the Code of Miami Dade County, Florida or successor regulation governing amendments to the CDMP. In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, Florida, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however,

that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners of Miami-Dade County, Florida in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his/her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

D. Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, the covenants. The prevailing party in any action or suit pertaining to or arising out of this Declaration of Restrictions shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity, or both.

E. Authorization of Miami-Dade County (or successor municipality) to Withhold Permits and Inspections. In the event the terms of this Declaration of Restrictions are not being complied with, in addition to any other remedies available, the County (or any successor municipality) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this Declaration of Restrictions is complied with.

F. Election of Remedies. All rights, remedies, and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be

deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies, or privileges.

G. Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County (or any successor municipality), and inspections made and approval of occupancy given by the County (or any successor municipality), then such construction, inspection, and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration of Restrictions.

H. County Inspection. As further part of this Declaration of Restrictions, it is hereby understood and agreed that any official inspector of Miami-Dade County, Florida, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

I. Severability. Invalidation of any one of these covenants by judgment of Court shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

J. Recordation and Effective Date. This Declaration of Restrictions shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner(s) following the approval of the Application by the Board of County Commissioners of Miami-Dade County, Florida. This Declaration of Restrictions shall become effective immediately upon recordation. Notwithstanding the previous sentence,

if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration of Restrictions shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration of Restrictions is null and void and of no further effect.

K. Acceptance of Declaration. Acceptance of this Declaration of Restrictions does not obligate the County in any manner, nor does it entitle the Owner(s) to a favorable recommendation or approval of any application, zoning or otherwise, and the County retains its full power and authority to, with respect to the Property, deny each such application in whole or in part and to decline to accept any conveyance.

L. Owners. The term "Owners" shall include the Owners and their successors and assigns.

[signature page follow]

IN WITNESS WHEREOF, we have executed this Declaration of Restrictions as of this 5th
day of November, 2015.

WITNESSES:

[Signature]
Signature
Aixa L. Perez
Printed Name

[Signature]
Signature
Alberto J. Parada
Printed Name

Miller Country Plaza, Inc.
a Florida Corporation

By: [Signature]
Name: Raquel Carro
Title: PRESIDENT

STATE OF Florida)
COUNTY OF Miami-Dade) SS

The foregoing instrument was acknowledged before me by Raquel Carro, as President of Miller Country Plaza, Inc., a Florida corporation, and for the purposes stated herein on behalf of the company. He is personally known to me or has produced _____ as identification.

Witness my signature and official seal this 5th day of November, 2015, in the County and State aforesaid.

My Commission Expires:

[Signature]
Notary Public

Aixa L. Perez
Printed Name

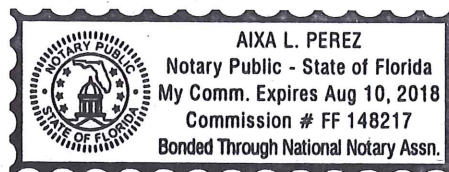


EXHIBIT "A"

LEGAL DESCRIPTION

Folio No. 30-4925-000-0320

NW 1/4 OF THE NW 1/4 OF THE NW 1/4 LESS THE SOUTH 125 FEET OF THE EAST 1/2 AND LESS THE NORTH 50 FEET, THE WEST 35 FEET AND THE EAST 25 FEET IN SECTION 25, TOWNSHIP 54 SOUTH, RANGE 39 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA

Folio No. 30-4925-000-0310

THE SOUTH 125 FEET OF THE EAST 1/2, OF THE NORTHWEST 1/4, OF THE NORTHWEST 1/4, OF THE NORTHWEST 1/4, OF SECTION 25, TOWNSHIP 54 SOUTH, RANGE 39 EAST, LESS THE EAST 25 FEET FOR ROAD RIGHT OF WAY, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA

Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Pedro Gassant
305-789-7430
pedro.gassant@hklaw.com

2015 NOV 10 P 2:15
PLANNING & ZONING
METROPOLITAN PLANNING SECT

By Hand-Delivery and E-mail

November 10, 2015

Mr. Mark Woerner
Chief –Planning Division
111 NW 1st Street, 12th Fl.
Miami, FL 33128

**Re: Opinion of Title for the property that is the Subject of CDMP Application
No. 3**

Dear Mr. Woerner,

Enclosed please find the Opinion of Title for the property that is the subject of CDMP Application No. 3.

Should you have any questions or concerns please do not hesitate to call me at my direct line: (305)789-7430 or to email me at pedro.gassant@hklaw.com.

Respectfully Submitted,

Holland & Knight LLP


Pedro Gassant

MIAMI-DADE COUNTY

OPINION OF TITLE

TO: MIAMI-DADE COUNTY, a political subdivision of the State of Florida

With the understanding that this Opinion of Title is furnished to MIAMI-DADE COUNTY, FLORIDA, as an inducement for acceptance of a Declaration of Restrictions, it is hereby certified that I have examined a title commitment issued by Chicago Title, Title Insurance Company Commitment No. 5161635 (the "Commitment"), which Commitment covers the period from the BEGINNING through February 9, 2015, at 8:00 a.m.; and an Attorney's Title Insurance Fund computer title update which covers the period of time from the Commitment through November 1, 2015 at 11:00 p.m., inclusive, of the following described real property located and situated in Miami-Dade County, Florida:

PARCEL 1:

The South 125 feet of the East 1/2, of the Northwest 1/4, of the Northwest 1/4, of the Northwest 1/4, of Section 25, Township 54 South, Range 39 East, Less the East 25 feet for road right of way, lying and being in Miami-Dade County, Florida.

PARCEL 2:

NW 1/4 of the NW 1/4 of the NW 1/4 less the South 125 feet of the East 1/2 and less the North 50 feet, the West 35 feet and the East 25 feet in Section 25, Township 54 South, Range 39 East, lying and being in Miami-Dade County, Florida.

I am of the opinion that on the last mentioned date, the fee simple title to the above-described property was vested in:

Miller Country Plaza, Inc., a Florida corporation.

Subject to the following encumbrances, liens and other exceptions:

1. **RECORDED MORTGAGES:**

Mortgage executed by Miller Country Plaza, Inc., a Florida corporation, Mortgagor, in favor of Rene Garcia, Mortgagee, dated May 16, 2007, recorded May 31, 2007 in Official Records Book 25661, Page 2505; as modified in Official Records Book 28124, Page 2072, Official Records Book 28627, Page 2400 and Official Records Book 29678, Page 1001. **(PARCEL 1)**

2. **RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:**

NONE

3. **GENERAL EXCEPTIONS:**

- (a) All taxes for the present and subsequent years.
- (b) Rights of persons other than the above owners who are in possession.

- (c) Facts that would be disclosed upon accurate survey.
- (d) Any unrecorded labor, mechanics' or materialmen's liens.
- (e) Zoning and other restrictions imposed by governmental authority.

4. SPECIAL EXCEPTIONS:

- (a) Agreement And Declaration Of Restrictions by Arvida Corporation, et al, dated March 25, 1960, recorded April 28, 1960 in Official Records Book 2031, Page 682; as affected by Disclaimer by Arvida Corporation, et al, dated December 28, 1960, recorded January 4, 1961 in Official Records Book 2427, Page 291. **(PARCEL 1)**
- (b) Covenant Of Construction Within Right Of Way recorded January 5, 2007 in Official Records Book 25252, Page 4528. **(PARCEL 1)**
- (c) Covenant Running With The Land recorded March 6, 1986 in Official Records Book 12812, Page 1914. **(PARCEL 2)**
- (d) Mortgage executed by Miller Country Plaza, Inc., a Florida corporation, Mortgagor, in favor of Rene Garcia, Mortgagee, dated May 16, 2007, recorded May 31, 2007 in Official Records Book 25661, Page 2505; as modified in Official Records Book 28124, Page 2072, Official Records Book 28627, Page 2400 and Official Records Book 29678, Page 1001. **(PARCEL 1)**

ALL RECORDING INFORMATION REFERS TO THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions and that none of them hinder or affect the recording or enforcement of the Declaration of Restrictions.

It is my opinion that the following parties must join in the Declaration of Restrictions in order to make the Modification a valid and binding covenant on the lands described herein:

<u>Name</u>	<u>Interest</u>	<u>Special Exception Number</u>
Miller Country Plaza, a Florida Corporation.	Owner	
Rene Garcia Corporation.	Mortgagee	

Raquel Carro, as President of Miller Country Plaza, Inc., a Florida corporation is authorized to sign on behalf of the corporation.

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable Declaration of Restrictions.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida, and I am a member in good standing of The Florida Bar.

Respectfully submitted this 10th day of Nov., 2015.

Very truly yours,

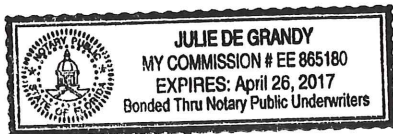
HOLLAND & KNIGHT LLP
701 Brickell Avenue, Suite 3300
Miami, Florida 33131
305-789-7787

By: _____

Juan J. Mayol, Jr., Esq.
Florida Bar No.: 739693

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 10th day Nov., 2015, by Juan J. Mayol, Jr., Esq., who is personally known to me.



Notary Public, State of Florida
My Name, Commission No. & Expiration:

#37730376_v1

App. 3 May 2015 cycle - CC Exhibit
Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Pedro Gassant
305-789-7430
pedro.gassant@hklaw.com

September 21, 2015

By Hand-Delivery and E-mail

Mr. Mark Woerner
Chief—Planning Division
111 NW 1st Street, 12th Fl.
Miami, FL 33128

Mr. Garrett Rowe
Supervisor—CDMP Administration
111 NW 1st Street, 12th Fl.
Miami, FL 33128

2015 SEP 21 P 3:59
PLANNING & ZONING
METROPOLITAN PLANNING SECT

**Re: Updated Disclosure of Interest Form to Community Council 11 in support of
CDMP Application No. 3**

Dear Messrs. Woerner and Rowe,

Enclosed you will find the updated Disclosure of Interest form in support of CDMP application No. 3.

Should you have any questions or concerns please do not hesitate to call me at my direct line: (305)789-7430 or to email me at pedro.gassant@hklaw.com.

Respectfully Submitted,
HOLLAND & KNIGHT LLP



Pedro Gassant

#37320838

DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Southeast Investments, Inc., a Florida Corporation, 151 Sawgrass Corner Drive, Suite 202, Ponte Vedra Beach, FL 32082

APPLICANT B: _____

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. **PROPERTY DESCRIPTION:** Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A. Southeast Investments, Inc.	(Contract Purchaser & Applicant)	30-4925-000-0320	(net acres: 7.57)
		30-4925-000-0310	(net acres: .88)

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2. above.

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER Explanation)	(Attach
A. Southeast Investments, Inc. (Contract Purchaser & Applicant)					
Miller Country Plaza, Inc. (Owner)					

4. DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE
OF INTEREST

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: Southeast Investments, Inc., a Florida Corporation

NAME, ADDRESS, AND OFFICE (If applicable)

PERCENTAGE
OF STOCK

- c. If the applicant is a TRUSTEE, list the trustee's name, the name and address of the beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEES
NAME: _____

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (s) trust (s) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: _____

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF
INTEREST

- e. If the applicant is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
Southeast Investments, Inc., a Florida Corporation	
See Exhibit A	

Date of Contract: 3/13/2015

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>

- b. If the owner is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: Miller Country Plaza, Inc.

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
Raquel Carro, PST	100%
C/O Alberto J. Parlade, Esq.	
7050 SW 86 th Avenue, Miami, FL 33143	

- c. If the owner is a TRUSTEE, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEE'S NAME:

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>

- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME:

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF
OWNERSHIP

- e. If the owner is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
INTEREST

Raquel Carro, PST

100%

C/O Alberto J. Parlade, Esq.

7050 SW 86th Avenue, Miami, FL 33143

Date of Contract: 3/13/2015

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and behalf.

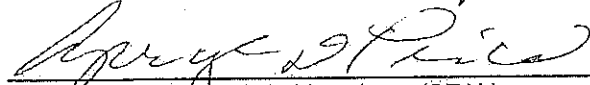
Applicant's Signatures and Printed Names

PAUL B. FERBER

P. STEVEN FERBER, JR.

Sworn to and subscribed before me

this 21st day of SEPTEMBER, 2015



Notary Public, State of Florida at Large (SEAL)



My Commission Expires:

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests including all interests at each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

DISCLOSURE OF INTEREST

Exhibit "A"

The contract purchaser, Southeast Investment, Inc., has entered into an agreement with Mr. Ray Gonzalez. Under the terms of the agreement, Southeast Investment, Inc. will assign the contract to 2015 Miller Road Associates, LLC, a single purpose limited liability company. The interest in 2015 Miller Road Associates, LLC is held as follows:

<u>Members</u>	<u>Membership Interest and Sharing Ratio</u>
The Ferber Company, Inc., a Florida Corporation, Member	67%
Ray Gonzalez, Member	33%
<u>The Ownership interest in the Ferber Company</u>	
Paul S. Ferber, Manager	50%
P. Shields Ferber, Jr., Manager	50%

May 2015 - App. 3 CC Exhibit

	Number of Children
Village Green/Bridge Point Academy 4707 SW 127 Avenue	229
Iglesia Evangelica 5400 SW 122 Avenue	81
Early Start Daycare & Pre-School 11895 SW 56 Street	200
Sunset Preparatory 11925 Sunset Drive	280
Westwood Christian 5801 SW 120 Avenue	1,177
Smart Starts/Bridge Point 12001 SW 72 Street	325
Iglesia Jesuscristo 12200 SW 56 Street	40
Calusa Preparatory 12601 SW 72 Street	250
Ambassador Baptist Church 6565 SW 127 Avenue	73
Archimedean Schools 12425 Sunset Drive	1,300
Holy Protection Monastery 7135 SW 125 Avenue	30
TOTAL	3,985

— May 2015 - App. 3 CC Exhibit
copy
Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Pedro Gassant
305-789-7430
pedro.gassant@hklaw.com

By Hand-Delivery and E-mail

September 24, 2015

Mr. Mark Woerner
Chief - Planning Division
111 NW 1st Street, 12th Fl.
Miami, FL 33128

Mr. Garrett Rowe
Supervisor—CDMP Administration
111 NW 1st Street, 12th Fl.
Miami, FL 33128

2015 SEP 24 A 11:10
PLANNING DIVISION
METROPOLITAN PLANNING SECT

Re: Vacant commercial land in MSA 6.1 and a copy of the report from InfoUSA

Dear Messrs. Woerner and Rowe,

We are requesting that County staff calculate a new depletion year for Minor Statistical Area 6.1. In staff's recommendation concerning CDMP Application No. 3, staff notes that the 9 acre parcel was recently approved for a "skilled nursing" facility, and that the parcel would be removed from the vacant commercial land calculation. See pg I-14, Staff Recommendation of CDMP Application No.3. Specifically, the parcel is identified by the Property Appraiser's Folio No. 30-4920-0001-0460.

Furthermore, we are requesting that staff remove the .12 acres of right-of-way from the vacant commercial land calculation because those areas cannot be used to developed commercial land.

In addition, we are requesting staff to remove the parcel identified by the Property Appraiser's Folio No. 30-4913-0250-0010 from the vacant commercial land calculation. Enclosed with this letter is a Declaration of Restriction and the corresponding Plat covering the property, which restrict the development on the parcel to only residential uses. In sum, we are requesting that the County remove Folios. 30-4920-0001-0460, 30-4913-0250-0010 and the .12 acres of right-of-way from the vacant commercial land calculation and to calculate a new depletion year for MSA 6.1.

Finally, we are requesting a copy of the InfoUSA report that is referenced on page 3-14 of the recommendation.

Should you have any questions or concerns please do not hesitate to call me at my direct line: (305)789-7430 or to email me at pedro.gassant@hklaw.com.

Respectfully Submitted,

Holland & Knight LLP

A handwritten signature in blue ink, appearing to read "Pedro Gassant", with a stylized flourish at the end.

Pedro Gassant

cc: Manuel Armada

DECLARATION OF RESTRICTION COVERING THE SECOND ADDITION TO SOUTHERN ESTATES, A SUBDIVISION OF DADE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 73, AT PAGE 15, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

DEFINITIONS:

1. SUBDIVIDER and GRANTOR means P & R HOME BUILDING CORP., a Florida corporation.
2. GRANTEE means the person, firm or corporation (one or more) to whom the subdivider first conveys the land herein described or any part thereof, and the Grantee's heirs, executors, administrators, successors, assigns, and all persons, firms or corporations claiming by, through or under such Grantee. Wherever in this document the masculine is used, it shall include the feminine or neuter, as the context may require.
3. SUBDIVISION means the land subdivided as shown on the Plat of the Second Addition to Southern Estates, recorded in Plat Book , Page , of the Public Records of Dade County, Florida.

RESTRICTIONS THAT APPLY TO SECOND ADDITION TO SOUTHERN ESTATES, A SUBDIVISION OF DADE COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK , PAGE , OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

1. Land use, building type and Architectural Control:

No lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single-family dwelling not to exceed two and one-half stories in height and a private garage for not more than two cars.

2. Architectural Control Committee - Membership:

An Architectural Control Committee shall approve plans for all residential buildings, and said committee shall be composed of Gene S. Fisher, Arnold P. Rosen, and Leonard Miller, all of Miami, Florida. A majority of the committee may designate a representative to act for it. In the event of the death or resignation of any member of the Committee, the remaining members shall have full authority to designate a successor. Neither the members of the committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. At any time, the then record owners of a majority of the lots shall have the power, through a duly recorded instrument, to change the membership of the Committee, to withdraw from the Committee, any of its powers and/or duties they may deem proper, or to restore or enlarge upon any of the powers and/or duties of the Committee.

3. Dwelling costs, Quality and Size:

No dwelling shall be permitted on any lot at a cost of less than \$7.00 per square foot, exclusive of porches, nor less than a total value of \$10,000.00 per house, based upon cost levels prevailing on the day these presents are recorded, it being the intention and purpose of this Covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date on which these covenants are recorded at the minimum cost stated herein for the maximum permitted dwelling size. The ground floor area of the main structure exclusive of one-story open porches and garages shall not be less than 800 square feet for a one-story building.

4. Building Location:

No building shall be located on any lot nearer than 25 feet to the front lot line or nearer than 15 feet to any side street line. No building shall be located nearer than 7.5 feet to an interior side lot line. No dwelling shall be located on any lot nearer than 25 feet to the rear lot line. For the purpose of this covenant, steps, wing walls and eaves shall not be considered as part of the building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot. Screened swimming pool enclosures may come within 12 feet of the rear lot line.

5. Lot Area and Width:

No dwelling shall be erected or placed on any lot having a width of less than 75 feet at the minimum building setback line, nor shall any dwelling be erected or placed on any lot having an area of less than 7500 square feet. No lot shall be divided or resubdivided unless both portions of said lot be used to increase the size of the adjacent lots as platted.

6. Easements:

Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear five feet of each lot. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

7. Wells and Septic Tanks:

No individual wells will be permitted on any lot within this subdivision except for irrigation, swimming pools and air conditioning, and no individual septic tanks will be permitted on any lot within this subdivision. This restriction shall be enforceable as long as the water services and sewage disposal are in operation, satisfactorily servicing each lot on which a completed building is located in said subdivision, in accordance with the standard requirements as provided for by the Veterans Administration, and the State Board of Health Regulations, and the charge for said services, as set forth in the Rate Schedule

in the Third Party-Beneficiary Agreement placed of record, covering said utilities, is not in excess of the amounts provided for therein or as modified and changed in accordance with legal procedure in the future.

8. Nuisances:

No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

9. Temporary Structures and Use:

No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other building shall be moved to, erected on, or used on any lot at any time for a residence, workshop, office, storage room, either permanently or temporarily. No canvas, pipe or other type of carport shall be placed between the sidewalk and the front building line on any lot. Except during the delivery to homes, no commercial vehicles shall be parked in areas zoned for residential uses, including the streets adjacent to residential lots. No business, service repair, or maintenance for the general public shall be allowed on any lot at any time. No professional signs shall be erected on any lot at any time. In order to prevent unsightly objects in and about each of the homes to be erected in this Subdivision no gas tank, gas container or gas cylinder shall be permitted to be placed on or about the outside of any of the houses built in this Subdivision or any ancillary building, and all gas tanks, gas containers and gas cylinders shall be installed underground in every instance where gas is used. In the alternative, gas containers may be placed above ground if enclosed on all sides by a decorative wall approved by the Architectural Control Committee.

10. Oil and Mining Operations:

No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted on any lot.

11. Livestock and Poultry:

No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purposes.

12. Fences:

No fence, wall hedge or shrub planting which obstructs sight lines at elevations between two and six feet above the roadway shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines extended. The same sight-line limitation shall apply on any lot within

10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at sufficient heights to prevent obstruction at such sight lines. No fences or walls under 4 feet in height shall be permitted between the front lot line and the front building setback line as defined in paragraph 4 above.

13. Restrictions Uniform:

These restrictions are to run with the land and are hereby incorporated by references, in all deeds or other instruments of conveyance which the Subdivider may execute and deliver, conveying land in this subdivision whether or not specific mention of the restrictions is made in any such deeds or other instruments of conveyance. The owner or occupant of each and every lot or parcel of land in the subdivision, by acceptance of title thereto or by taking of land in the subdivision, thereby covenants and agrees for himself, his heirs, executors, administrators, successors and assigns, that he will comply with and abide by each of the restrictions contained in this Declaration of Restrictions, and that he will exert his best efforts to keep and maintain the land in this subdivision as an area of high standards.

14. Remedies for Violations:

In the event of a violation or breach of any of these restrictions, by any person or concern claiming by through or under the subdivider, or by virtue of any judicial proceedings, the Subdivider and the lot owners or any of them, jointly or severally, shall have the right to proceed at law or in equity to compel a compliance with the terms hereof, or to prevent the violation or breach of any of them. In addition to the foregoing rights, whenever there shall have been built on any lot any structure which is in violation of these restrictions, the Subdivider or any of the lot owners, severally or jointly, shall have the right to enter upon the property where such violation exists, and summarily abate or remove same at the expense of the owner, and such entry and abatement or removal shall not be deemed a trespass. The failure to enforce any right, reservation, restriction or condition contained in this Declaration of Restrictions, however long continued, shall not be deemed a waiver of the right to do so thereafter as to the same breach or as to a breach occurring prior or subsequent thereto, and shall not bar or affect its enforcement. The invalidation by any Court of any one of the restrictions in this Declaration of Restrictions contained, shall in no way affect any of the other restrictions, but they shall remain in full force and effect.

15. Term:

These covenants are to run with the land and shall be binding upon the undersigned and all parties and all persons claiming under them for a period of thirty (30) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

IN WITNESS WHEREOF, F & R HOME BUILDING CORP., A Florida corporation, has, by its duly authorized officers, executed this Declaration of Restrictions covering SECOND ADDITION TO SOUTHERN ESTATES, a Subdivision of Dade County, Florida, according to the Plat thereof, as recorded in Plat Book 73, Page 15, of the Public Records of Dade County, Florida this 4th day of August 1961.

F & R HOME BUILDING CORP. (SEAL)

By: Gene S. Fisher
President

ATTEST:

Leonard Miller
Secretary

STATE OF FLORIDA)

COUNTY OF DADE)

I, an officer authorized to take acknowledgements of deeds, according to the Laws of the State of Florida, duly qualified and acting, HEREBY CERTIFY THAT

GENE S. FISHER AND LEONARD MILLER, President and Secretary, respectively, of F & R HOME BUILDING CORP., a Florida corporation, to me personally known, this day acknowledge the foregoing Declaration of Restrictions for the purposes therein contained, freely and voluntarily, and affixed thereto the corporate seal of said corporation, and that said instrument is the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal at Miami, Dade County, Florida, this 4th day of August 1961.

