

**APPLICATION NO. 2  
SMALL-SCALE AMENDMENT APPLICATION**

<b>Applicant</b>	<b>Applicant's Representative</b>
TEPA Properties LLC c/o Gerardo Arquero-Pereda 9411 SW 112 Street Miami, Florida 33176	Jonathan J. Coto, Esq & Rene J. Garcia, Jr. Esq Coto Garcia PLLC 141 Sevilla Avenue Coral Gables, Florida 33134 (305) 860-1008

**Requested Amendment to the Land Use Plan Map**