Nathan K. Deery
Notary Public, State of Florida

My Commission Expires:

Notary Public, State of Florida at Large
My Commission Expires Feb. 3, 1963

State of Florida, County of Dade.

This instrument was filed for record the 4th day of August 1961 at 2:26 P.M. and duly recorded in OFFICIAL RECORDS Book 73 on Page 15. File #61R-17038

E. B. LEATHERMAN
Clerk Circuit Court

By: [Signature] D. C.

Harry C. Schwelke & Association Inc.,
Land Surveyors Engineers Land Planners
Miami, Florida
June, 1962

That the official zoning regulations, now in effect or as the same may be from time to time changed or amended applicable to the area within which this subdivision is located shall be observed.

May 2015- App. 3 CC Exhibit

HORSE COUNTRY RESIDENTS UNITED

September 22, 2015

Miami-Dade County
Community Council 11

Re: May 2015 Cycle - CDMP Application No. 3 (Horse Country)

To Whom It May Concern:

The undersigned are residents of Horse Country. We are aware that some people have expressed concern about any development in the area, but it is important to note that there is no recognized or established Homeowners Association that speaks for all residents. As such, it is extremely important that the current residents who live and pay taxes in this community have a say in the development of the neighborhood.

The property in question is located at 56th Street (Miller Road) and SW 127 Avenue. This property has been ignored for many years. Unfortunately, the property is full of garbage and overgrown grass and bushes that are not maintained. Regrettably, the residents of the area do not have a commercial shopping center in Horse Country. Consequently, residents are forced to travel outside of the community for our business needs. This causes even more traffic in neighboring areas as Bird Road, Sunset Drive, Kendall, and is also a great inconvenience for taxpayers who wish to walk or drive our cars to a nearby shopping center.

The development of this property will not only increase the tax base for the County - which benefits all taxpayers - but will also generate much-needed jobs in the community. In contrast to previous applications for this property, this Applicant has partnered with residents of Horse Country, and engaged in open dialogue from the beginning with area residents, pledging to keep unique agricultural and equestrian Horse Country ascetics similar to commercial centers in Ocala and other rural areas of the State.

It is important to recognize that other rural or agricultural communities in the County such as the community of Redland contain commercial centers to serve the residents and workers of their community. Horse Country should not be treated differently. We too deserve to have commercial and retail centers in our community. In short, the re-designation of the property achieves the right balance of the interests of the residents and essential nearby services, while preserving the character of the surrounding community.

Respectfully,

Name: Lavis Alexander
Address: 12100 SW 47 St.

HORSE COUNTRY RESIDENTES UNIDOS

Septiembre 22, 2015

Miami-Dade County
Community Council 11

Re: Mayo 2015 Cycle – CDMP Aplicacion No. 3 (Horse Country)

A quien le interese:

Los abajofirmantes somos residentes de Horse Country. Somos consciente que algunas personas han expresado su preocupación acerca de cualquier desarrollo en la zona, pero es importante señalar que no hay una Asociación de Propietarios de Vivienda. Es sumamente importante que los residentes actuales que viven y pagar impuestos en esta comunidad opinan en el desarrollo del vecindario.

La propiedad en cuestión se encuentra en la 56 Calle (Miller Road) y la 127 Avenida del SW. Esta propiedad ha sido ignorado por muchos años. Es lamentablemente que la propiedad esta llena de basura y la hierba y matas no están mantenidos. Desafortunadamente, los residentes de la área no tenemos un centro comercial en Horse Country para hacer compras. Consecuentemente, los residentes son obligados de manejar fuera de su comunidad para sus necesidades comerciales. Esto causa aún más tráfico en las zonas vecinas como Bird Road, Sunset Drive, y Kendall, y también es una gran inconveniente para los contribuyentes que deseen caminar o conducir su auto a un Centro Comercial cercano.

El desarrollo de esta propiedad no sólo aumentará dinero de impuestos para el Condado – cosa que beneficia a todos los contribuyentes – sino también va a generar puestos de trabajo muy necesarios en la comunidad. En contraste de Aplicaciones anteriores para esta propiedad, este Aplicante se ha asociado con los residentes de Horse Country, y han trabajado desde el principio con los residentes, comprometiéndose a mantener los ascetas agrícolas y ecuestres de Horse Country, al igual que los centros comerciales en Ocala y otras zonas rurales del Estado.

Es importante reconocer que otras comunidades rural o agrícola en el Condado como la comunidad de Redland contiene nodos comerciales para servir a los residentes y trabajadores de la comunidad agrícola. Nuestra comunidad de Horse Country no debe ser tratado de una manera diferente y se merece tener un centro comercial en la comunidad. En pocas palabras, la re-designación de la propiedad logra el equilibrio adecuado de proporcionar los intereses de los residentes con servicios esenciales, preservando al mismo tiempo el carácter de la comunidad circundante.

Respetuosamente,

Nombre:



Dirección:

6500 S.W 125 RUE
MIAMI - FLA 33183

May 2015 - App. 3 CC Exhibit

PHARMACIES,
GROCERY STORES,
AND
BANKS
WITHIN 20 BLOCKS
OF
HORSE COUNTRY'S
PERIMETER

Pharmacy's with 20 Blocks From Each Border

BioMax Pharmacy	14285 SW 42nd St
CVS	12650 SW 88th St
CVS	7199 SW 117th Ave
CVS	13896 Southwest 56th Street
CVS Pharmacy	11499 SW 40th St
CVS Pharmacy	2599 SW 147th Ave
CVS Pharmacy	14705 SW 40th St
CVS Pharmacy	13840 SW 88th St
EP Medical Equipment and Pharmacy	6440 SW 117th Ave
Five Star Pharmacy	8428 SW 42nd St
Happy Pharmacy	13379 SW 42nd St
Navarro	10720 SW 72nd St
Navarro Pharmacy	11865 SW 26th St
Nela Pharmacy	2640 SW 137th Ave
Presidente Pharmacy	10845 SW 40th St
Publix Pharmacy	8250 Mills Dr
St. Jesus Pharmacy	7556 SW 117th Ave
Tudela Pharmacy	10961 SW 40th St
Universal Pharmacy Discount	13427 SW 56th St
Walgreens	13680 SW 88th St
Walgreens	11190 SW 88th St
Walgreens	11690 SW 72nd St
Walgreens	4010 SW 137th Ave
Walgreens	11760 SW 40th St #107
Walgreens	10609 SW 40th St
Walgreens	14720 N Kendall Dr
Walgreens	14190 SW 26th St
Westwood Discount Pharmacy	5615 SW 107th Ave
Willson Pharmacy	12040 SW 43rd St
Win-Dixie Pharmacy	11241 SW 40th St
Xcellent Pharmacy	11880 SW 40th St # 119
Young Pharmacy	10788 SW 24th St

Grocery Stores within 20 Blocks From Each Border

BJ's	7007 SW 117th Ave.
Futuro Supermarket	13660 SW 56th St
Miller Food Mart	13449 SW 56th St
Presidente SuperMarket	10855 SW 72nd St
Publix	13890 SW 56th St
Publix	8250 Mills Dr
Publix	9041 SW 107th Ave
Publix	11495 Bird Rd
Publix	14630 SW 26th St
Publix	13820 SW 88th St
Sabor Tropical	8700 SW 137th Ct
Sedan's	13659 SW 26th St
Sedan's	12175 SW 26th St
Sedan's	14655 SW 56th St
Win-Dixie	11241 SW 40th Street
Win-Dixie	14555 SW 42nd St
Win-Dixie	7480 SW 117th Ave

Banks within 20 Blocks From Each Border

Bank Atlantic	2375 SW 122nd Ave
Bank of America	6901 SW 117th Ave
Bank of America	13935 SW 88th St
Bank of America	8991 SW 107th Ave
Bank United	12905 N Kendall Dr
BB&T	8701 SW 137th Ave #1
BB&T	11400 N Kendall Dr
Chase Bank	12001 SW 26th St
Chase Bank	11399 Bird Rd
Chase Bank	13701 SW 88th St
Chase Bank	11895 Sherri Ln
Citi Bank	13608 N Kendall Dr
City National Bank	13780 SW 88th St
Dade Federal Credit Union	10900 N Kendall Dr
Eastern National Bank	8803 SW 107th Ave
Interamerican Bank	12855 SW 88th St
Merchantil	11631 N Kendall Dr
Ocean Bank	10950 SW 88th St #100
Ocean Bank	14702 SW 56th St
Pan AM Federal Credit	8228 Mills Dr
Power Fianancial Credit	8228 Mills Dr
Regions	2610 SW 137th Ave
Regions	13892 SW 56th Street
Regions Bank	8900 SW 107th Ave
Regions Bank	14770 N Kendall dr
Space Coast Credit Union	7171 SW 117th Ave
Sun Trust	11291 Bird Road
Sun Trust	11700 N Kendall Dr
TD Bank	8405 Mills Dr
US Century Bank	13780 SW 26th St #101
US Century Bank	14651 SW 56th St
Wahcovia	10815 Sunset Dr
Wells Fargo	5620 SW 137th Ave
Wells Fargo	13700 N Kendall Dr
Wells Fargo	11725 Sherry LN
Wells Fargo	10815 Sunset Dr
Wells Fargo	14600 Coral Way

May 2015 - App. 3 - CC Exhibit
VACANCY .057%

WEST BIRD PLAZA

11495 SW 40th Street | Miami, FL 33165

Marielle de la Hoz | mdelahoz@equityone.net | 305.947.1664 | www.equityone.net



PROPERTY OVERVIEW

West Bird Plaza is a grocery-anchored neighborhood shopping center. Equity One is a developer, owner and operator of community shopping centers located in strategic metropolitan areas across the United States. Like West Bird, the majority of Equity One's retail spaces are anchored by leading supermarkets, pharmacies, and large retail stores with a focus on necessity-based retailers.

FEATURES

PROPERTY SIZE

99,864 sq. ft.

GPS COORDINATES

Lat. 25.7329 / Long. -80.3821

DAILY TRAFFIC COUNT

54,000 AADT (Bird Road)

133,000 AADT (Florida Tollway)

DAYTIME POPULATION

342,246 (5 miles)

COUNTY

DEMOGRAPHICS

2013 Estimates - Sites USA

POPULATION

1 mile: 18,940

3 miles: 212,278

5 miles: 489,073

NUMBER OF HOUSEHOLDS

1 mile: 5,545

3 miles: 66,253

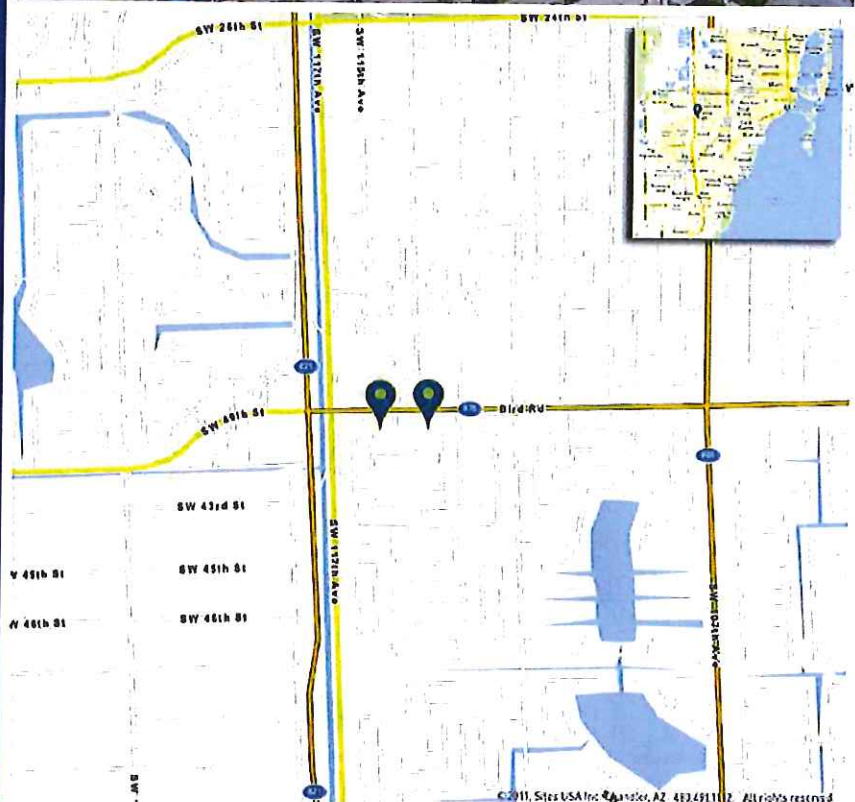
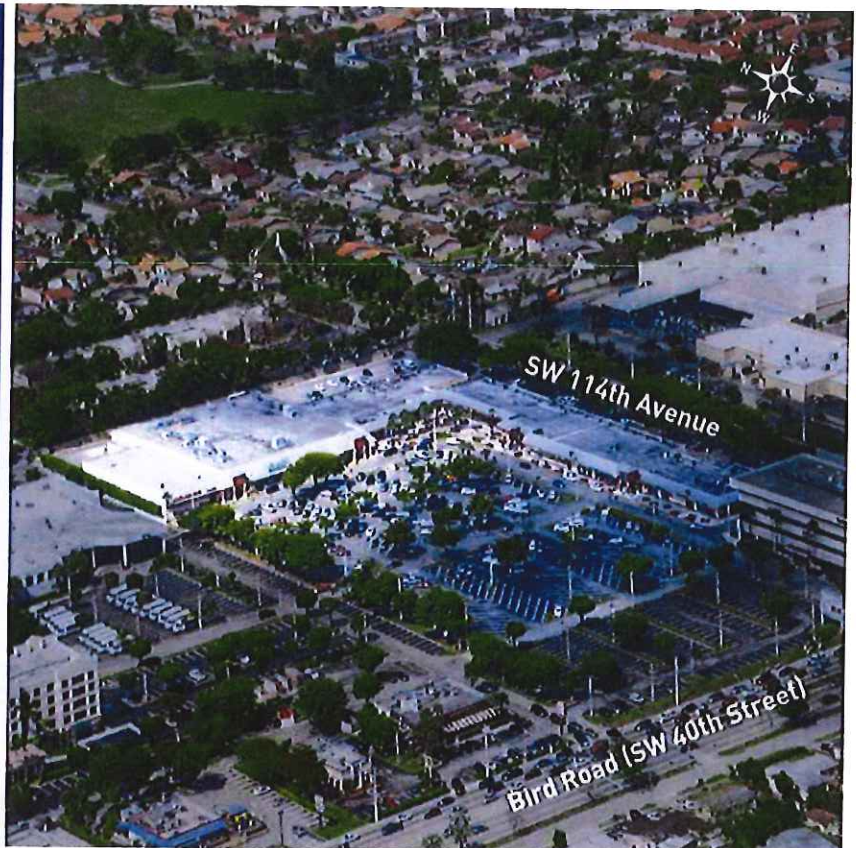
5 miles: 160,379

AVG. HOUSEHOLD INCOME

1 mile: \$64,893

3 miles: \$62,368

5 miles: \$67,736



WEST BIRD PLAZA

11495 SW 40th Street | Miami, FL 33165

Marielle de la Hoz | mdelahoz@equityone.net | 305.947.1664 | www.equityone.net



CURRENT TENANTS

Unit #	Current Tenant	Sq. Ft.
010	CVS 3121-01	10,800
020	Publix 204	37,949
050	H&R Block	3,064
070	Quest Diagnostics	3,380
080	Sports Grill	3,325
100	Hershman Medical Center	2,070
110	West Bird Coin Laundry	1,380
120	Hershman Medical Center	625
130	Jeffrey Nullman, DSS, P.A.	1,800
140	Herbal Miami	600
150	Subway 22488	960
160	Dr. Phone Fix	1,440
170	Ho Wah Chinese Restaurant	1,200
180	Superior Cutters	1,200
190	The UPS Store	1,500
200	Miami Children's Hospital	5,880
230	KISS Orthodontic	2,320
250	USA Wireless	900
260	Westbird Animal Hospital	2,252
280	Westbird Liquor	2,068
290	Nunzio's Restaurant	2,100
300	J&J Nails	960
320	Dryclean USA	1,440
330	Doctors of Vision	2,400
340	Chicken Kitchen	2,800

SPACE AVAILABLE

Unit #	Sq. Ft.
040	3,451
240	2,000

■ SPACE AVAILABLE



This site plan is presented solely for the purpose of identifying the approximate location and size of the building presently contemplated by the owner. Building sizes, site dimensions, access and parking areas, existing tenant locations and identities are subject to change without notice and at the owner's discretion. Unit numbers as indicated are not necessarily the actual suite numbers and are intended for use as a reference only.

Number of Units: 27

As of 9/14/2015

CONCORD SHOPPING PLAZA

11381 SW 40th Street | Miami, FL 33165

Marielle de la Hoz | mdelahoz@equityone.net | 305.947.1664 | www.equityone.net

VACANCY 1%



PROPERTY OVERVIEW

Concord Shopping Plaza is a community center located on Bird Road, a heavily traveled thoroughfare in the city of Miami, the largest and most densely populated city in Florida. The retail center is located in a densely populated portion of Miami. Household incomes within a 5 mile radius of the site are strong and will continue to support a center of this size and tenant mix.

FEATURES

PROPERTY SIZE

314,327 sq. ft.

GPS COORDINATES

Lat. 25.7328 / Long. -80.3766

DAILY TRAFFIC COUNT

54,000 AADT (Bird Road)

133,000 AADT (Florida Tollway)

DAYTIME POPULATION

355,864 (5 miles)

COUNTY

DEMOGRAPHICS

2013 Estimates - Sites USA

POPULATION

1 mile: 20,465

3 miles: 210,798

5 miles: 488,803

NUMBER OF HOUSEHOLDS

1 mile: 6,042

3 miles: 66,369

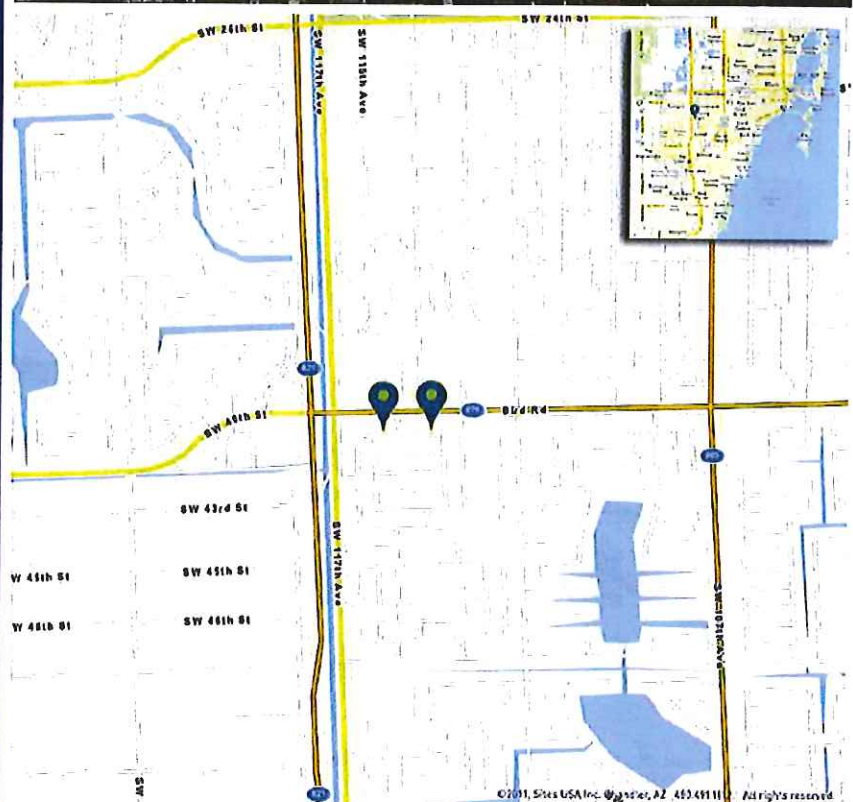
5 miles: 161,363

AVG. HOUSEHOLD INCOME

1 mile: \$62,715

3 miles: \$61,632

5 miles: \$67,420



CONCORD SHOPPING PLAZA

11381 SW 40th Street | Miami, FL 33165

Marielle de la Hoz | mdelahoz@equityone.net | 305.947.1664 | www.equityone.net



CURRENT TENANTS

Unit #	Current Tenant	Sq. Ft.	Unit #	Current Tenant	Sq. Ft.
1	Anna's Linens 347	7,784	3	Menendez Dental Associates,P....	1,200
10	Vivian Unisex	1,424	4	Barbers At Work	1,200
11	Munchies Cafe	840	5	Super Nails	840
12	CoCo Furniture & Gallery	3,960	7	China Buffet	6,300
13	Home Depot U.S.A., Inc.	119,343	8	GNC	1,090
14	Big Lots 4258	32,055	9	Pinecrest Bakery	1,406
15	Winn-Dixie Stores 254	78,000	OUT-1	McDonald's Corporation	4,300
16	Grindel Investment, LLC	2,133	OUT-2	TD Bank, N.A.	3,960
17-18	Tu Mundo Montessori School	3,000	OUT-3	AutoZone Stores LLC	12,185
19	Sally Beauty Supply Store 175...	1,500			
2	Dollar Tree 4258	14,800			
20	Miami-Dade County	3,000			
21-23	You Fit Health Club	11,167			

SPACE AVAILABLE

Unit #	Sq. Ft.
6A	1,420
6B	1,420

■ SPACE AVAILABLE



This site plan is presented solely for the purpose of identifying the approximate location and size of the building presently contemplated by the owner. Building sizes, site dimensions, access and parking areas, existing tenant locations and identities are subject to change without notice and at the owner's discretion. Unit numbers as indicated are not necessarily the actual suite numbers and are intended for use as a reference only.

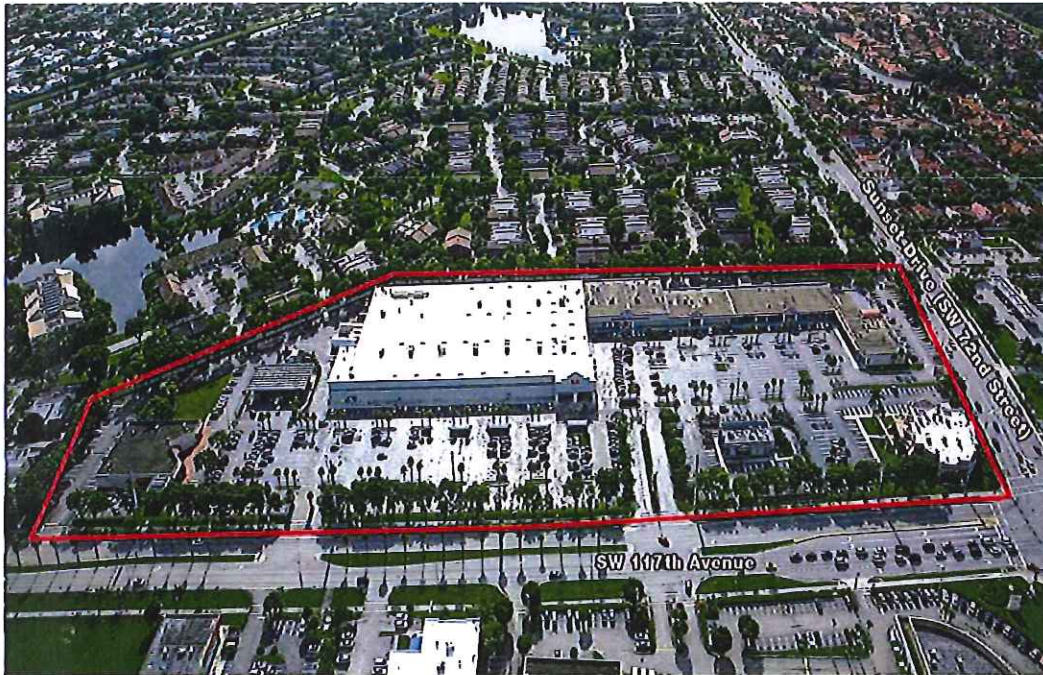
Number of Units: 24

As of 9/14/2015

VACancy 1.5%

Kendall Value Center

6801 - 7109 S.W. 117th Avenue, Miami, Florida 33183



LOCATION

NEC of Sunset Drive (SW 72nd Street) and SW 117th Avenue
Lat. 25.685102 / Long. -80.364833

TOTAL SQ. FT.

183,049

TRAFFIC COUNTS

± 46,000 vpd on Sunset Drive (SW 72nd Street)
± 110,500 vpd on the Florida Turnpike

ANCHORS



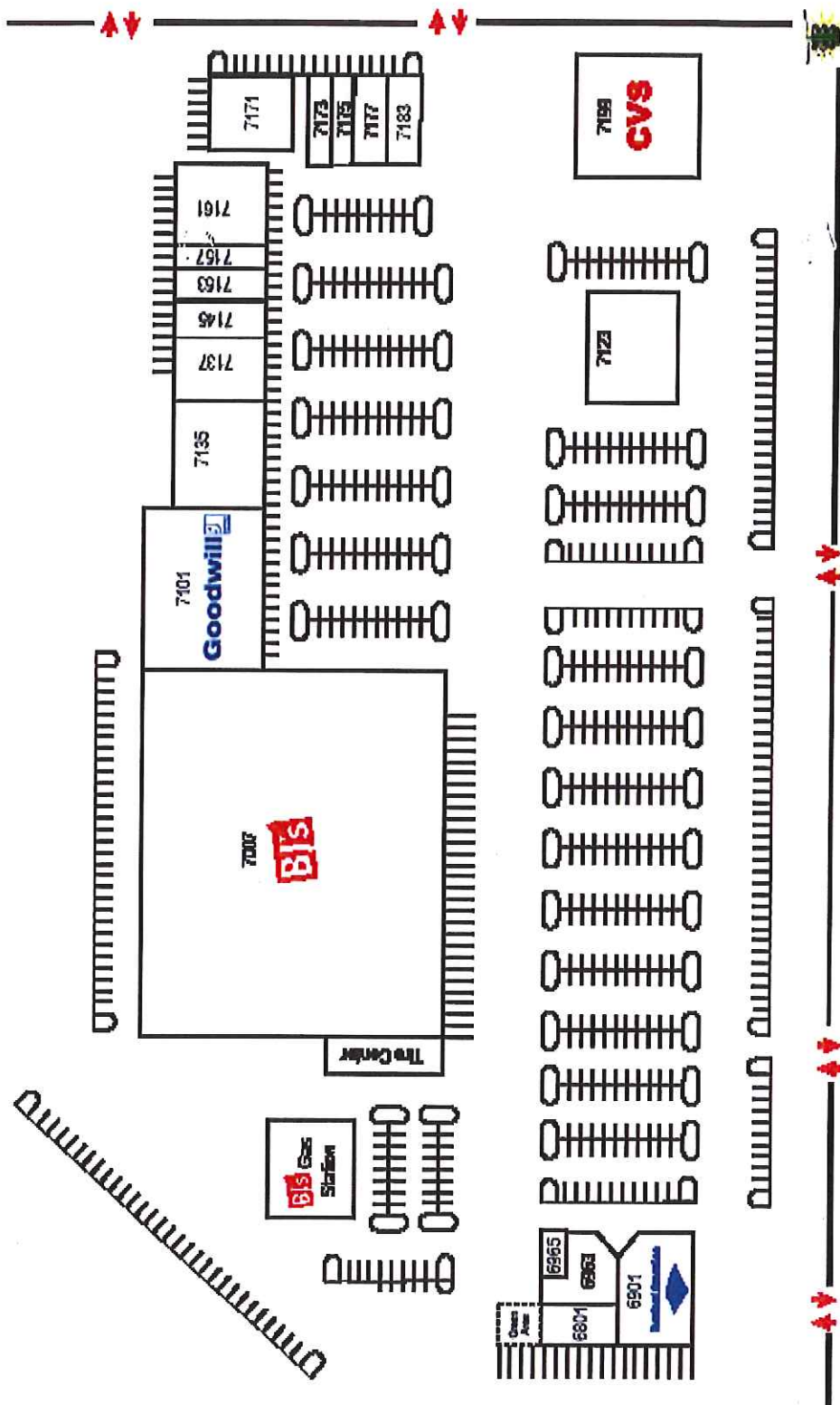
CVS/pharmacy

AREA PROFILE

The West Kendall submarket is one of the fastest growing areas in Miami-Dade County. Age and income demographics show the area to have a young, upwardly moving, high income earning population. The area is primarily residential with a high density of single-family homes, rental apartments and town homes. The center's location on the corner of Sunset Drive and 117th Avenue, near the Florida Turnpike as well as strong local traffic, give the center high exposure. The area surrounding Kendall Value Center contains several grocer-anchored and discount department store-anchored centers, as well as several smaller, local centers.

SITE PLAN

Sunset Drive (SW 72nd Street)



SW 117th Avenue

6801 Genisis Daycare	7101 Goodwill	7171 Space Coast Credit Union	7199 CVS Pharmacies
6901 Bank of America	7135-7145 Blue Cross Blue Shield	7173 Fritango Montimbo	7123 Available - 2,913 sf
6963 Kelson Pediatrics	7153 Music Store	7175 Sushin Japanese	
6965 Global Shipping	7157 Sonia's Hair	7177 AT&T	
7007 BJ's	7161 Jewelry Exchange	7183 Supercuts	



2015 Estimates	1 Mile Radius	3 Mile Radius	5 Mile Radius
Population	16,198	174,202	486,813
Average HHI	\$68,031	\$70,014	\$70,901
Median Age	41	42	41

For Additional Information

Rafael Romero, Associate Vice President
305.779.3173 f: 305.858.6239 rromero@crec.com

Ruben Suarez, Associate Vice President
305.779.3188 f: 305.858.6239 rsuarez@crec.com

Continental Real Estate Companies

2121 Ponce de Leon Boulevard, Suite 1250, Coral Gables, FL 33134
888.488.CREC (2732) f: 305.858.6239 www.crec.com

CREC

Miami Orlando Jacksonville

*Vacant Rate
3%*

Miller Square Shopping Center

13780 SW 56th Street, Miami, Florida 33175

±12,500^{SQFT} Jr. Anchor Space Available!



Anchors

ROSS

**PUBLIX
El Sabor**

LA FITNESS

EL DORADO CVS

LOCATION

SWC of 137th Avenue and
SW 56th Street (Miller Drive)
Lat. 25.71398 / Long. -80.414577

TOTAL SQ. FT.

±205,120

TRAFFIC COUNTS

± 73,420 vpd at the intersection
of SW 137th Ave & SW 56th St
(Miller Dr)

FEATURES

- Space available between 750 sq ft - 12,500 sq ft
- Anchored by Publix El Sabor, LA Fitness, El Dorado Furniture and Ross Dress For Less
- Located in the West Kendall submarket, one of the fastest growing areas in Miami-Dade County
- Vibrant demographics with HHI of over \$66,000 and 205,000 residents within a 3-mile radius
- Excellent visibility with exceptional ingress and egress

CREC

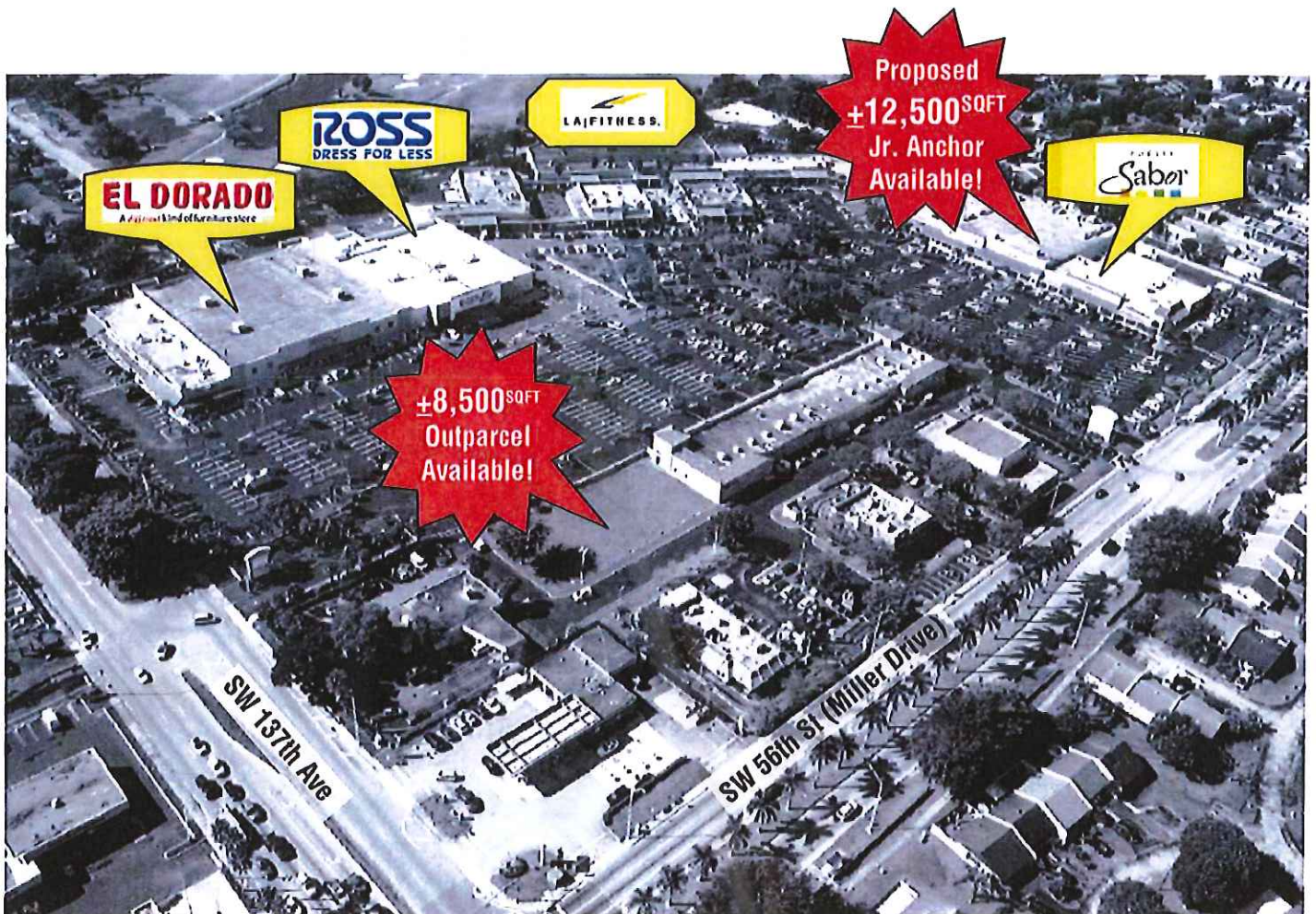
17



SITE PLAN



05	Ovelt Enterprises	95-100	Herballife	200	The UPS Store	275	Miller Square Barber Shop
10	Del Toro Insurance	105	Coin Laundry	205	Hollywood Education	310	Dunkin Donuts
15	Fritanga Monimbo	110	Martino Tire	210	Available - 2,550 sf	315	Gamestop
20	Little Caesars	300	LA Fitness	215	Available - 1,800 sf	320	Rice House of Kabob
25	The Check Cashing Store	130	Dr. Ziegler DDS	220	Publix	325-350	Pediatric Associates
30	GNC	150	Dollar Store	225	Regions Bank	355	Smoothie King
35	Renaissance Hair Salon	155	H & R Block	230	CVS Pharmacy	360	Supercuts
40	Quizno's	160	Ceviche Peruano	235	ACE Hardware	365	Bank of America Vestibule
65A	NY Nails	165	Real Estate Office	240	Las Brasas	370-375	Radio Shack
65	Teleboro	170	Oscariz Insurance	245	Ocuvision	380-390	Adrenaline Dance
70	Super Kennels	175	Canton Lee	250	Alex Football Cafe		
75	Relojeria Lima	180	Kids Adventure	255	Hollywood Education		
80	Ely & Darline's Beauty Salon	185	Tobacco Discount	260	El Meson De La Cava		
85	Available - 750 sf	190	New Hair Unisex	265	Rainbow Shops		
90	Natural Chicken Grill	195	Available - 1,400 sf	270	Kiai Karate		



2015 Estimates	1 Mile Radius	3 Mile Radius	5 Mile Radius
Population	29,957	205,082	424,412
Average HHI	\$58,318	\$66,036	\$67,650
Median Age	41	40	40



For Additional Information

Rafael Romero, CCIM, Associate Vice President
305.779.3173 f: 305.858.6239 rromero@crec.com

Ruben Suarez, Associate Vice President
305.779.3188 f: 305.858.6239 rsuarez@crec.com

Continental Real Estate Companies

2121 Ponce de Leon Blvd., Suite 1250, Coral Gables, FL 33134
305.854.7342 f: 305.858.6239 www.crec.com

CREC

Miami Orlando Jacksonville

App # 4 PAB Exhibit -
submitted by applicant















May 2015 - App. 4 CC Exhibit +



Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Pedro Gassant

2015 NOV 11 12:14
305-789-7430
pedro.gassant@hklaw.com

PLANNING & ZONING
METROPOLITAN PLANNING SECT

By Hand-Delivery and E-mail

November 9, 2015

Mr. Mark Woerner
Chief –Planning Division
111 NW 1st Street, 12th Fl.
Miami, FL 33128

**Re: Fully Executed Declaration of Restrictions and Joinders for CDMP
Application No. 5**

Dear Mr. Woerner,

Enclosed please find the fully executed version of the Declaration of Restrictions for CDMP Application No. 5 as well as the Joinder by Mortgage Company and Corporation.

Should you have any questions or concerns please do not hesitate to call me at my direct line: (305)789-7430 or to email me at pedro.gassant@hklaw.com.

Respectfully Submitted,

Holland & Knight LLP



Pedro Gassant

This instrument was prepared by:

Name: Juan J. Mayol, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue, Suite 3300
Miami, FL 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the Estate of Susan Hamilton-Smith, (the "Owner") holds fee simple title to that certain parcel of land in Miami-Dade County, Florida, which is more particularly described in Exhibit "A" to this Declaration;

WHEREAS, Brown Development Group, LLC, a Florida limited liability company (the "Applicant"), is the contract purchaser of the Property and is applying for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the "CDMP") in the May 2015 Cycle (the "Application"); and

WHEREAS, the Application seeks to re-designate the Property from "Office/Residential" to "Business and Office" on the Miami-Dade County Comprehensive Development Master Plan Future Land Use Plan Map ("LUP").

NOW, THEREFORE, in order to assure Miami-Dade County (the "County") that the representations made by the Applicant during the consideration of the Application will be abided by, the Owner freely, voluntarily, and without duress, makes the following Declaration of Restrictions covering and running with the Property:

1. **Permitted Uses; Prohibition on Residential Development**. Notwithstanding the re-designation of the Property to "Business and Office" on the County's LUP map, the maximum development of the Property shall not exceed 30,000 square feet of such uses as may be permitted

under the Business and Office land use designation; provided, however, that no residential development shall be allowed on the Property.

2. Miscellaneous.

A. Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at the Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owners and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owners, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

B. Term. This Declaration of Restrictions is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration of Restrictions is recorded, after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded in the public records agreeing to change the Declaration of Restrictions in whole, or in part, provided that the Declaration of Restrictions has first been modified or released by Miami-Dade County.

C. Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the Property, provided

that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II , Florida Statutes or successor legislation which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth in Section 2-116.1 of the Code of Miami Dade County, Florida or successor regulation governing amendments to the CDMP. In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, Florida, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners of Miami-Dade County, Florida in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive

officer, by his/her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

D. **Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, the covenants. The prevailing party in any action or suit pertaining to or arising out of this Declaration of Restrictions shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity, or both.

E. **Authorization of Miami-Dade County (or successor municipality) to Withhold Permits and Inspections.** In the event the terms of this Declaration of Restrictions are not being complied with, in addition to any other remedies available, the County (or any successor municipality) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this Declaration of Restrictions is complied with.

F. **Election of Remedies.** All rights, remedies, and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies, or privileges.

G. **Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County (or any successor municipality), and inspections made and approval of occupancy given by the County (or any successor municipality), then such construction, inspection, and approval

shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration of Restrictions.

H. County Inspection. As further part of this Declaration of Restrictions, it is hereby understood and agreed that any official inspector of Miami-Dade County, Florida, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

I. Severability. Invalidation of any one of these covenants by judgment of Court shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

J. Recordation and Effective Date. This Declaration of Restrictions shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner(s) following the approval of the Application by the Board of County Commissioners of Miami-Dade County, Florida. This Declaration of Restrictions shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration of Restrictions shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in

charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration of Restrictions is null and void and of no further effect.

K. Acceptance of Declaration. Acceptance of this Declaration of Restrictions does not obligate the County in any manner, nor does it entitle the Owner(s) to a favorable recommendation or approval of any application, zoning or otherwise, and the County retains its full power and authority to, with respect to the Property, deny each such application in whole or in part and to decline to accept any conveyance.

L. Owners. The term "Owners" shall include the Owners and their successors and assigns.

[Signature Page Follow]

IN WITNESS WHEREOF, we have executed this Declaration of Restrictions as of this 6th
day of November, 2015.

WITNESSES:

[Signature]
Signature
Steven M. Naturman
Printed Name

[Signature]
Signature
Loisie Chaslow
Printed Name

The Estate of Susan Hamilton-Smith

By: [Signature]
Name: Kevin Lenson
Title: Personal Representative

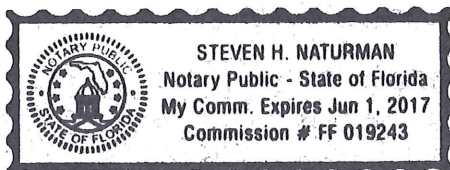
STATE OF FL)
COUNTY OF Miami-Dade) SS

The foregoing instrument was acknowledged before me by Kevin Lenson, as Personal Representative of the Estate of Susan Hamilton-Smith, and for the purposes stated herein on behalf of the company. He is personally known to me or has produced as identification.

Witness my signature and official seal this 6th day of November, 2015, in the County and State aforesaid.

My Commission Expires:

[Signature]
Notary Public
Steven M. Naturman
Printed Name



JOINDER BY MORTGAGEE CORPORATION

The undersigned, Sunstate Bank, a Florida Banking corporation f/k/a Sofisa Bank of Florida and Mortgagee under that certain Mortgage from Susan Hamilton-Smith, recorded in Official Records Book 20811, Page 3525, in the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing Declaration of Restrictions, does hereby consent to the execution of this Declaration of Restrictions by Kevin Lennon, Personal Representative of the Estate of Susan Jane Hamilton-Smith, a/k/a Susan Hamilton-Smith, decedent, and agree that in the event Mortgagee or any other party shall obtain title to the property through foreclosure or deed-in-lieu of foreclosure, this Declaration of Restrictions shall be binding upon the entity obtaining title as the then owner of such property.

IN WITNESS WHEREOF, these presents have been executed this 6th day of November, 2015.

WITNESSES:

[Signature]
Odalis Diaz
Print or Type Name

[Signature]
Lourdes de Caceres
Print or Type Name

Sunstate Bank, a Florida Banking corporation

By: [Signature]
Title: SVP & Chief Lending Officer
Print name: David McManus
Address: 2901 S. LeJeune Road
Coral Gables, FL 33134

(Corporate Seal)

STATE OF FLORIDA)
) SS
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 6th day of November, 2015 by DAVID McMANUS, of Sunstate Bank, a Florida Banking corporation, on behalf of the corporation. He/She is personally known to me or has produced _____, as identification and did/did not take an oath.



[Signature]
Notary Public -State of Florida
Print Name Ines Rodriguez
My Commission Expires: 08-10-2019

#37470238_v1

EXHIBIT "A"

LEGAL DESCRIPTION

Folio No. 30-5031-000-0240

The SW ¼ of SW ¼ of SE ¼ of Section 31, Township 56 South, Range 40 East, less the following parcel of land, more particularly described as follows:

Begin at the South ¼ corner of Said Section 31; thence along the West line of the SE ¼ of the aforementioned Section 31 N 4 ° 07 ' 15" W (Bearings derived from the State Plane Coordinate System, Florida East Zone, N.G.S. 1974 Adjustment) - 83.02 feet to a point; thence N 87 ° 09 ' 57" E - 20.00 feet to a point; thence S 71 ° 30 ' 08" E - 63.24 feet to a point; thence S 87°16' 53" E - 258.66 feet to a point of intersection with the East line of the SW ¼ of SW ¼ of SW ¼ of SE ¼ of the aforementioned Section 31, thence S 4°05 ' 41" E - 35.01 feet to a point of intersection with the South line of the SE ¼ of Said Section 31; thence along the South line of the SE ¼ of aforementioned Section 31, S 87 °10' 13" W - 335.26 feet to the POINT OF BEGINNING.

**JOINDER BY MORTGAGEE
COMPANY**

The undersigned, Brown Development Group, LLC, a Florida limited liability company and Mortgagee under that certain Mortgage from Kevin Lennon, Personal Representative of the Estate of Susan Jane Hamilton-Smith, a/k/a Susan Hamilton-Smith, decedent, recorded in Official Records Book 29746, Page 3640, in the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing Declaration of Restrictions, does hereby consent to the execution of this Declaration of Restrictions by Kevin Lennon, Personal Representative of the Estate of Susan Jane Hamilton-Smith, a/k/a Susan Hamilton-Smith, decedent, and agree that in the event Mortgagee or any other party shall obtain title to the property through foreclosure or deed-in-lieu of foreclosure, this Declaration of Restrictions shall be binding upon the entity obtaining title as the then owner of such property.

IN WITNESS WHEREOF, these presents have been executed this 5 day of NOVEMBER, 2015.

WITNESSES:

Richard Woodward
[Signature]
Print or Type Name

Stella Vazquez
Stella Vazquez
Print or Type Name

Brown Development Group, LLC, a Florida limited liability company

By: [Signature]
Title: MGR
Print name: VICTOR BROWN
Address: 5901 SW 74 Street, #403
South Miami, Florida 33143

(Corporate Seal)

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI DADE)

The foregoing instrument was acknowledged before me this 5 day of NOVEMBER, 2015 by VICTOR BROWN, MGR, of Brown Development Group, LLC, a Florida limited liability company, on behalf of the LLC. He/She is personally known to me or has produced _____, as identification and did/did not take an oath.



Kathleen K. Jones
Notary Public -State of FLORIDA
Print Name KATHLEEN K. JONES
My Commission Expires: 11/30/19

Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Pedro Gassant
305-789-7430
pedro.gassant@hklaw.com

2015 NOV 10 P 2: 15
PLANNING & ZONING
METROPOLITAN PLANNING SECT

By Hand-Delivery and E-mail

November 10, 2015

Mr. Mark Woerner
Chief –Planning Division
111 NW 1st Street, 12th Fl.
Miami, FL 33128

**Re: Opinion of Title for the property that is the Subject of CDMP Application
No. 5**

Dear Mr. Woerner,

Enclosed please find the Opinion of Title for the property that is the subject of CDMP Application No. 5.

Should you have any questions or concerns please do not hesitate to call me at my direct line: (305)789-7430 or to email me at pedro.gassant@hklaw.com.

Respectfully Submitted,

Holland & Knight LLP


Pedro Gassant

MIAMI-DADE COUNTY

OPINION OF TITLE

TO: MIAMI-DADE COUNTY, a political subdivision of the State of Florida

With the understanding that this Opinion of Title is furnished to MIAMI-DADE COUNTY, FLORIDA, as an inducement for acceptance of a Declaration of Restrictions, it is hereby certified that I have examined a title commitment issued by Chicago Title, Title Insurance Company Commitment No. 5354401 (the "Commitment"), which Commitment covers the period from the BEGINNING through June 15, 2015, at 11:00 p.m.; and an Attorney's Title Insurance Fund computer title update which covers the period of time from the Commitment through November 1, 2015 at 11:00 p.m., inclusive, of the following described real property located and situated in Miami-Dade County, Florida:

The SW 1/4 of SW 1/4 of SW 1/4 of SE 1/4 of Section 31, Township 55 South, Range 40 East, less the following parcel of land, more particularly described as follows:

Begin at the South 1/4 corner of said Section 31; thence along the West line of the SE 1/4 of the aforementioned Section 31 N 4° 07' 15" W (Bearings derived from the State Plane Coordinate System, Florida East Zone, N.G.S. 1974, Adjustment) 83.02 feet to a point; thence N 87° 09' 57" E - 20.00 feet to a point; thence S 71° 30' 08" E - 63.24 feet to a point; thence S 87° 16' 53" E - 258.66 feet to a point of intersection with the East line of the SW 1/4 of SW 1/4 of SW 1/4 of SE 1/4 of the aforementioned Section 31, thence S 4° 05' 41" E - 35.01 feet to a point of intersection with the South line of the SE 1/4 of said Section 31; thence along the South line of the SE 1/4 of aforementioned Section 31, S 87° 10' 13" W - 335.26 feet to the Point of Beginning, lying in Miami-Dade County, Florida.

I am of the opinion that on the last mentioned date, the fee simple title to the above-described property was vested in:

The Estate of Susan Jane Hamilton-Smith, a/k/a Susan Hamilton-Smith, decedent.

Subject to the following encumbrances, liens and other exceptions:

1. RECORDED MORTGAGES:

Mortgage in favor of Sunstate Bank, a Florida Banking corporation f/k/a Sofisa Bank of Florida, recorded November 15, 2002 in Official Records Book 20811, at Page 3525, of the Public Records of Miami-Dade County, Florida, and

Second Mortgage in favor of Brown Development Group, LLC, a Florida limited liability company, recorded August 20, 2015 in Official Records Book 29746, at Page 3640, of the Public Records of Miami-Dade County, Florida.

2. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:

NONE

3. GENERAL EXCEPTIONS:

(a) All taxes for the present and subsequent years.

- (b) Rights of persons other than the above owners who are in possession.
- (c) Facts that would be disclosed upon accurate survey.
- (d) Any unrecorded labor, mechanics' or materialmen's liens.
- (e) Zoning and other restrictions imposed by governmental authority.

4. SPECIAL EXCEPTIONS:

- (a) Restrictions, covenants, and conditions as set forth in Covenant Running With the Land in Favor of Metropolitan Dade County recorded in Official Records Book 16456, Page 809, as may be subsequently amended.
- (b) Mortgage and Security Agreement between Susan Hamilton-Smith, Mortgagor, and Hamilton-Smith corp., Borrower, and Sofisa Bank of Florida, a state banking corporation, Mortgagee, dated November 15, 2002, recorded November 18, 2002 in Official Records Book 20811, Page 3525.
- (c) Modification by Consolidation and Modification Agreements recorded in Official Records Book 22290, Page 2839 and Official Records Book 25212, Page 3037.
- (d) Consolidation and Modification Agreement with Sunstate Bank f/k/a Sofisa Bank of Florida in Official Records Book 27541, Page 3386.
- (e) Assignment of Leases, Rents and Profits to Sofisa Bank of Florida, recorded in Official Records Book 20811, page 3549.
- (f) UCC-Financing Statement, Sofisa Bank of Florida, as Secured Party, recorded in Official Records Book 20811, Page 3553; Continued in Official Records Book 26747, Page 1628.
- (g) UCC-Financing Statement, Sofisa Bank of Florida, as Secured Party, recorded in Official Records Book 20811, Page 3559; Continued in Official Records Book 26747, Page 1629.
- (h) UCC-Financing Statement, Sunstate Bank, as Secured Party, recorded in Official Records Book 28250, Page 2186.
- (i) Second Mortgage in favor of Brown Development, LLC, a Florida limited liability company, recorded August 20, 2015 in Official Records Book 29746, at Page 3640.

ALL RECORDING INFORMATION REFERS TO THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions and that none of them hinder or affect the recording or enforcement of the Declaration of Restrictions.

It is my opinion that the following parties must join in the Declaration of Restrictions in order to make the Modification a valid and binding covenant on the lands described herein:

<u>Name</u>	<u>Interest</u>	<u>Special Exception Number</u>
The Estate of Susan Jane Hamilton-Smith, a/k/a Susan Hamilton-Smith, decedent.	Owner	
Sunstate Bank, A Florida Banking Corporation.	Mortgagee	
Brown Development Group, LLC, a Florida limited liability company.	Mortgagee	

Kevin Lennon, as Personal Representative of the Estate of Susan Jane Hamilton-Smith, a/k/a Susan Hamilton-Smith, decedent is authorized to sign on behalf of the Estate.

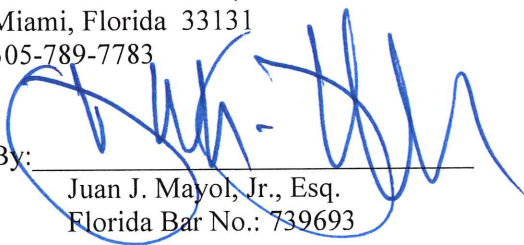
I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable Declaration of Restrictions.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida, and I am a member in good standing of The Florida Bar.

Respectfully submitted this 10th day of Nov., 2015.

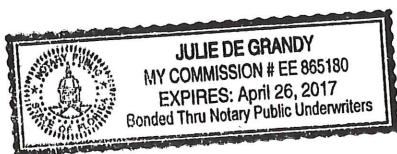
Very truly yours,

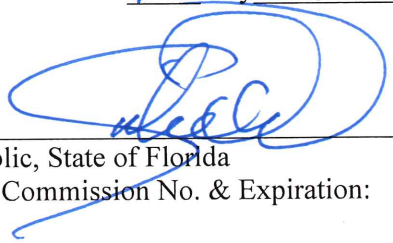
HOLLAND & KNIGHT LLP
701 Brickell Avenue, Suite 3300
Miami, Florida 33131
305-789-7783

By: 
Juan J. Mayol, Jr., Esq.
Florida Bar No.: 739693

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 10th day Nov., 2015, by Juan J. Mayol, Jr., Esq., who is personally known to me.





Notary Public, State of Florida
My Name, Commission No. & Expiration:

#37388385_v1

PAB Exhibit - May 2015 - App. 7 -
Letter of Opposition



Everglades Coalition

**Resolution of the Everglades Coalition
Urging the Miami-Dade Board of County Commissioners
to adhere to the Comprehensive Development Master Plan and
to oppose proposed expansion of the Urban Development Boundary**

1000 Friends of Florida
Arthur R. Marshall Foundation
Audubon
Audubon Florida
Audubon of the Everglades
Audubon of Southwest Florida
Audubon of the Western Everglades
Caloosahatchee River Citizens
Association / Riverwatch
Center for Biological Diversity
Clean Water Action
Conservancy of Southwest Florida
Defenders of Wildlife
"Ding" Darling Wildlife Society
Earthjustice
Environment Florida
Everglades Coordinating Council
Everglades Foundation
Everglades Law Center
Everglades Trust
Florida Conservation Alliance
Florida Defenders of the Environment
Florida Keys Environmental Fund
Florida Native Plant Society
Florida Oceanographic Society
Florida Wildlife Federation
Friends of the Arthur R. Marshall
Loxahatchee National Wildlife Refuge
Friends of the Everglades
Hendry Glades Audubon Society
Institute for Regional Conservation
Izaak Walton League Florida Division
Izaak Walton League Florida Keys Chapter
Izaak Walton League Mangrove Chapter
Izaak Walton League of America
Last Stand
League of Women Voters of Florida
Loxahatchee River Coalition
Martin County Conservation Alliance
Miami Waterkeeper
National Parks Conservation Association
National Wildlife Federation
National Wildlife Refuge Association
Natural Resources Defense Council
Ocean Research & Conservation Association
Reef Relief
Sanibel-Captiva Conservation Foundation
Save It Now, Glades!
Sierra Club
Sierra Club Broward Group
Sierra Club Calusa Group
Sierra Club Central Florida Group
Sierra Club Florida Chapter
Sierra Club Loxahatchee Group
Sierra Club Miami Group
Snook and Gamefish Foundation
South Florida Audubon Society
Southern Alliance for Clean Energy
Tropical Audubon Society
The Urban Environment League of
Greater Miami

WHEREAS, Miami-Dade County received two applications in the May 2015 Comprehensive Development Master Plan (CDMP) Amendment Cycle (Applications Nos. 7 and 8), which propose to expand the Urban Development Boundary (UDB) and the footprint of development activity;

WHEREAS, the Everglades ecosystem benefits from the Urban Development Boundary (UDB) established in Miami-Dade County's Comprehensive Development Master Plan (CDMP);

WHEREAS, Policy LU-8G of the CDMP requires that before considering expansion of the UDB, it must first be demonstrated that there is a need to add land to the UDB in accordance with Policy LU-8F;

WHEREAS, Policy LU-8F and LU-8G of the CDMP combined require that the UDB shall not be expanded unless there is not enough developable land within the UDB to meet projected residential capacity for a 15-year countywide supply and currently the UDB contains enough available space to meet projected residential capacity for the next 17 years;

WHEREAS, Policy CON-7J of the CDMP states that "In evaluating applications that result in alterations or adverse impacts to wetlands Miami-Dade County shall consider the applications' consistency with Comprehensive Everglades Restoration Program (CERP) objectives. Applications that are found to be inconsistent with CERP objectives, projects or features shall be denied.";

WHEREAS, development of the proposed projects outside of the UDB is inconsistent with CERP, will increase noise pollution and impacts to wildlife within the Everglades National Park (ENP), will interfere with restoration and thus increase the cost and time needed for restoration by changing flooding patterns and flood control needed, while decreasing the footprint of the Everglades ecosystem;

WHEREAS, the area between the UDB and ENP serves as an important buffer zone for ENP and a recharge area for the aquifer Miami-Dade County depends on for water supply;

WHEREAS, the extension of the UDB at this time is premature and will have significant negative impacts in Miami-Dade County, including increased traffic and the costly extension of county services including potable water, wastewater, storm water, schools, parks, police, fire, and social services;

Committed to full protection and restoration of America's Everglades

450 N. Park Road # 301, Hollywood FL 33021 | www.evergladescoalition.org | info@evergladescoalition.org

WHEREAS, Application No. 7 seeks to change the zoning of 859 gross-acres of land currently zoned for agriculture and outside the UDB to enlarge the UDB to include this acreage and to change the Land Use Map designation from Agriculture to a new urbanized land use category;

WHEREAS, Application No. 8 seeks to change the zoning of 61.1 gross-acres from "Agricultural" to "Business and Office" and "Business and Industrial";

WHEREAS, combined these projects would result in the removal of approximately 920 acres of active farmland, which provide an effective and practical barrier between the urban core of Miami and Everglades National Park and provides a highly desirable capacity for local food production; and

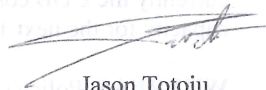
WHEREAS, Application No. 7 includes provisions for the construction of 11,000 units of housing in a location that would require residents to commute to and from the area, thus exacerbating traffic congestion in the area.

NOW, THEREFORE, BE IT RESOLVED, the Everglades Coalition resolves and opposes any change to the Urban Development Boundary and urges Miami-Dade County to do the same, for the reasons outlined above.

Adopted August 21st, 2015

Cara Capp

Cara Capp
National Co-Chair



Jason Totoiu
State Co-Chair

Committed to full protection and restoration of America's Everglades

450 N. Park Road # 301, Hollywood FL 33021 | www.evergladescoalition.org | info@evergladescoalition.org



"Grower of Quality Lettuce"

PAB Exhibit -

May 2015, App. 7

Submitted by
Applicant

November 1, 2015

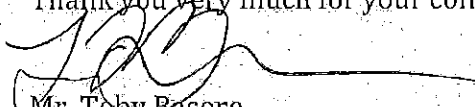
Dear Honorable Planning Advisory Board Members:

My name is Toby Basore and I am third generation lettuce grower. My brothers and I own and operate TKM Farms, Inc., the largest lettuce farm east of the Mississippi. Our 10,000 acre farm is located in Belle Glade, Florida. From our location, we farm, harvest, pack and ship the bulk (close to 80%) of all lettuce products produced during the winter months, December through April.

However, our valued customers are seeking to have year round supply of our lettuce products and with the proposed hydroponic facility that is part of the Green City project, we will be able to grow and supply lettuce to our national consumers on a year round basis. This hydroponic facility will be a state of the art growing, packing and shipping facility that will be at the forefront of ag innovation, local employment, industry and trade.

We urge your consideration to transmit the pending application to allow us and the Green City Team the opportunity to create a great hydroponic facility that will become a leader in its field and create a vast employment center in the West Kendall area.

Thank you very much for your consideration.


Mr. Toby Basore
President of TKM Farms, Inc.

Subject: GREEN CITY PROJECT**From:** Josie (globalsoulchef@gmail.com)**To:** paulvwilson1@yahoo.com; PeterDiPace.Esq@gmail.com; jvazquez@facchina.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwbllaw.com; raymondm@hmdcpa.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; abao-garciga@miami-airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;**Date:** Sunday, October 18, 2015 11:40 PM

To who it may concern,

The Green City Project will be a great addition to the landscape and paradigm shift in South Florida. A green conscious project with a vision to create a win win community has our support in more than one way. We are excited to see how this project impacts lives in South Florida through job creation, sustainable practices, conscious business and eco-progressive models. It is time for South Florida to catch up with every major city in this country, and around the world in terms of reusable energy, recycling and conscious/mindful living.

The next generation will inherit this planet, this city and this community. We support projects which set us all up to win and we feel Green City Project is a great start for South Florida.

In gratitude,

Josie Smith Malave & Marcy Miller

www.globalsoulproject.org Food, Youth & Community, Founder
www.bigedreams.com "Your dreams are our business"
<http://twitter.com/chefjosie>



Please consider the environment before printing this email

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Attachments

- sigimg1.sigimg1 (566B)

Subject: In support of Green City Miami

From: Jay Yairon Alvarez (yairon.a@gmail.com)

To: PeterDiPace.Esq@gmail.com; jvazquez@facchina.com; paulvwilson1@yahoo.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwbaw.com; raymondm@hmdcpa.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjuano@ecostratas.com; gablespar@aol.com; abao garciga@miami airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Date: Sunday, October 18, 2015 11:39 PM

To respective planning advisory board members:

In light of tomorrow's planned advisory board meeting for the Green City Miami project I would like to voice my full support for this vision in building a greater West Kendall.

Currently West Kendall is in desperate need of rejuvenation and I believe that the project Green City Miami will provide its citizens the much needed resources that they currently need to go elsewhere to receive. This project will help modernize the area by introducing new living, recreation and retail areas while still respecting the environment and including eco-friendly areas such as parks and a hydroponics farm.

I look forward to attending tomorrow's hearing and hoping for a favorable outcome in order to improve upon West Kendall's future for its residents and visitors.

Thank you for your time.

Kind Regards,
Yairon "Jay" Alvarez
15985 SW 140 Street
Miami, FL 33196

Subject: Green City Project Miami

From: ramiro cajigas (ramirocajigas@hotmail.com)

To: PeterDiPace.Esq@gmail.com; paulvwilson1@yahoo.com; jvazquez@facchina.com;
reginald.clyne@qpwblaw.com; raymondm@hmdcpa.com; javier.munoz.mail@gmail.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjuano@ecostratas.com; gablespar@aol.com; abao garciga@miami airport.com;
savalac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Date: Sunday, October 18, 2015 10:51 PM

Hello,

My name is Ramiro Cajigas. Our family has lived in West Kendall for the past 20 years. I think the Green City Project is good for us and our neighbors. They are going to bring jobs, restaurants, a green market place, and other amenities to our community.

I think you should approve the Green City Miami Project.

Thank you



Ann Pope <annpope.ap@gmail.com>

Green City Miami Application # 7

1 message

Robert's Gmail <rrivera942@gmail.com>

Sun, Oct 18, 2015 at 11:37 PM

To: peterdipace.esq@gmail.com, jvazquez@facchina.com, paulwilson1@yahoo.com, javier.munoz.mail@gmail.com, reginald.clyne@qpwblaw.com, raymondm@hmdcpa.com, rtapia777@gmail.com, joseb@jonesdrydock.com, hcarlos@bellsouth.net, asoto171@yahoo.com, gablespar@aol.com, savolac@yahoo.com, joejames10@bellsouth.net, irodriguez@dadeschools.net, lawrence.ventura@homestead.af.mil

Dear Members of the Planning Advisory Board,

I am writing to you in support of the Green City project for the West Kendall area. I have lived in Kendall for the last 4 years and when I got here I was surprised to find that such a nice neighborhood did not have the amenities that I was used to in lesser quality housing areas of Broward County.

My wife and children enjoy going out shopping and dinning, however we do it a lot less frequently because to do so we have to go East, the inconvenience of fighting the traffic to enjoy a nice evening is quite discouraging.

The Green City, as proposed, will allow us to enjoy these amenities and others while also providing new jobs to the area, alleviating some of the daily commute for many in the community.

Additionally, the parks proposed would encourage community activities, not only for our enjoyment but also as potential revenue to local businesses, as sporting organizations would have an attractive location for events.

There are many other positive aspects to the project, such as the university and the center for the arts, that I do not have the time to address but that would bring other opportunities and great pride to our neighborhood.

I encourage you to approve this application.

Thank you for your time

Minister Robert Rivera
Duane Swilley Ministries
954-461-9536
rrivera942@gmail.com

Subject: All in for the Green City Project

From: Chef J (livehappycooking@gmail.com)

To: paulvwilson1@yahoo.com; PeterDiPace.Esq@gmail.com; jvazquez@facchina.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwbaw.com; raymondm@hmdcpa.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjuano@ecostratas.com; gablespar@aol.com; abao-garciga@miami-airport.com;
savalac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Bcc: annpope@bellsouth.net;

Date: Monday, October 19, 2015 8:43 AM

To who it may concern:

I am all for the "Green Project"

As a low income mother and supporter of green living and sustainability, this project I believe will have a grand positive impact in our city. Less traffic, job creations and affordable living opportunity.

Thank you,
Leslie Arguelles

Subject: Green City Miami

From: Alanna Duque (alanna10@bellsouth.net)

To: PeterDiPace.Esq@gmail.com; jvazquez@facchina.com; paulvwilson1@yahoo.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwbaw.com; joseb@jonesdrydock.com;
asoto171@yahoo.com; rjruano@ecostratas.com; abao garciga@miami-airport.com;
joejames10@bellsouth.net; RTapia777@gmail.com; hcarlos@bellsouth.net; bill_riley@ibew349.org;
gablespar@aol.com; savolac@yahoo.com; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil; raymondmd@hmdcpa.com;

Cc: annpope@bellsouth.net;

Date: Sunday, October 18, 2015 9:34 PM

My name is Alanna and I have lived in Kendall all of my 24 years of living. I am very much in support of Green City Miami Application 7. I feel it will be a great asset to the residents of Kendall for many reason but just to mention a few, there will be countless job opportunities, new residential living, retail and office space and it will most definitely alleviate traffic that is residents of Kendall have to deal with on a daily basis. Thank you for taking the time to read this, as it's just as important to me as it might be to you.

Sincerely,
Alanna D.

Sent from my iPhone

Sent from my iPhone

Sent from my iPhone

Sent from my iPhone

Subject: Green City Project

From: manny cajigas (kahamaru1@hotmail.com)

To: peterdipace.esq@gmail.com; paulvwilson1@yahoo.com; jvazquez@facchina.com;
reginald.clyne@qpwblaw.com; raymondn@hmdcpa.com; javier.munoz.mail@gmail.com;
rtapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; savolac@yahoo.com;
joejames10@bellsouth.net; irodriguez@dadeschools.net; lawrence.ventura@homestead.af.mil;

Date: Sunday, October 18, 2015 10:44 PM

I would like to take this time to tell you how much it means to me about the Green City Project. I am very excited to have the opportunity to let you know, how much I look forward for this project to be a reality.

I have lived in West Kendall, with my parents, all for 20 years and now that I am an adult I feel we need something to help it expand and allow our community to have more potential and offer more to our fellow neighbors. It would mean more job opportunities for those who are seeking jobs, recreational facilities for families to enjoy with their children, and closer locations that normally would take an half an hour to an hour to make the commute.

Please consider all that this project has to offer, when voting for this project.

Thank you again.

Sincerely,

Manuel A. Cajigas

11301 SW 146 CT

MIAMI, FL 33186

Subject: Green City Miami Application No 7

From: Joicie Rivera (backgroundmusic1@hotmail.com)

To: peterdipace.esq@gmail.com; jvazquez@facchina.com; paulvwilson1@yahoo.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwblaw.com; raymondm@hmdcpa.com;
rtapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; gablespar@aol.com; savolac@yahoo.com; joejames10@bellsouth.net;
irodriguez@dadeschools.net; lawrence.ventura@homestead.af.mil;

Date: Sunday, October 18, 2015 10:41 PM

Members of the Planning Advisory Board

I have lived in Kendall (Hammocks area) since 1983. Over the years this community has grown to be what it is today. Unfortunately it lacks many conveniences that many in my neighborhood desire.

I love the concept of the Green City. It would provide this community with a much needed place where people can go work, play, and give a sense of community.

Currently our local schools need to travel to Harris field or Tropical Park for football games and other sports. Theaters, and Civic centers are a minimum of 30 minutes away, among most restaurants and family/cultural activities. Having a 'downtown' near by that will provide all these things and then some, that most towns in S. Florida provide would be great for the W. Kendall area.

I see many benefits to the vision and am in support of the Green City Miami project.

Joicie Rivera
10108 SW 166th Ave
Miami, Fla 33196
305-761-6200

Subject: Green City Miami - Application No 7

From: Rosivette Santiago (rosivette1128@yahoo.com)

To: PeterDipace.Esq@gmail.com; jvazquez@facchina.com; paulwilson1@yahoo.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwblaw.com; raymondm@hmdcpa.com;
joseb@jonesdrydock.com; asoto171@yahoo.com; rjrano@ecostratas.com; RTapia777@gmail.com;
hcarlos@bellsouth.net; bill_riley@ibew349.org; gablespar@aol.com; savolac@yahoo.com;
joejames10@bellsouth.net;

Date: Sunday, October 18, 2015 10:21 PM

Members of the Planning Advisory Board:

My name is Rosivette Santiago and I have been a resident of the Hammocks Community since July 15, 2004. My current address is 11323 SW 160 Pl, Miami, 33196. In the last 11 years I have experienced and seen the growth and changes in my community, and the surrounding areas. From all the developments around my community, this is the first one that I see that has been carefully planned, taking into consideration the fast pace that our community is growing, and how to take care and provide for the needs of their residents and their neighbor communities.

More than just housing, this project covers many social needs, and I see it as a new way of creating communities that work and support themselves and their neighbors. The opportunity to have vertical farming to produce two or three times more food than regular farming, use of natural resources like rain and solar power to cover some of the community's needs, protecting natural resources and protected areas while giving the opportunity to enjoy them, the opportunity of a West Kendall Downtown and Midtown, turning this area into a place that will attract businesses and jobs and provide a quality of life that allows its residents to live, work, and play without having to travel somewhere else for work or entertainment.

I have seen how the City of Cutler Bay, Palmetto Bay, South Miami, Doral and others are working and growing their communities, providing their residents with almost everything they need. We in West Kendall have a hospital, enough supermarkets and pharmacies, but other than that, we need to travel east, out of the community, to work, for entertainment, and services. I see how Green City Miami can provide for this area the opportunity of growth we need near our homes. Keeping us closer to our families, spending less time traveling and more time with our loved ones. This is like a concept of the future in our present.

Thank you for your attention and support to this matter

 *Rosivette Santiago* 

Subject: Green City Project

From: rosalina cajigas (rosalinacajigas@hotmail.com)

To: PeterDiPace.Esq@gmail.com; paulvwilson1@yahoo.com; jvazquez@facchina.com;
reginald.clyne@qpwbllaw.com; raymondm@hmdcpa.com; javier.munoz.mail@gmail.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; abao garciga@miami airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Date: Sunday, October 18, 2015 10:19 PM

My name is Rosalina Cajigas. I've been living in Kendall for 20 years with my family. When I heard about the Green City Miami, I was very excited to hear that our community could be helped and expanded upon. This project will bring job opportunities for our young adults and those seeking employment, high end restaurant, and theaters for drama's and possible shows from Broadway. I see many opportunities for not just my family, but other families and future generations growing in a wonderful community if the project is approved. This is why I support of this project.

Please consider what I have explained, when voting for the project.

Thank you again,

Rosalina Cajigas
11301 SW 146 CT
MIAMI, FL 33186

Subject: Fwd: Green City Miami Application no. 7

From: Reid (reid_harris@aol.com)

To: annpope@bellsouth.net;

Date: Sunday, October 18, 2015 10:04 PM

-----Original Message-----

From: Reid <reid_harris@aol.com>

To: jvazquez <jvazquez@facchina.com>; PeterDiPace.Esq <PeterDiPace.Esq@gmail.com>; paulvwilson1 <paulvwilson1@yahoo.com>; reginald.clyne <reginald.clyne@qpwbaw.com>; raymondmd <raymondmd@hmdcpa.com>; joseb <joseb@jonesdrydock.com>; asoto171 <asoto171@yahoo.com>; rjruano <rjruano@ecostratas.com>; joejames10 <joejames10@bellsouth.net>; RTapia777 <RTapia777@gmail.com>; hcarlos <hcarlos@bellsouth.net>; bill_riley <bill_riley@ibew349.org>; gablespar <gablespar@aol.com>; savolac <savolac@yahoo.com>; irodriguez <irodriguez@dadeschools.net>; lawrence.ventura <lawrence.ventura@homestead.af.mil>

Cc: annpope <annpope@aol.net>

Sent: Sun, Oct 18, 2015 9:05 pm

Subject: Green City Miami Application no. 7

To whom it may concern,

I have lived in West Kendall for 19 years. I support this concept, it will be bringing Miami city life to the Kendall area. Something that is much needed in our community.

Thank you

Felton Reid Harris II
10109 SW 166th Ave
Miami, Fla 33196

Subject: Green City Miami - Application No. 7

From: Karalina (karalina10@comcast.net)

To: peterdipace.esq@gmail.com; jvazquez@facchina.com; javier.munoz.mail@gmail.com;
paulwilson1@yahoo.com; reginald.clyne@qpwbllaw.com; raymond.m@hmdcpa.com; rtapia777@gmail.com;
joseb@jonesdrydock.com; hcarlos@bellsouth.net; rjruano@ecostratas.com; gablespar@aol.com;
savalac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Cc: annpope@bellsouth.net;

Date: Sunday, October 18, 2015 9:57 PM

To whom it may concern;

I have been living in West Kendall for the 8 years. I approve of this project because we need a job center here in our area. Not just a job center but we also need more entertainment for our families. It is very disturbing to have to drive 45 mins to take our children to the mall only to have to drive back out and pick them up hours later. We have to bus our children 30-45 mins just to play a football game for their high school. I hope that you will take our concerns seriously and make your decisions based on how this project could enhance our neighborhoods.

Thank you,

Kara J. Lanoue S.N.
9900 Hammocks Blvd #103
Miami, FL 33196
Miami Dade College
Benjamin Leon School of Nursing

Subject: Green City Miami - Application No. 7

From: Derek Kearney (derekkearney@outlook.com)

To: paulvwilson1@yahoo.com; PeterDiPace.Esq@gmail.com; jvazquez@facchina.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwbaw.com; raymondm@hmdcpa.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; abao-garciga@miami-airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Date: Sunday, October 18, 2015 9:56 PM

Good evening,

I would like to share with you my strong support of the Green City Miami proposal. I do not often make my voice heard on civic matters but this project inspires me with the green aspects of the Hydroponics Farming, the additional public transportation in the completion of the CSX transportation loop as well as more Trolley access, and the additional green space with parks for pedestrians and families like mine. I believe it to be a very progressive and pro-resident plan that would benefit me and my family for years to come. Please vote for this project and continue the progressive evolution of our West Kendall community that reflects a broad vision of possibilities for our future.

Regards,

Derek Kearney

Subject: Green City Project - Application No. 7

From: Claire M. Zovko (clairezovko@hotmail.com)

To: peterdipace.esq@gmail.com; jvazquez@facchina.com; paulvwilson1@yahoo.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwblaw.com; rtapia777@gmail.com;
joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com; bill_riley@ibew349.org;
rjruano@ecostratas.com; gablespar@aol.com; savolac@yahoo.com; joejames10@bellsouth.net;
irodriguez@dadeschools.net; lawrence.ventura@homestead.af.mil;

Date: Sunday, October 18, 2015 9:50 PM

Planning Advisory Board,

I write this note in support of the Green City Project. The Green City Project provides a proactive solution to remedy numerous issues and potential future problems that could plague our city. The Green City Project is a unique and creative way to create new jobs, housing, retail, wellness, and leisure options for many all while being Eco-friendly. This project could add incredible long term value to the Kendall area and impact the livelihood of over 25,000 people. The importance of being able to live, work, and play locally without lengthy commutes to work can have a huge impact on families and the overall quality of daily life. This project provides just that with everything a resident or family might need to be sustainable in one locale.

For the above stated reasons, I fully support the Green City Project. Thank you.

Sincerely,

Claire M. Zovko

Subject: Green City Miami - Application No. 7

From: Leila Harris (leilaharris91@gmail.com)

To: PeterDiPace.Esq@gmail.com; jvazquez@facchina.com; paulvwilson1@yahoo.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwbaw.com; raymondm@hmdcpa.com;
RTapia777@gmail.com; asoto171@yahoo.com; bill_riley@ibew349.org; rjuano@ecostratas.com;
gablespar@aol.com; abao garciga@miami airport.com; savolac@yahoo.com; joejames10@bellsouth.net;
irodriguez@dadeschools.net; lawrence.ventura@homestead.af.mil;

Cc: annpope@bellsouth.net;

Date: Sunday, October 18, 2015 9:35 PM

Attached is my letter of support to the Green City Miami plan.

Attachments

- Green City Miami - Application No. 7.docx (66.69KB)

To Whom It May Concern,

I am currently living at 10108 SW 166th avenue and I have been living in West Kendall for 23 years now; my entire life has been spent here.

I am in support of this project because of the many things it brings to West Kendall that aren't available at walking distance. All of the plans and expectations presented at the first meeting I attended were all things that I believe our community is missing. Not only will more entertainment areas be available, but the thought of more jobs is wonderful.

I currently am blessed to have found a job close to me but I have many friends who struggle to find a job close to home. Most young adults are having to travel further for just an opportunity to get a job. With the Green City plan, the amount of job opportunities that will open will help the children growing up now with finding jobs that are within 5 miles of their home.

I look forward to Green City Miami and I hope that the plan goes through.

Thank you for your time,
Leila Harris

Subject: Green City Miami - Application No. 7

From: Nadim Jamid (ndomia@yahoo.com)

To: annpope@bellsouth.net;

Date: Sunday, October 18, 2015 9:05 PM

The Green City Miami project is a very exciting experience to be a part of. I personally understand the frustration of those who have to drive through hours of traffic day in and day out to get to and from work. At 21 Years old I have many career options ahead of me. I believe this project is going to change the lives of many young individuals in the area. I believe being exposed to all the different opportunities within the community will inspire and motivate young adults to pursue careers that they were once uninformed about. I personally feel that growing up in this community, (West Kendall) I have witnessed firsthand a lot of the younger population grow up confused as to what career path to choose. In most cases this means settling for something local that does not meet the amount of potential we have. All in all, I believe that Green City Miami is beginning of a very bright future for the community, My Community.

Nadim Jamid
16672 SW 79 way Miami FL, 33193

Subject: Green City Project

From: Andrew Exposito (aexposito001@gmail.com)

To: PeterDiPace.Esq@gmail.com; paulvwilson1@yahoo.com; jvazquez@facchina.com;
reginald.clyne@qpwbllaw.com; raymondm@hmdcpa.com; javier.munoz.mail@gmail.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; abao.garciga@miami.airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Date: Sunday, October 18, 2015 8:41 PM

I would like to take this time to tell you how much it means to me about the Green City Project. I am very excited to have the opportunity to let you know, how much I look forward for this project to be a reality.

I have lived in Kendall, with my parents, all my life and I always felt when growing up that we needed something to help it expand and have more potential to offer the needs of our community. It would mean more job opportunities for those who are seeking jobs, recreational facilities for families to enjoy with their children, and an abundance of green space and parks for our community to share and enjoy for future generations.

Please consider all that this project has to offer, when voting for this project.

Thank you again.

Sincerely,

Andrew S. Exposito

14661 SW 114 TERR
Miami, FL 33186

Subject: Green City Project

From: Steven Exposito (stevenexposito@gmail.com)

To: PeterDiPace.Esq@gmail.com; paulvwilson1@yahoo.com; jvazquez@facchina.com;
reginald.clyne@qpwblaw.com; raymondm@hmdcpa.com; javier.munoz.mail@gmail.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; abao.garciga@miami.airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Date: Sunday, October 18, 2015 8:33 PM

I would like to take this time to express my support for the Green City Project. I look forward for this project to start and benefit our community.

I have lived in Kendall for 19 years with my family, I always felt that this community could use everything that this project has to offer. It would mean more job opportunities for young people, recreational facilities, and an abundance of green space and parks for our community to share and enjoy for future generations.

Please consider all the benefits when voting for this project.

Thank you again.

Sincerely,

Steven Exposito

14661 SW 114 TERR
Miami, FL 33186

reginald.clyne@qpwblaw.com, raymondm@hmdcpa.com, javier.munoz.mail@gmail.com, RTapia777@gmail.com, joseb@jonesdrydock.com, hcarlos@bellsouth.net, asoto171@yahoo.com, bill_riley@ibew349.org, rjruano@ecostratas.com, gablespar@aol.com, abao-garciga@miami-airport.com, savolac@yahoo.com, joejames10@bellsouth.net, irodriguez@dadeschools.net, lawrence.ventura@homestead.af.mil
Content-Type: multipart/alternative; boundary=001a11c3eebcf4be0e05226a3379
Bcc: annpope@bellsouth.com

I would like to take this time to express my support for the Green City Project. I am very excited to have the opportunity to let you know, how much I look forward for this project to be a reality.

I have lived in Kendall for 19 years and I always felt that this community could use everything that this project has to offer. It would mean more job opportunities, recreational facilities, and an abundance of green space and parks for our community to share and enjoy for future generations.

Please consider all the benefits when voting for this project.

Thank you again.

Sincerely,

Thania Exposito

14661 SW 114 TERR
Miami, FL 33186

Subject: Re: Delivery Status Notification (Failure)
From: Thania Exposito (thaniaexposito@gmail.com)
To: ;
Bcc: annpope@bellsouth.net;
Date: Sunday, October 18, 2015 8:30 PM

On Sun, Oct 18, 2015 at 8:26 PM, Mail Delivery Subsystem <mailer-daemon@googlemail.com> wrote:
Delivery to the following recipient failed permanently:

annpope@bellsouth.com

Technical details of permanent failure:

Google tried to deliver your message, but it was rejected by the server for the recipient domain bellsouth.com by mxb-00191d01.gslb.pphosted.com. [67.231.157.136].

The error that the other server returned was:
550 5.1.1 User Unknown

----- Original message -----

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;

d=gmail.com; s=20120113;

h=mime-version:date:message-id:subject:from:to:content-type;

bh=2Azar//eVuu8jg804wY6tWStLpKMGKuo/Qmnc71MAoE=;

b=Y+bGFTvrd7If5mYG8lIEm15flwdnhnDZRqCfl2AZFWD80aZzvxnU1W6L1YneGEU7X
at8q/ctIPEv5BERNNtMV+t/UQ2cFiEdJY+j5o/BrN4jaUBRGshCUr3Q4XcfUW37NiOOx
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ySZg==

MIME-Version: 1.0

X-Received: by 10.112.61.226 with SMTP id t2mr12992621lbr.11.1445214417105;
Sun, 18 Oct 2015 17:26:57 -0700 (PDT)

Received: by 10.112.172.101 with HTTP; Sun, 18 Oct 2015 17:26:57 -0700 (PDT)

Date: Sun, 18 Oct 2015 20:26:57 -0400

Message-ID: <CAB+fm038A0BaaV-

iDmfoDWrWTTauWjAmu5V5AEVQFSbc_cQm=w@mail.gmail.com>

Subject: Green City Miami Project

From: Thania Exposito <thaniaexposito@gmail.com>

To: PeterDiPace.Esq@gmail.com, paulvwilson1@yahoo.com, jvazquez@facchina.com,

Subject: Green City

From: Karen Hurst (karenhurstre@gmail.com)

To: paulwilson1@yahoo.com; PeterDiPace.Esq@gmail.com; jvazquez@facchina.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwbaw.com; raymondm@hmdcpa.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; abao-garciga@miami-airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Date: Sunday, October 18, 2015 7:41 PM

Good evening

My name is Karen Hurst and a Miami Resident and Realtor. It has come to my attention that there is a project being proposed for the city of Kendall which in my personal and professional opinion is well deserved.

As home prices continue to rise in the more populated areas of Miami close to downtown people are getting priced out of and pushed out more west.

Out west in the Kendall is a different quality of life one that can still be improved upon and made even more desirable. I believe GREEN CITY is the solution.

As a Realtor I have lots of clients that find homes in Kendall affordable and beautiful but will pass because of traveling to work and play. They opt for communities that have it all. My clients don't want to always have to travel east for great dining, shopping, family fun activities and even work. I see this city providing it all for the community. The residents of Kendall deserve a Project like this.

Best Regards

Karen

--

Karen  Hurst

Realtor®

SoFlo Livin...It's a Lifestyle

Email: KarenHurstRE@gmail.com

Website: www.TheMiamiRealEstateBoutique.com

Blog: www.SoFloLivin.com


KELLER WILLIAMS.
REALTY

Subject: Advisory Board

From: Pamela Josephs (josephspamela@yahoo.com)

To: Peterdipace.esq@gmail.com; paulvwilson1@yahoo.com; reginald.clyne@gpwblaw.com;
lawrence.ventura@homestead.af.mil;

Cc: annpope@bellsouth.net;

Date: Sunday, October 18, 2015 7:37 PM

I understand you have for your consideration the approval of a proposed amendment to the CDMP for the Green City Miami Project that is contemplated on the corner of Kendall Drive and Krome Avenue

I think it would be most convenient for my neighbors and I to have the convenience of a mixed-used development that provides access to jobs, retail options and entertainment amenities within walking distance to our homes. The close proximity of Green City is desirable and I encourage you to support this smart and sustainable use of land in the West Kendall area.

Thank you for your consideration.

Sincerely

Pamela Josephs
13735 sw 100 terrace
Miami Fl 33186

Subject: Green City Project- Application No 7**From:** JORGE AVETRANI (avetrani@bellsouth.net)**To:** paulvwilson1@yahoo.com; PeterDiPace.Esq@gmail.com; reginald.clyne@qpwbaw.com;
raymondm@hmdcpa.com; joseb@jonesdrydock.com; asoto171@yahoo.com; rjruano@ecostratas.com;
joejames10@bellsouth.net; jvazquez@facchina.com; javier.munoz.mail@gmail.com; RTapia777@gmail.com;
hcarlos@bellsouth.net; bill_riley@ibew349.org; gablespar@aol.com; savolac@yahoo.com;
irodriguez@dadeschools.net; lawrence.ventura@homestead.af.mil; annpope@bellsouth.net;
avetrani@bellsouth.net;**Date:** Sunday, October 18, 2015 7:33 PM

Good evening,

We have been residents of West Kendall for over forty years. My husband and I have both been raised in West Kendall and are currently raising our own three children in the Mansions II. We are supporting the Green City Project because the project gives back to the community. The idea of a self sustaining community is new and much needed in this area. We are looking forward to not having to drive at least 30 minutes to get local entertainment, a farmer's market, and a place to enjoy family time. Furthermore, after living a lifetime in West Kendall, Green City now offers the opportunity for us to retire comfortably in West Kendall.

Please consider the Green City Miami- Application No 7.

Sincerely,

Mrs. Mari Avetrani
Mr. Jorge Avetrani
16445 SW 103 Terrace
Miami, FL 33196
786-999-5746

Subject: Planning Advisory Board

From: Suzette Knight (suzetteglow@yahoo.com)

To: annpope@bellsouth.net;

Date: Sunday, October 18, 2015 7:10 PM

My name is Suzette Knight and I have lived and owned a business in West Kendall for 13 years. Traditionally, if I want to go to a great restaurant, indulge myself in quality retail options or even enjoy the theater, I have to leave West Kendall. Why should I or my neighbors have to do that? We should have all the necessities along with jobs in our community and Green City is proposing to do just that for our West Kendall Community.

I urge you allow the Green City application to move forward so we too in West Kendall can have a vibrant quality of life as those people that live in Coral Gables, South Miami and as far as Westin.

Thank you

Sincerely,

Suzette Knight
13735 sw 100 terrance
Miami Fl 33186

Subject: Green City Project

From: Jay Smith (traveler9mm@gmail.com)

To: paulvwilson1@yahoo.com; PeterDiPace.Esq@gmail.com; jvazquez@facchina.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwblaw.com; raymondm@hmdcpa.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; abao-garciga@miami-airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Date: Sunday, October 18, 2015 7:01 PM

To Whom it may concern....this is a wonderful project....yes it is a progressive building program for Miami....it's in keeping the best part of what makes Miami Popular the Greenery and keeping the image of a Eco Friendly Positive South Florida tropical atmosphere....!! Jobs for all and a beautiful place to visit and live....Fantastic.....!!!

tk,

j smith

Subject: New project development Green City

From: Robert Gonzalez (rg1040z@yahoo.com)

To: paulvwilson1@yahoo.com; PeterDiPace.Esq@gmail.com; jvazquez@facchina.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwbllaw.com; raymondm@hmdcpa.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; abao-garciga@miami-airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Cc: tracey_allison@att.net;

Date: Sunday, October 18, 2015 6:49 PM

To whom it may concern,

Kudos to all involved with bring this project to Kendall, Its well needed and deserved for our community
I've Witness my mother-in-law in the pass week get up early and make her way to form a line
for affordable housing units which may come available next year. She was number 177 on the list,
this is a case where there is only four units available for next year.

Count me in, great job and continue to stride for more Green City Development.

Sincerely Yours

Robert Gonzalez Sr.

Subject: Green City Miami - Application No. 7

From: Esther Garvett (egarvett@gmail.com)

To: PeterDiPace.Esq@gmail.com.paulywilson1;

Date: Sunday, October 18, 2015 6:34 PM

Distinguished Planning Advisory Board Members,

I am writing this e-mail with a great deal of enthusiasm and excitement over the concepts proposed for the Green City Miami project. It is long overdue for Miami Dade County to endorse a project that is environmentally sound. The concepts of using solar and wind for sources of energy is long overdue in the Sunshine State of Florida. The use of vertical farming is a wonderfully exciting project. The recycling of waste materials is something we should all strive for.

In addition, having businesses in your own neighborhood along with amenities within walking distance from your home is exactly what every neighborhood should strive to incorporate.

Enjoying nature with built in parks and natural spaces is a must. We are all beginning to understand and appreciate the importance of protecting and preserving nature for ourselves and the animals that share this planet with us.

I am looking forward to have this Board endorse this project.

Sincerely,

Esther Garvett

P.S. I was born and raised in Miami. I have lived here my whole life and went all through school with MDCPS. I just retired from teaching with MDCPS (I started teaching in 1970). I have two children who were also born and raised here (and are products of MDCPS). Miami is very important to me. I have lived in West Kendall since 1980 and would love to move into this incredible development.

Sent from my iPad

Subject: Green City Miami - Application No. 7

From: Tracey Allison (tracey_allison@att.net)

To:

Date: Sunday, October 18, 2015 6:33 PM

I am writing in support of the proposal for Green City Miami.

I believe the project will be a great addition to the West Kendall community as it will provide residents with nearby options for retail and entertainment solutions without having to travel far from home to enjoy dining out at nice restaurants, seeing movies, shopping, etc. I liken it to the development in midtown Miami that was a great addition for residents of that area to be able to stay in their local community for their entertainment and shopping options. Additionally the creation of jobs for the community that will occur as a result of this project is a strong benefit to residents. The fact that the developers are looking long term at the needs for the community is exciting. Too often, we are playing catch up and addressing problems instead of proactively assessing needs and benefits to the community.

The addition of housing, including affordable housing and aging care options, combined with the commercial plans that will bring jobs and revenue to the community seem like a win/win for West Kendall.

I urge you to vote in support of this project and take in to consideration the needs of the future for this community.

Thank you,
Tracey Allison

Subject: Green City Miami -Application No. 7

From: Ashley Martinez (ashleeyx23@gmail.com)

To: annpope@bellsouth.net;

Date: Sunday, October 18, 2015 5:19 PM

Being apart of the Green City Miami Project is a wonderful experience. Since I myself live in the Kendall area I 100% agree with this project. Just to know that this many people support this change is incredible. It is a very smart idea to start creating jobs on the West side so people don't have that much how hectic mornings with the new jobs that are undergoing.

I'm glad that I can be apart of this support group for the Green City Miami project.

Ashley Martinez
16672 SW 79th WAY
Miami, FL 33193

Subject: Green City Miami - Application No. 7

From: Ana Maria Hernandez (lechuza027@gmail.com)

To: peterdipace.esq@gmail.com; paulvwilson1@yahoo.com; reginald.clyne@qpwbllaw.com;
raymondm@hmdcpa.com; joseb@jonesdrydock.com; asoto171@yahoo.com; rjuano@ecostratas.com;
abao-garciga@miami-airport.com; joejames10@bellsouth.net; savolac@yahoo.com; gablespar@aol.com;
bill_riley@ibew349.org; hcarlos@bellsouth.net; rtapia777@gmail.com; javier.munoz.mail@gmail.com;
jvazquez@facchina.com;

Date: Sunday, October 18, 2015 12:50 PM

Dear Members of the Planning Advisory Board,

As residents of this area for many years, we would like to continue to live here close to our families in an environment that addresses our needs as aging residents. Green City with the adult living facility does just that and allows us to stay in our community. The project will provide parks and green space for us to walk and stay healthy as well as activities that are within walking distance. Please approve this project.

Thank you,

Ana Maria Hernandez
13120 SW 14th Street
Miami, FL 33184

Nicolas Bolanos
13120 SW 14th Street
Miami, FL 33184

Subject: Green City Miami Planning - Application No. 7

From: Patricia Hernandez (pattimshaw@bellsouth.net)

To: peterdipace.esq@gmail.com; paulvwilson1@yahoo.com; reginald.clyne@qpwbllaw.com;
raymondmd@hmdcpa.com; joseb@jonesdrydock.com; asoto171@yahoo.com; rjruano@ecostratas.com;
abao-garciga@miami-airport.com; joejames10@bellsouth.net; savolac@yahoo.com; gablespar@aol.com;
bill_riley@ibew349.org; hcarlos@bellsouth.net; rtapia777@gmail.com; javier.munoz.mail@gmail.com;
jvazquez@facchina.com;

Date: Sunday, October 18, 2015 12:34 PM

Good Members of the Planning Advisory Board,

I would like to express my support in the Green City Miami Project. I have lived in Kendall for most, if not all of my life and feel that this project will promote less traffic into the city as well as, provide this community with much needed congregation that is presently lacking in this area.

I am looking forward to attending this meeting tomorrow to support this amazing project.

Sincerely,

Patricia M. Hernandez
8510 SW 132 Place
#104
Miami, FL 33186
(786) 879-1437

Subject: Green City Miami Planning - Application No. 7

From: Alex Hernandez (itsforalex@att.net)

To: peterdipace.esq@gmail.com; paulvwilson1@yahoo.com; reginald.clyne@qpwbllaw.com;
raymondm@hmdcpa.com; joseb@jonesdrydock.com; asoto171@yahoo.com; rjruano@ecostratas.com;
abao-garciga@miami-airport.com; joejames10@bellsouth.net; savolac@yahoo.com; gablespar@aol.com;
bill_riley@ibew349.org; hcarlos@bellsouth.net; rtapia777@gmail.com; javier.munoz.mail@gmail.com;
jvazquez@facchina.com;

Date: Sunday, October 18, 2015 12:35 PM

Dear Members of the Planning Advisory Board,

As a resident of Kendall for many years, I find it most appealing to have the convenience of a mixed use project like Green City developed in close proximity to my home. In my opinion, this would reduce the drive time on Kendall Drive and cut back time wasted just sitting in traffic. May I respectfully suggest that this Green City project is a good idea. My family is in agreement and we ask that you support this project.

Sincerely,

Alejandro Hernandez
8810 SW 132 Place
#104
Miami, Fl 33186
(786) 738-4488

Subject: Green City Miami

From: Nichole Rodriguez (nicholemarier24@gmail.com)

To: PeterDiPace.Esq@gmail.com; paulwilson1@yahoo.com; reginald.clyne@qpwblaw.com;
raymondm@hmdcpa.com; joseb@jonesdrydock.com; asoto171@yahoo.com; rjuano@ecostratas.com; abao
garciga@miami airport.com; joejames10@bellsouth.net; jvazquez@facchina.com;
javier.munoz.mail@gmail.com; RTapia777@gmail.com; hcarlos@bellsouth.net; bill_riley@ibew349.org;
gablespar@aol.com; savolac@yahoo.com; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil; annpope@bellsouth.net;

Date: Saturday, October 17, 2015 9:54 PM

Hello, my name is Nichole Rodriguez. I'm writing this email to tell the board that I am a supporter to the Green City Miami - Application No. 7. I feel that this project will be a great way to alleviate the traffic on Kendall Drive. I like the idea of having a "Downtown" Kendall. This project will for see new job opportunities as well as new places for families to spend quality time. It is also a potential increase in our economy. The future that this project promises to bring to Kendall is one that we can not deny the city. I'm glad to be a part of this life changing moment for my city.

Respectfully,

Nichole Rodriguez.
14401 SW 88 ST Miami, FL 33186

Subject: Green City Miami - Application No. 7

From: Viv Sanchez (sanchez.viv226@gmail.com)

To: PeterDiPace.Esq@gmail.com; paulvwilson1@yahoo.com; reginald.clyne@qpwbllaw.com;
raymondm@hmdcpa.com; joseb@jonesdrydock.com; asoto171@yahoo.com; rjuano@ecostratas.com; abao
garciga@miami airport.com; joejames10@bellsouth.net; jvazquez@facchina.com;
javier.munoz.mail@gmail.com; RTapia777@gmail.com; hcarlos@bellsouth.net; bill_riley@ibew349.org;
gablespar@aol.com; savolac@yahoo.com; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil; annpope@bellsouth.net;

Date: Saturday, October 17, 2015 9:52 PM

This email will confirm and further acknowledge that I, Vivian Sanchez, I am in total support of Green City Miami - Application No. 7.

I have been a resident of West Kendall for 8 years now. I am looking forward to having the privilege in seeing our community grow and develop new job opportunity for this great county.

Sincerely,

Vivian Sanchez
14311 SW 88th Street A 104
Miami, FL 33186



Ann Pope <annpope.ap@gmail.com>

Green City Miami - Application #71 message

A H <alyx3381@gmail.com>

Sat, Oct 17, 2015 at 9:09 PM

To: PeterDiPace.Esq@gmail.com, paulwilson1@yahoo.com, reginald.clyne@qpwbiaw.com, raymondm@hmdcpa.com, joseb@jonesdrydock.com, asoto171@yahoo.com, riruano@ecostratas.com, abao-garciga@miami-airport.com, joejames10@bellsouth.net, irodriguez@dadeschools.net, lawrence.ventura@homestead.af.mil, ivazquez@facchina.com, javier.munoz.mail@gmail.com, RTapia777@gmail.com, hcarlos@bellsouth.net, bill_riley@bew349.org, gablespar@aol.com, savolac@yahoo.com

Good evening,

As per this email message, I write to indicate my support of Green City Miami - Application No. 7. I am particularly and positively interested in the planning and development of the retirement section of this venture.

As a 40-year resident of the Miami (SW) area and a recent retiree as a college senior administrator, I have been researching retirement area options across the nation for some time now. My preference is to live in a city with a research university-based medical center, an international airport, a vibrant cultural arts community and the presence of diversity in ethnicity and age...something like MIAMI...

I believe Green City Miami will provide such an environment. I would rather live in an area of familiarity, so that I can retain my medical professionals, my church, my friends, my social activities, and shopping areas. Green City Miami offers proximity to everything I need, yet, it will be a community unto itself. It will also provide a much needed alternative to retirees who otherwise now feel they must relocate to areas in central Florida, Georgia or the Carolinas..

I offer my wholehearted support to Green City Miami.

Sincerely,

Alexandria Holloway

Alexandria Holloway, Ph.D.,
AH Academic Consulting Group
11026-4 SW 132nd Place
Miami, FL 33186
phone: 305,519.3381
email: alyxholloway@comcast.net

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Subject: Green City Miami - Application No. 7

From: Maria Fernanda Ordoñez (ma.iansa@hotmail.com)

To: lawrence.ventura@homestead.af.mil; irodriguez@dadeschools.net; joejames10@bellsouth.net; savolac@yahoo.com; gablespar@aol.com; rjruano@ecostratas.com; bill_riley@ibew349.org; asoto171@yahoo.com; hcarlos@bellsouth.net; joseb@jonesdrydock.com; rtapia777@gmail.com; raymondm@hmdcpa.com; reginald.clyne@qpwbaw.com; javier.munoz.mail@gmail.com; paulvwillson1@yahoo.com; jvazquez@facchina.com; peterdipace.esq@gmail.com;

Cc: annpope@bellsouth.net; backgroundmusic1@hotmail.com;

Date: Monday, October 19, 2015 1:32 AM

Maria Fernanda Ordoñez

305-979-2179

Miami Dade County

Planning Advisory Board

10/16/2015

Dear Members of the Board

It is a great pleasure to present my support letter to you about the Green City Miami Project. I have been living in the Hammocks since 2011 and I really like the Community. My address is 10521 SW 158 CT, #207, Miami FL 33196.

I want from you that help us to review and consider the approval for this project that will bring a lot of benefits to the Kendal Community.

Please don't hesitate to inform me the project status,

Regards

Maria Fernanda Ordoñez

305-979-2179

Attachments

- Maria Fernanda Ordoñez.docx (50.46KB)

Subject: Green City Miami - Application No. 7

From: Yolanda Ordonez (yolanda9877@gmail.com)

To: peterdipace.esq@gmail.com; jvazquez@facchina.com; paulvwilson1@yahoo.com;
reginald.clyne@qpwblaw.com; raymondm@hmdcpa.com; rtapia777@gmail.com; joseb@jonesdrydock.com;
hcarlos@bellsouth.net; asoto171@yahoo.com; bill_riley@ibew349.org; rjruano@ecostratas.com;
gablespar@aol.com; savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Cc: backgroundmusic1@hotmail.com; annpope@bellsouth.net;

Date: Monday, October 19, 2015 2:02 AM

Yolanda Hernandez

10645 SW 158 Pl

Miami , Fl -33196

Phone: 305-380-0183

Miami Dade County

Planning Advisory Board

Oct 16, 2015

Dear Members of the Board

I have been living in The Hammocks for 20 years and I am so excited about the Green City Miami Project. This project will be very good to our community.

This project must be considered to be the prototype of community's project that will create the right balance between nature and people. It will generate hundreds of working positions that will benefit all Kendall residents.

For this and other reasons I am supporting the Green City Miami Project.

Best regards

Yolanda Hernandez

305-979-8011

Attachments

- Yolanda Hernandez.docx (72.52KB)

Subject: Green City Miami Project-Application No. 7 Advisory Board Hearing 10/2015

From: ATCGM@aol.com (ATCGM@aol.com)

To: annpope@bellsouth.net; backgroundmusic1@hotmail.com; ATCGM@aol.com;

Date: Monday, October 19, 2015 3:25 AM

I, Gloria L Morgan am interested in the Green City Miami Project. Application No. 7.
I plan to attend and support the Green City Miami Project. I have been the home owner since 1997 of:

8513 SW 147th, Ct
Miami, Florida 33193

Gloria L Morgan
305-746-2023

Subject: Green City Project**From:** Tiffany Jackson (bootyworktj@gmail.com)**To:** tracey_allison@att.net;**Date:** Friday, October 30, 2015 3:59 PM

The new development project, Green City is projected to be a great asset to the west Miami-Dade County and has my support. The eco-friendly village will not only provide affordable homes for over 11,000 families, it will also provide them with jobs right in the neighborhood, in which will help the traffic congestion we have in Miami. Also the "Sports and Health Village" will bring more exposure and clintal which will provide more revenue not only for the community but will also benefit Miami-Dade as a whole.

--

Thank you
Tiffany Jackson
CEO of Jackson Arts Inc
Dance/Fitness Director

Subject: PAB Hearing Application NO. 7 Green City Miami

From: Daniela Seiler (dseil002@fiu.edu)

To: annpope@bellsouth.net;

Cc: paulwilson1@yahoo.com; jvazquez@facchina.com; PeterDiPace.Esq@gmail.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwblaw.com; raymondm@hmdcpa.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; abao-garciga@miami-airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil; atcgm@aol.com; galayogesh@hotmail.com;

Date: Saturday, October 31, 2015 7:41 PM

Dear Members of the Planning Advisory Board,

I am writing this letter to support the Number 7 Green City Miami Project. My name is Daniela Seiler and I have been a resident of West Kendall all my life. Therefore, I am more than aware of the ongoing congestion that has resulted from our growing city.

Morning and evening rush hour traffic is atrocious (to say the least), and job opportunities are lacking. That is why I firmly believe in the Green City Project. It will create more jobs here in Kendall, and greatly alleviate the traffic during rush hour. Green City will redefine community for us as it serves the people here in more than a residential capacity. It will be an environmentally friendly neighborhood to live, work, learn and play for a variety of individuals and families.

Sincerely,

Daniela Seiler

Subject: I support Green City Project**From:** Imani Simmons (isimm002@fiu.edu)**To:** paulwilson1@yahoo.com; PeterDiPace.Esq@gmail.com; jvazquez@facchina.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwbaw.com; raymondm@hmdcpa.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; abao-garciga@miami-airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;**Date:** Sunday, November 1, 2015 3:01 PM

Hello,
I am writing to you to show my support for the green city project. I believe that the project promotes a healthier and more sustainable lifestyle. The hydroponic farming is a great way to feed the thousands of hungry people in Miami, and since it rains here a lot it would only make sense to choose the hydroponic method. I also believe the sports village will promote a healthy lifestyle and create a plethora of opportunities and creative for the youth.

Have a great Sunday

-Imani Simmons

Subject: Letter of support

From: Darrin Caudle (darrincaudle26@gmail.com)

To: paulvwilson1@yahoo.com; PeterDiPace.Esq@gmail.com; jvazquez@facchina.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwbllaw.com; raymondm@hmdcpa.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; abao-garciga@miami-airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Date: Sunday, November 1, 2015 7:24 PM

Good evening my name is Darrin Caudle,
Based on the information that I received this is how I feel about the Green Project.

I think this is a great idea and a good project for the community I think that the amount of jobs that a project like this will create is awesome. And the fact that it will be self-sustaining community is great because it will require none to minimal external support. Not to mention the relief from the highway congestion which is a daily struggle for everyone; would be great.

I also agree that this should be done sooner than later. In the next 20 years I can only imagine how much the population will grow. I'm from a community similar to the one you're planning to develop not in every way but in some ways. There's nothing like being able to go up the street and have everything including work and play right there at your fingertips. Also I think the renewable energy sources, water harvesting, and the food cultivation will be amazing and very self sufficient. I can't wait to learn more and I hope to be around to see the wonderful idea unfold 20 years from now.

Subject: Email of Support to the Planning Advisory Board Members (Green City Project)

From: Rojasdeisy (rojasdeisy@yahoo.com)

To: paulwilson1@yahoo.com; PeterDiPace.Esq@gmail.com; jvazquez@facchina.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwblaw.com; raymondm@hmdcpa.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; abao-garciga@miami-airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; irodriguez@dadeschools.net;
lawrence.ventura@homestead.af.mil;

Cc: rojasdeisy@yahoo.com;

Date: Sunday, November 1, 2015 8:00 PM

To whom it may concern:

I'm writing in support of the green City project. I reside in West kendall 8620 Sw 149th Avenue for the past 18 years. I'm a single-parent to a wonderful 8 year old boy. I work In Downtown Miami and do to the distance I had to put my son in a charter school that's closer to my job. Half of our time We spend it stuck in traffic.

It takes us two hours and 15 minutes to get home from work/school. Our days are extremely long and the worst part is that Downtown Miami is only 35 minutes away. This is something that we have to go through Monday through Friday. It's extremely frustrating and draining, specially for a kid who has to wake up at 6am to be at school by 8:15 am. When I heard about this wonderful project it brought me so much hope, to know that perhaps now at least we won't need to also travel miles and miles away on our weekends just to find some entertainment. I love Kendall and I really would hate to move. I think that this project would make the lives of so many families a lot more pleasant. It will create jobs, activities, focus center, and so much more. We also deserve to have what Brickell, wynwood, downtown, and so many other places get to enjoy. Why should we be the exception? Anything is possible if we just start seeing the wonderful outcome instead of focusing on the negative. Please Help us become a better community.

Thank you,

Deisy Rojas
796-445-2794

Subject: Green City Project**From:** Raine (lorraine.hurst@gmail.com)**To:** paulvwilson1@yahoo.com; PeterDiPace.Esq@gmail.com; jvazquez@facchina.com;
javier.munoz.mail@gmail.com; reginald.clyne@qpwbllaw.com; raymondm@hmdcpa.com;
RTapia777@gmail.com; joseb@jonesdrydock.com; hcarlos@bellsouth.net; asoto171@yahoo.com;
bill_riley@ibew349.org; rjruano@ecostratas.com; gablespar@aol.com; abao-garciga@miami-airport.com;
savolac@yahoo.com; joejames10@bellsouth.net; lawrence.ventura@homestead.af.mil;**Date:** Sunday, November 1, 2015 9:31 PM

Good evening council

My name is Lorraine Hurst and I am a concern Miami member who is in total favor of the Green City Project. After reviewing the details this is an ideal location for me to get into an area and grow with it. As an independent contractor it would be the perfect place for me to grow and I see myself growing a family and building a business there to help create jobs for my community instead of having to ALWAYS go east I can stay close to home and put money back into the community. I encourage you all to push this project forward.

Regards

Lorraine "Raine" Hurst
Executive Producer
BackGerm Media
917.468.3097
lorraine.hurst@gmail.com
twitter.com/blackgermma
about.me/rainehurst

Subject: GREEN CITY PROJECT INTEREST

From: Gio Dicastro (gio71694@gmail.com)

To: annpope@bellsouth.net;

Date: Sunday, November 1, 2015 10:01 PM

Members of the Planning Advisory Board,

I would like to show my support in the Green City Miami Project. I have lived in Kendall all of my life and feel that this project will help the traffic and give our community an amazing opportunity with new jobs.

I am looking forward to attending this meeting tomorrow to support the Green City project.

Sincerely,

Giovanni Dicastro
10041 Sw 162 Ct Miami, FL 33196
(786)-205-5055

Subject: Green City Project**From:** Daniel Lucas (lucasdanny3@yahoo.com)**To:** annpope@bellsouth.net;**Date:** Monday, November 2, 2015 7:14 AM

Dear Ann:

Congratulations! This proposal is a great idea! It doesn't only looks well-thought but also the phased development makes it realistic.

Surely this is not only a good 'idea' but a multi-faceted solution to our community's many problems: it will create jobs, provides housing and most importantly, it integrates the commercial, residential and social sides in one! That's planning!

Best regards,

Daniel Alicea.

Lucasdanny3@yahoo.com

PAB Exhibit - May 2015, App. 8
Submitted by Applicant

NEIGHBORHOOD PLANNING COMPANY, LLC

MAY 2015 / CDMP AMENDMENT CYCLE
APPLICATION NO . 8



LOCATION

- 54 ± Net / 61 ± Gross
- South of Kendall Drive between 172nd Ave. & Krome Ave.

ABUTTING DEVELOPMENT

- Adjacent is the “Kendall 172 Investors” Property being developed as residential, FPL and Kendall Commons.

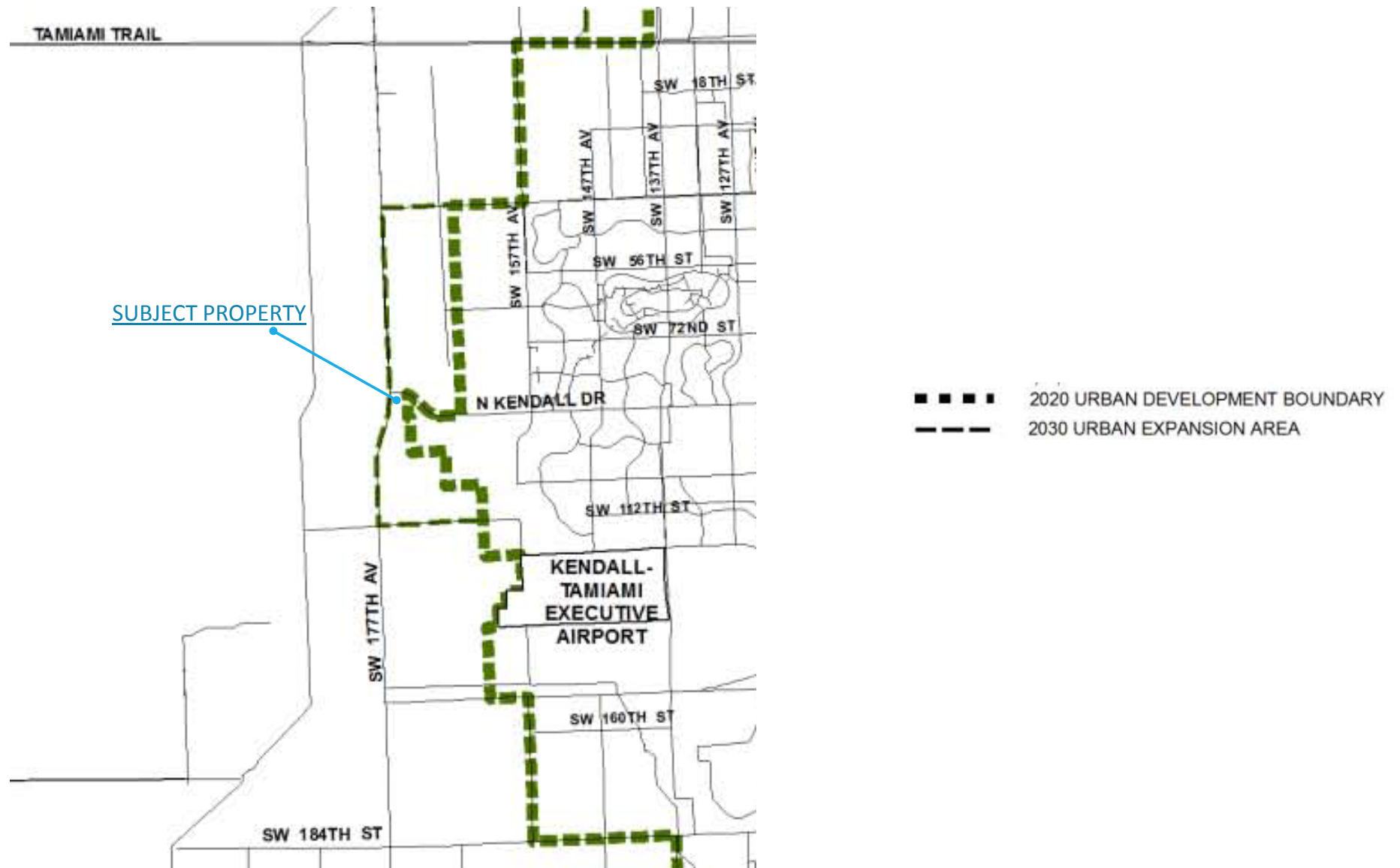


AERIAL PHOTO

AERIAL OVERVIEW

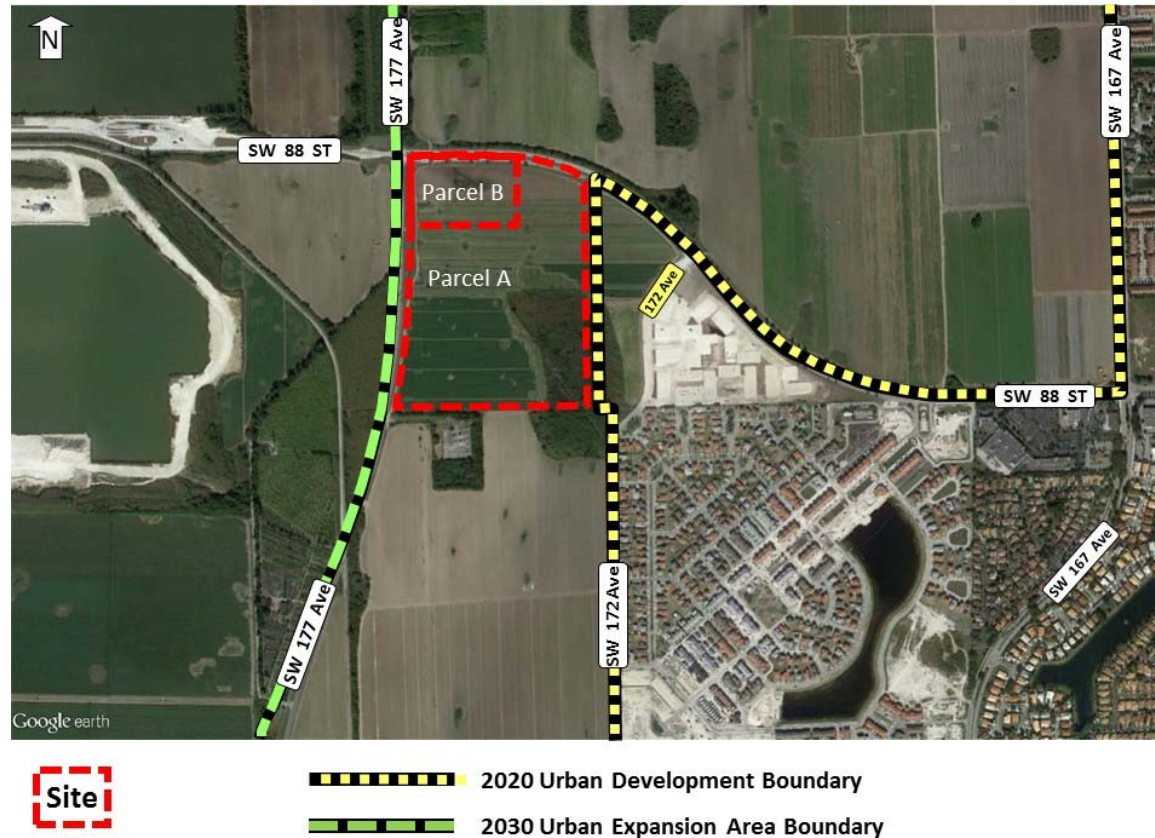


URBAN EXPANSION AREA



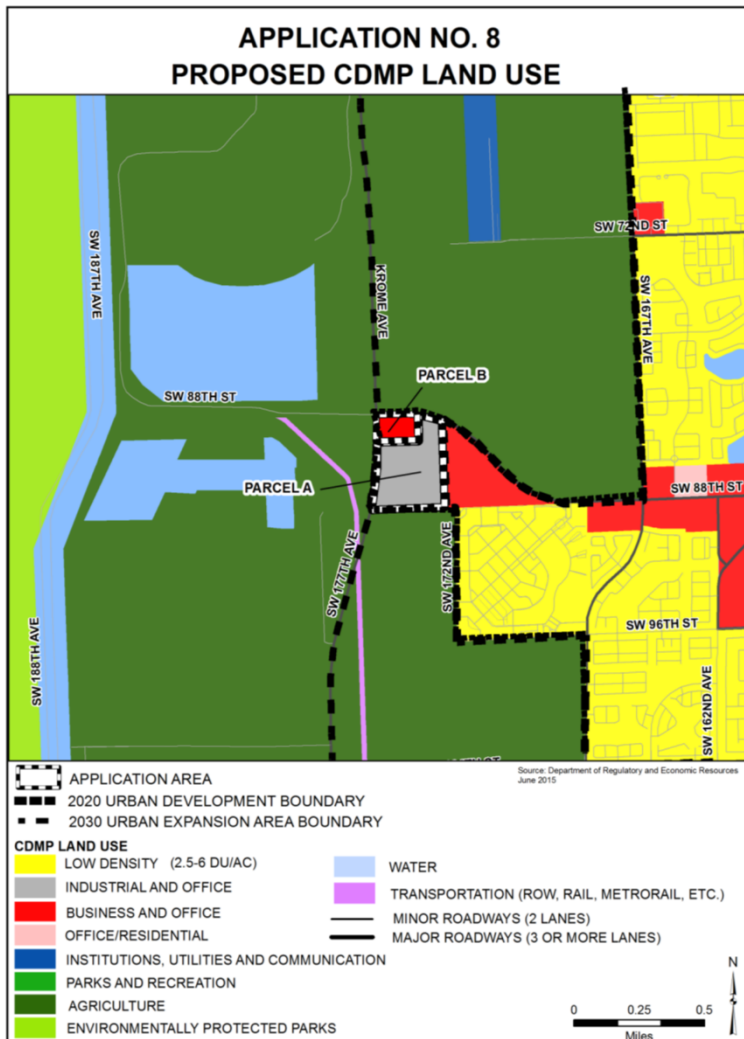
DEVELOPMENT BOUNDARIES

URBAN EXPANSION AREA



The Property is ENTIRELY within the County's Urban Expansion Area. This is the portion of the County that its own plan contemplates to bring into the urbanized area.

REQUESTS



- Redesignate Parcel A to Industrial and Office & Redesignate Parcel B to Business and Office
- Move the UDB to include the property
- Accept Proffered Covenant
 - No Residential Uses
 - No Hazardous Materials

RECOMMENDATIONS

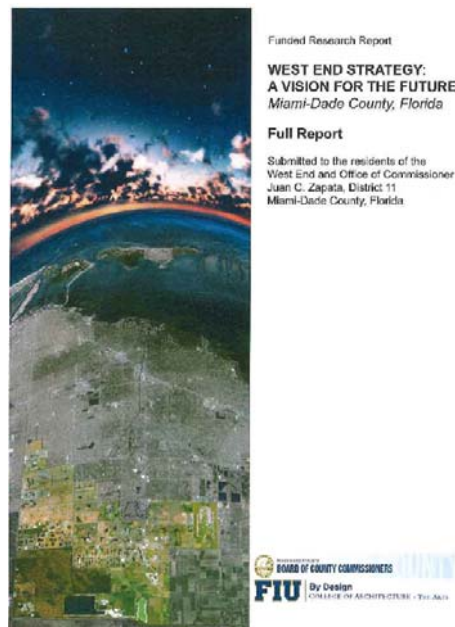
STAFF RECOMMENDATION : DENY

COMMUNITY COUNCIL : APPROVE AND TRANSMIT

WEST END STUDY

The FIU College of Architecture + The Arts, the FIU College of Engineering & Computing, and the FIU Metropolitan Center, a team led by Dr. Winifred E Newman, PI and Kevin Greiner, Co-PI, completed the study “West End Strategy: A Vision for the Future.”

Copyright @ 2015, College of Architecture + The Arts



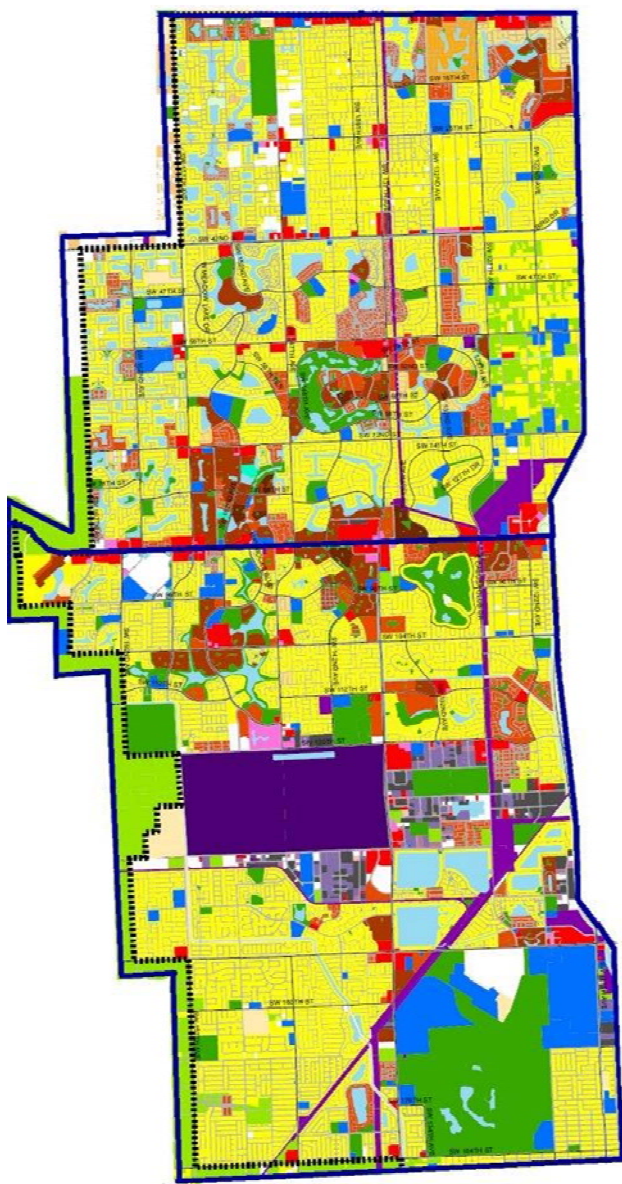
Business Centers are sorely **lacking** in this area of the County and added that they are an **important element in providing balance** to the mix of land uses that predominate in the West End of the County and reduce overall commuting time and volumes.

WEST END STUDY

“This simple characteristic is a major source of the West End’s transportation congestion, long commute times, and congestion on all major routes leading into and out of the area.” (p. 25).

WEST END STUDY

Expanding employment opportunities within the area may be the single most important issue facing the West End. The mismatch between the West End's high number of resident employees (over 105,000) and low number of jobs within the district means that **78% of the West End's residents leave the West end to work each day.**



MINOR STATISTICAL AREAS (MSA) 6.1 AND 6.2

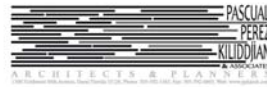
The north boundary of MSA 6.1 extends to SW 8th Street and the south boundary of MSA 6.2 extends to SW 184 St.

Both are bounded on the east by the Turnpike and on the west by Krome. They are divided by Kendall Drive.

MSA	ACRES	POPULATION
6.1	23,476.57	189,888
6.2	27,558.32	151,167

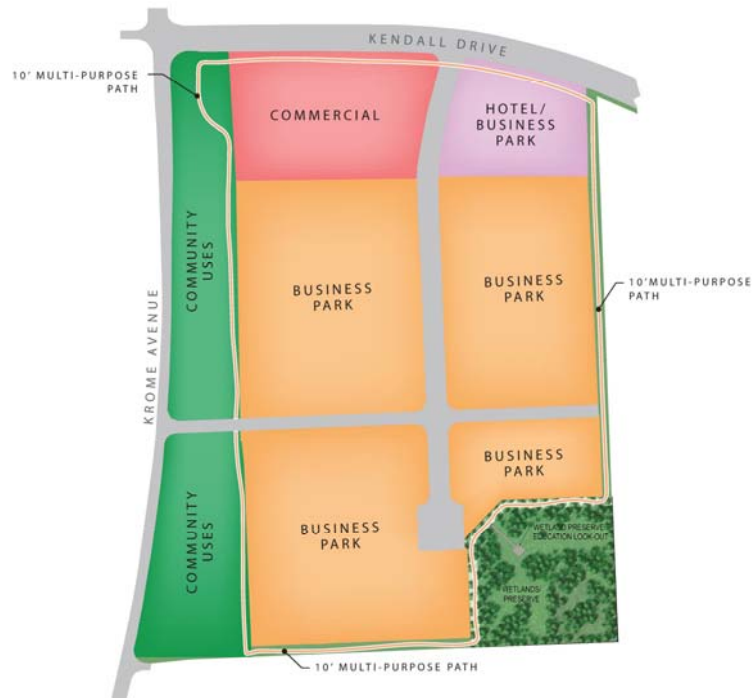
TOTAL POPULATION 341,055

PROPOSED DEVELOPMENT



NPC 53 ACRES - WEST KENDALL		
	SF	Acres
GROSS AREA	2,326,791	53.42
COMMUNITY USES	179,303	4.12
WETLAND/PRESERVE	173,539	3.98
COMMERCIAL	100,000	
BUSINESS PARK	750,000	
TOTAL	850,000	

*ESTIMATE, SUBJECT TO PERMITTING



Bubble Plan

NPC 53 ACRES

- Part of the solution too redress that imbalance is to integrate employment opportunities more closely into these residential areas.
- 850,000 SF of Industrial, Flex Space, Business and Office

BUBBLE PLAN

UDB COMP PLAN PROVISIONS

Future Land Use Policy LU-8F

“The adequacy of land supplies for neighborhood- and community-oriented **business and office uses shall be determined on the basis of localized subarea geography such as Census Tracts, Minor Statistical Areas (MSAs) and combinations thereof.**”

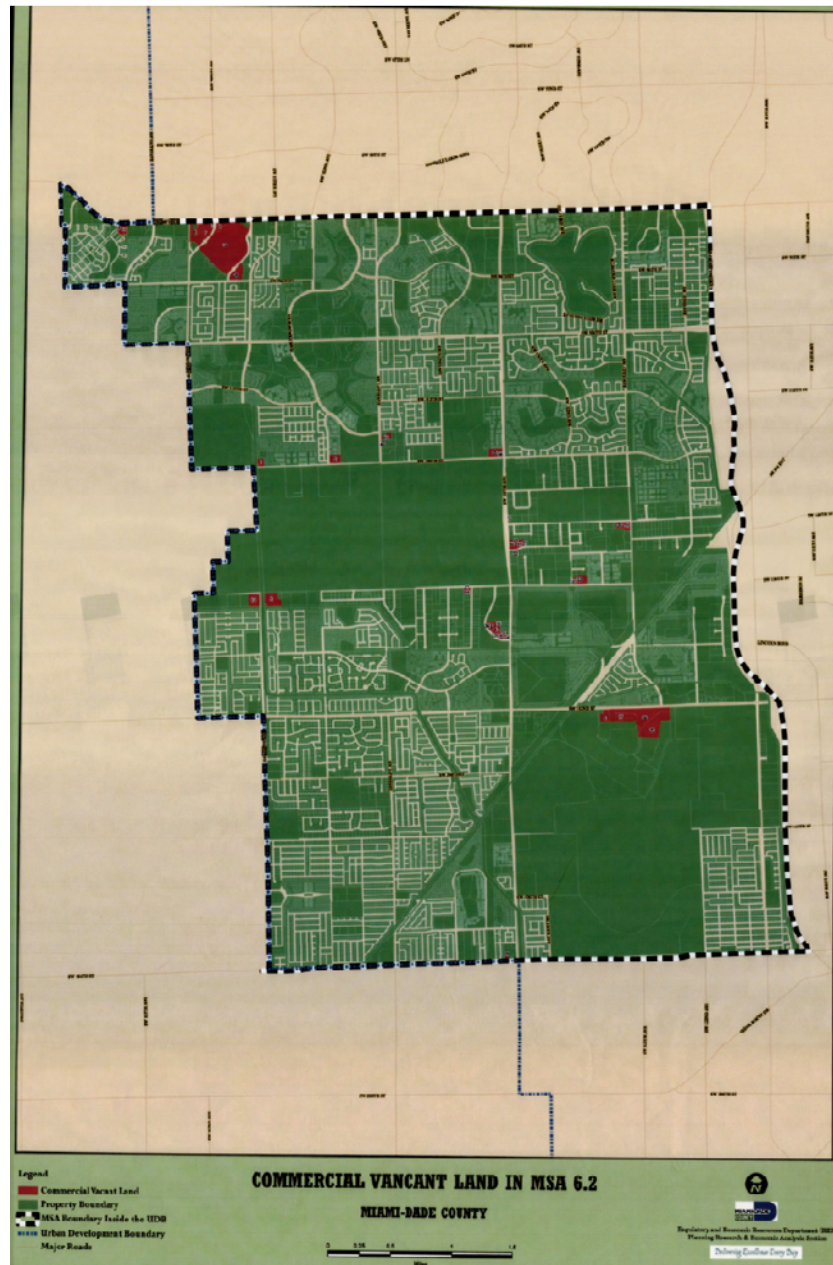
**Need for Business or Office based on
localized subarea geography**

Projected Absorption of Commercial Land
Miami-Dade County, Florida 2015 – 2030
Planning Analysis Tier and Countywide

Tier and Minor Statistical Area	Vacant Commercial Land 2015 (Acres)	Commercial Land in Use 2015 (Acres)	Avg Annual Absorption Rate 2015-2030 (Acres)	Projected Year of Depletion	Commercial Land per Thousand Persons	
					2020 (Acres)	2030
<u>South-Central Tier</u>						
1.2	0.0	77.50	0.08	2015	6.1	6.0
5.2	1.6	216.00	2.04	2016	2.7	2.4
5.3	22.5	587.40	1.14	2030+	4.6	4.4
5.4	5.2	567.70	1.32	2019	5.6	5.5
5.5	2.5	577.60	1.10	2017	7.0	6.7
5.6	4.7	225.60	0.24	2030+	6.9	6.7
5.7	8.2	258.90	0.29	2030+	10.4	10.2
5.8	20.4	95.10	1.32	2030+	3.0	2.8
6.1	33.8	525.10	6.97	2020	2.9	2.7
6.2	214.9	545.60	11.61	2030+	4.8	4.4
Tier Total	313.8	3,676.50	26.13	2027	4.6	4.4
Countywide Total	2,494.4	12,529.2	105.7	2030+	5.5	5.0

-- Insignificant population.

Source: Miami-Dade County, Department of Regulatory and Economic Resources, Planning Division, Research Section, June 2015.



■ Commercial Vacant Land

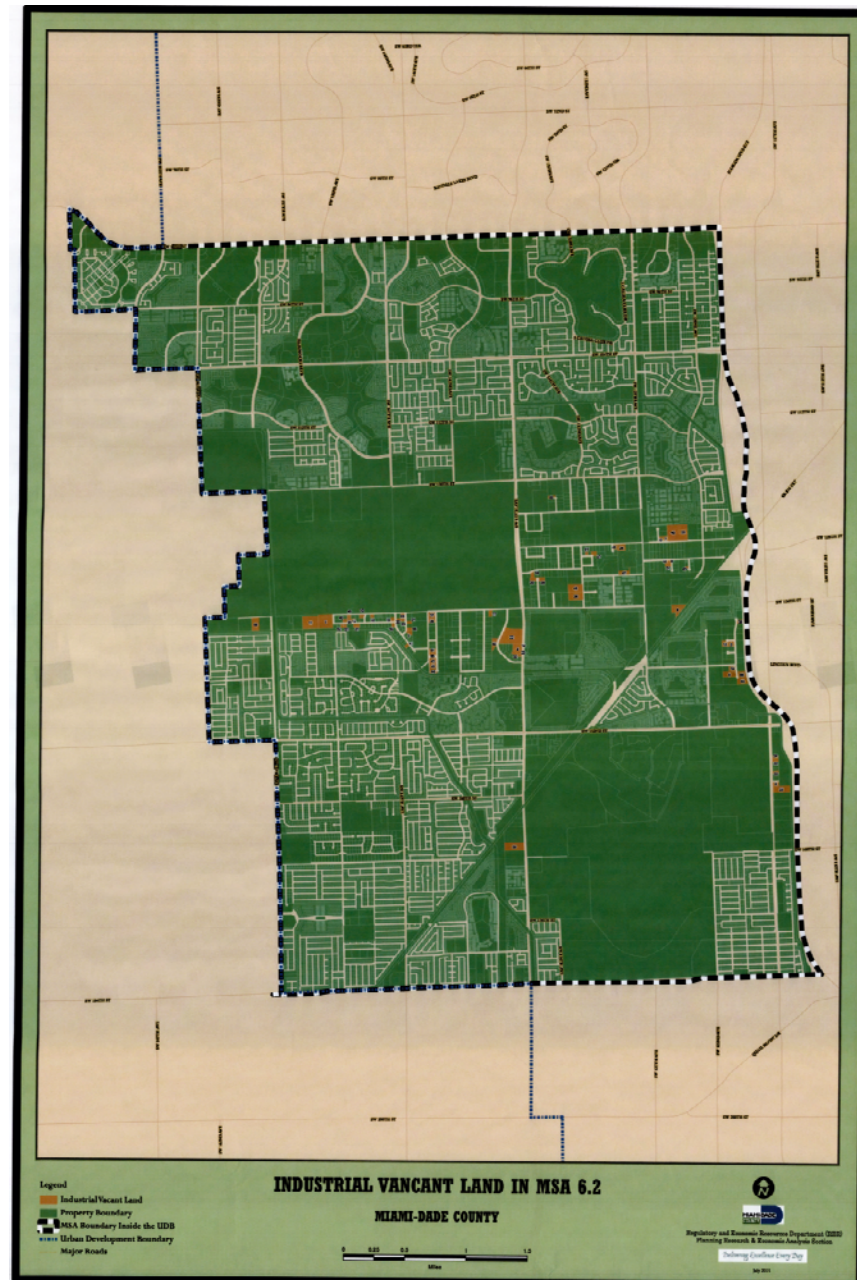
EXISTING VACANT LAND COMMERCIAL MAP

**Projected Absorption of Industrial Land
Miami-Dade County, Florida 2015 - 2030**

Tier and Minor Statistical Area	Vacant Industrial Land 2015 (Acres)	Industrial Land in Use 2015 (Acres)	Avg Annual Absorption Rate 2015-2030 (Acres)	Projected Year of Depletion
<u>South-Central Tier</u>				
1.2	0.00	0.00	0.00	--
5.2	0.00	4.90	0.00	--
5.3	12.40	50.90	0.00	--
5.4	0.50	159.70	0.00	--
5.5	0.00	88.00	1.36	2015
5.6	0.60	13.30	0.09	2022
5.7	0.00	2.10	0.17	2015
5.8	0.00	13.40	0.00	--
6.1	0.00	12.20	0.43	2015
6.2	135.30	627.40	21.81	2021
Tier Total	148.80	971.90	23.86	2021
Countywide Total	3,731.70	12,396.30	167.82	2030+

-- Insignificant Demand

Source: Miami-Dade County, Department of Regulatory and Economic Resources, Planning Division,
Research Section, June 2015.



Industrial Vacant Land

EXISTING VACANT INDUSTRIAL MAP

UDB COMP PLAN PROVISIONS

Future Land Use Policy LU-8G

The comprehensive plan identifies areas where the UDB cannot be expanded, and identifies areas where it should not be expanded – and this property is not in either the “**cannot**” or “**should not**” areas. The Property is **ENTIRELY** within the County's Urban Expansion Area, where expanding the UDB is prioritized and where such expansions are supposed to go.

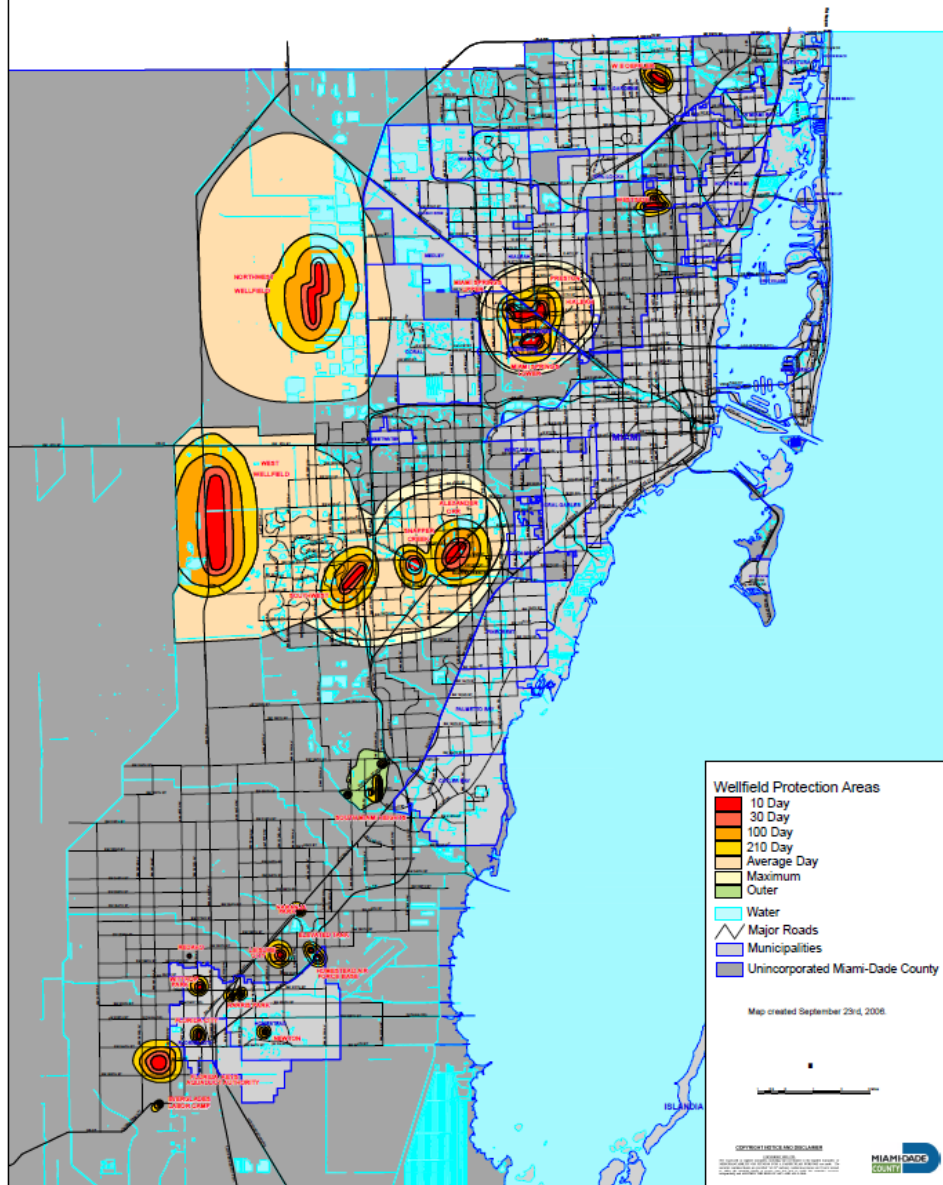
STAFF COMMENTS

- ❑ ABILITY TO CREATE ROBUST EMPLOYMENT CENTER
 - ✓ LOCATION AT KROME AND KENDALL
 - ✓ POPULATION WOULD MAKE IT SECOND LARGEST CITY IN MIAMI-DADE

- ❑ APPLICABILITY OF WEST END STUDY
 - ✓ UDB IS BEYOND SCOPE

- ❑ LOCATION OF BUSINESS NODES
 - ✓ COULDN'T BE BETTER LOCATED
 - ✓ AS OPPOSED TO OTHER AREAS TO THE SOUTH

Miami-Dade County
Wellfield Protection Areas



WELLFIELD IS A
ZONE OF PROTECTION, NOT PROHIBITION

✓ COVENANT COMMITS TO NO
HAZARDOUS WASTE

✓ 210 DAY TRAVEL TIME

WELLFIELD PROTECTION AREAS

STAFF COMMENTS

☐ WETLAND

- ✓ WE ARE NOT WITHIN THE FUTURE WETLAND MAP
- ✓ EXISTING WETLAND SUBJECT TO PERMIT

☐ DEPLETION OF AGRICULTURAL LAND

- ✓ THIS IS NOT PRIME FARMLAND
- ✓ INTRUSION OF DEVELOPMENT TO EAST AND WEST

☐ EASTWARD HO!

- ✓ WEST END STUDY CONCLUDES THAT POLICY HAS HURT WEST KENDALL



Funded Research Report

**WEST END STRATEGY:
A VISION FOR THE FUTURE**

Miami-Dade County, Florida

Full Report

Submitted to the residents of the
West End and Office of Commissioner
Juan C. Zapata, District 11
Miami-Dade County, Florida

Expanding employment opportunities within the area may be the single most important issue facing the West End. The mismatch between the West End's high number of resident employees (over 105,000), and low number of jobs within the district means that 78% of the West End's residents leave the West End to work each day. This simple characteristic is a major source of the West End's transportation congestion, long commute times, and congestion on all major routes leading into and out of the area. This situation is highly unsustainable.

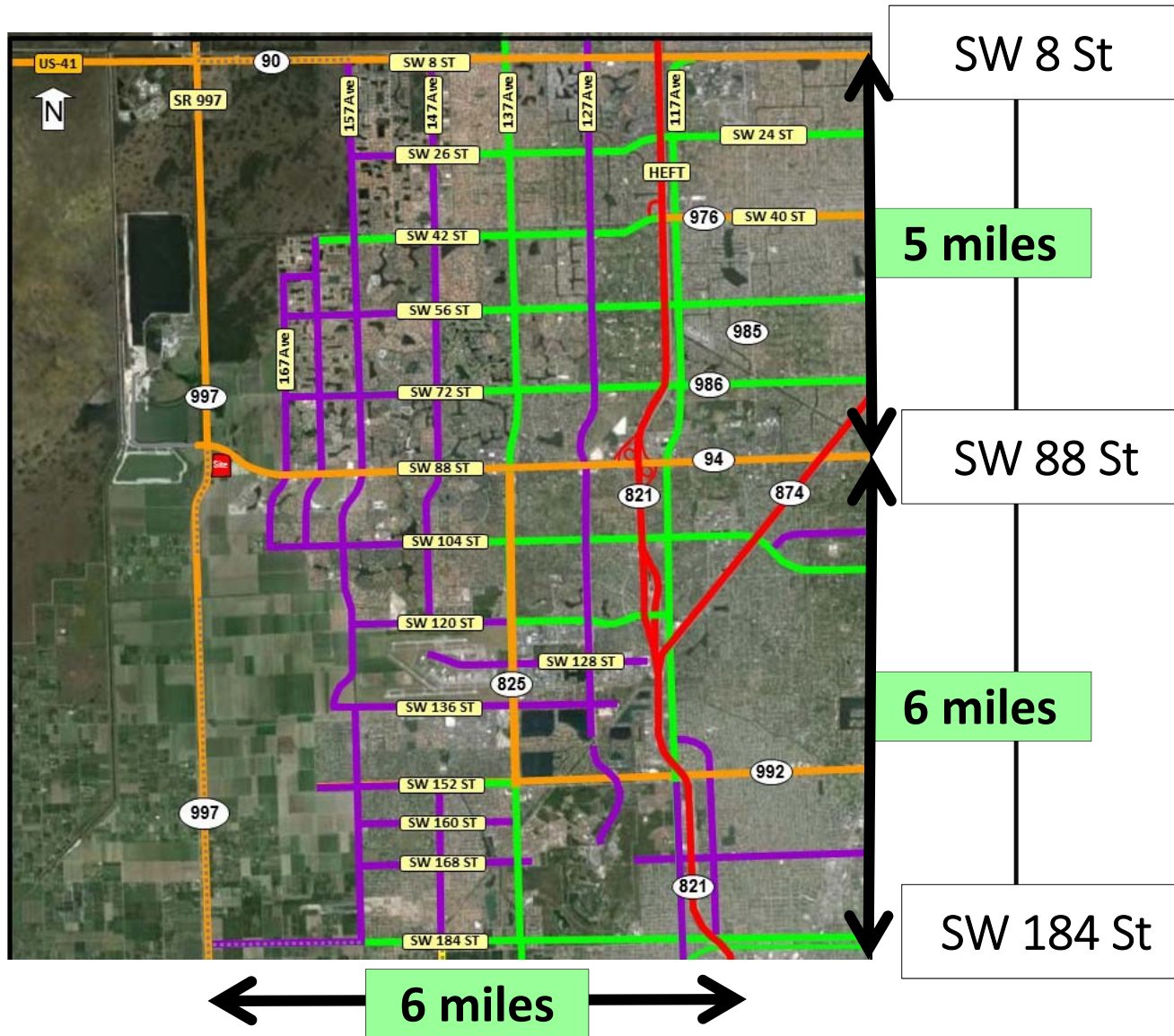
Failure to address this issue in the short and long term will negatively affect the West End's quality of life, desirability as a place to live, the housing market and the environmental quality. It also negatively impacts regional transportation efficiency and the region's ability to effectively compete for firms seeking to relocate into the area.

INSIDE THE URBAN EXPANSION AREA



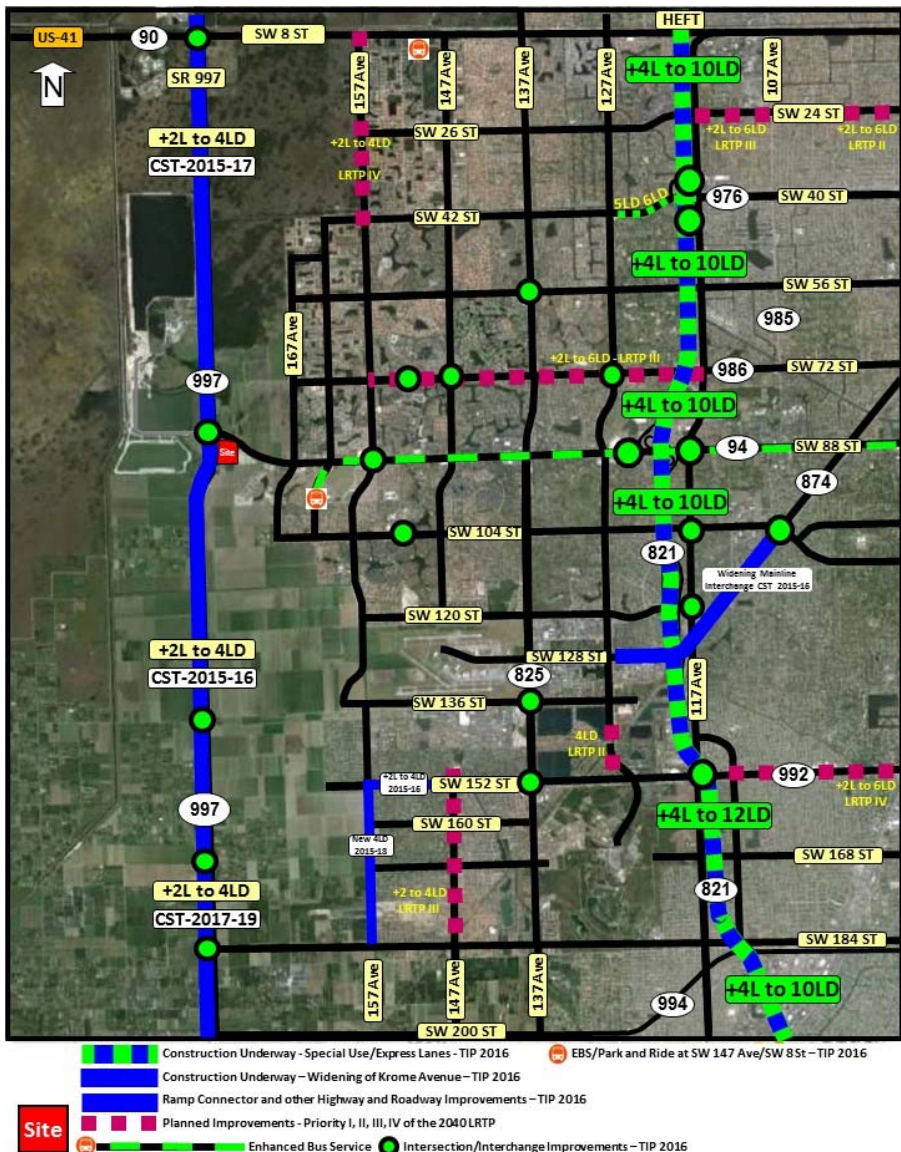
-  2020 Urban Development Boundary
-  2030 Urban Expansion Area Boundary

EXCEPTIONAL ACCESS TO ARTERIAL ROADWAYS

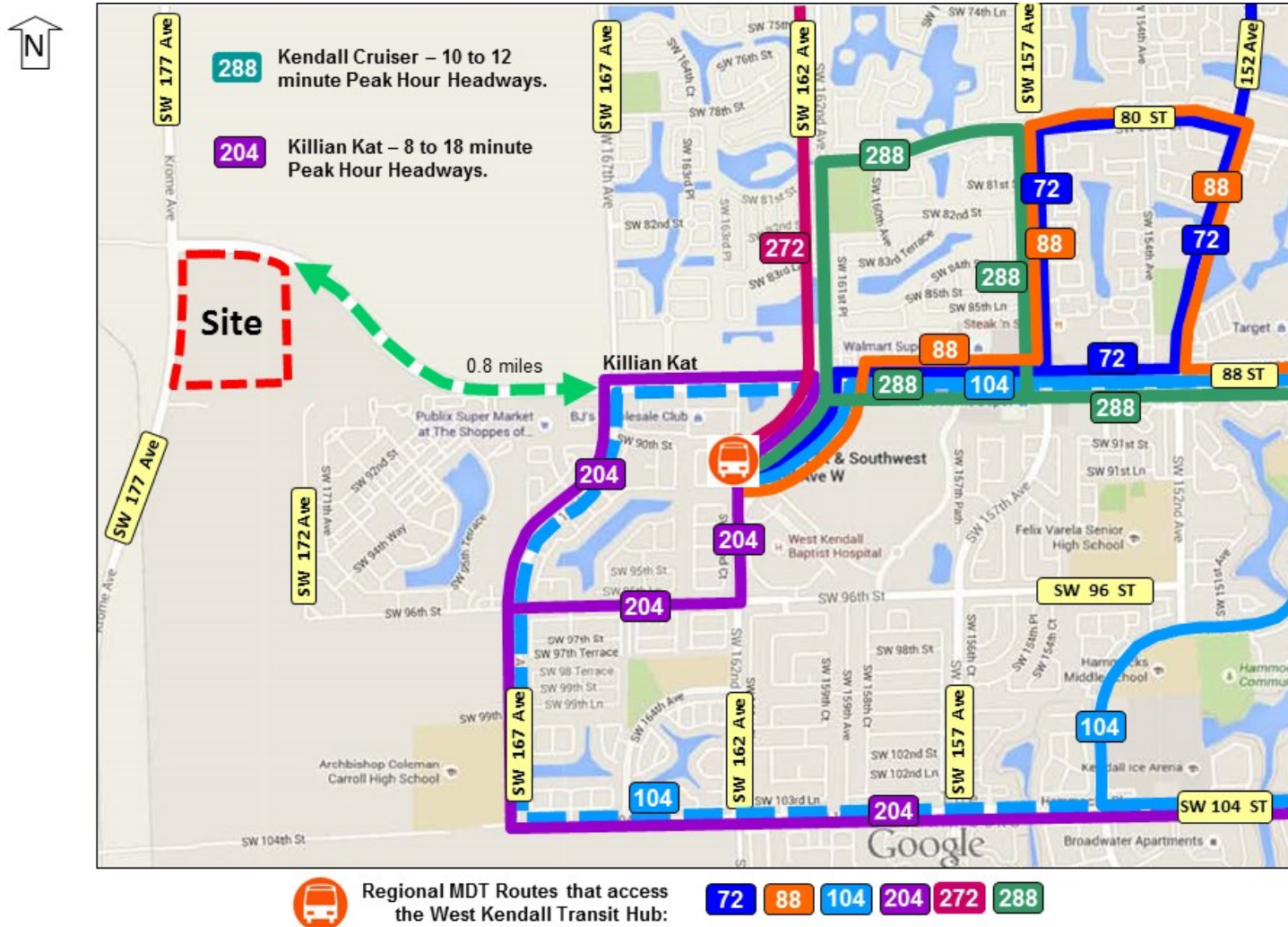


Study Area Limits
North – SW 8 St
South – SW 184 St
East – SW 117 Ave
West – SW 177 Ave

COMPREHENSIVE AND SIGNIFICANT ROADWAY IMPROVEMENTS

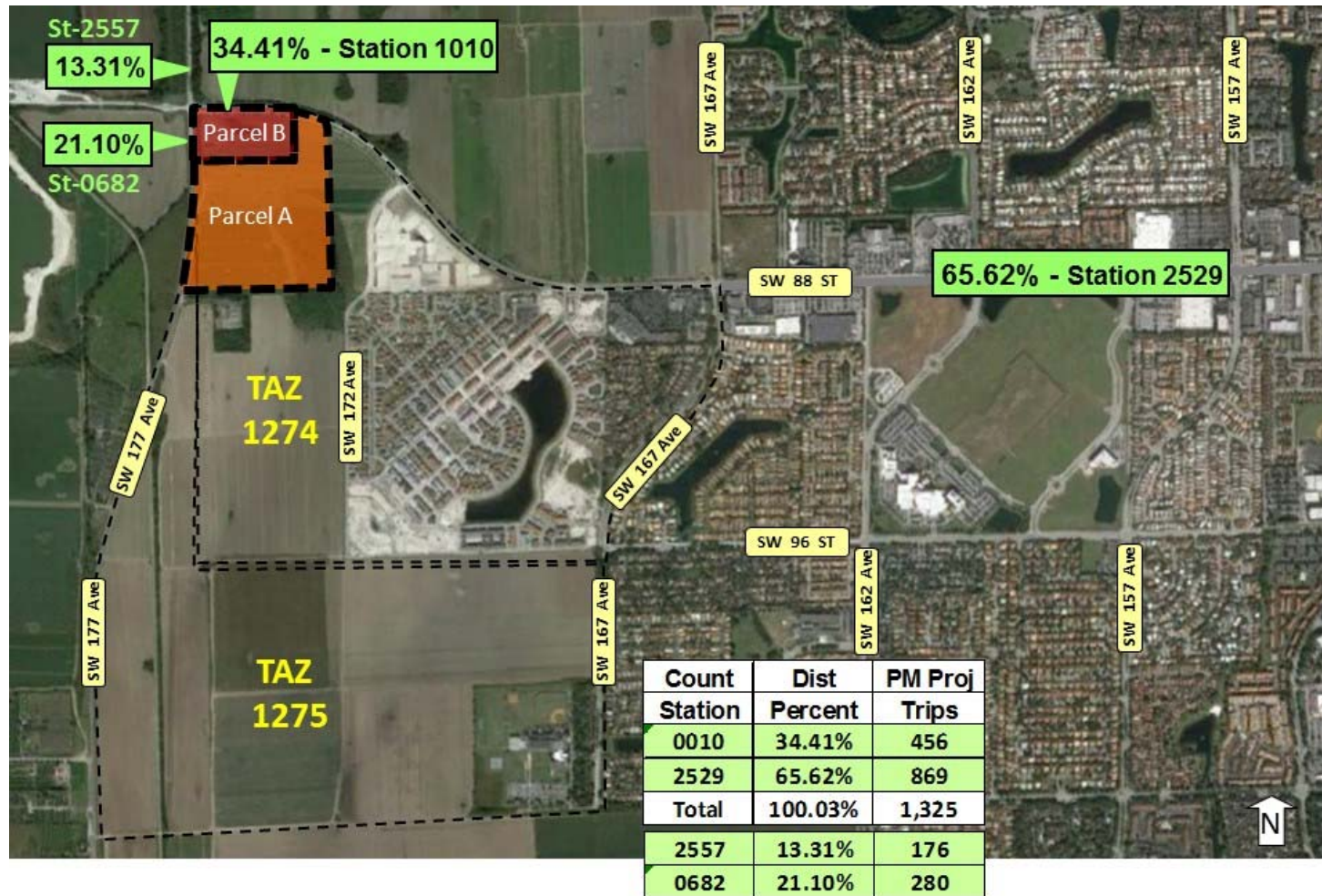


TRANSIT ACCESS



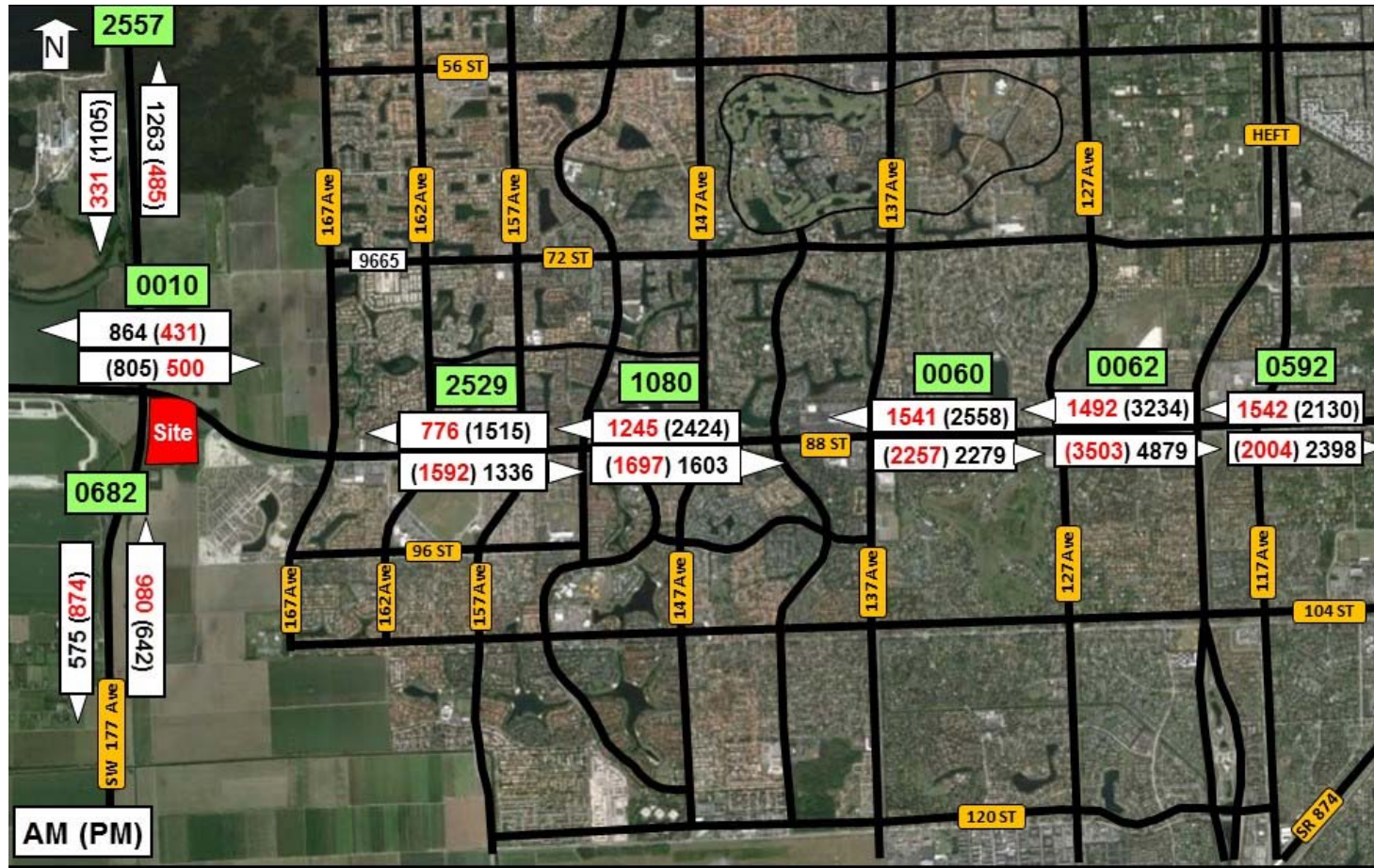
Transit Access – Express Bus within 1 mile of Site

MEETS TRAFFIC CURRENCY



Meets Traffic Concurrency on First Directly Accessed Stations

REVERSE COMMUTE OPPORTUNITIES



Reverse Commute Traffic Patterns Demonstrate
Lower Volumes and/or Available Roadway Capacity

REMEMBER

❖ **341,055**

POPULATION OF WEST END

❖ **105,000**

WORKERS THAT **LIVE** IN WEST END

❖ **80,000**

WORKERS WHO **LEAVE** WEST END

78% OF THE POPULATION LEAVES THE WEST END TO WORK

APPROVED BY COMMUNITY COUNCIL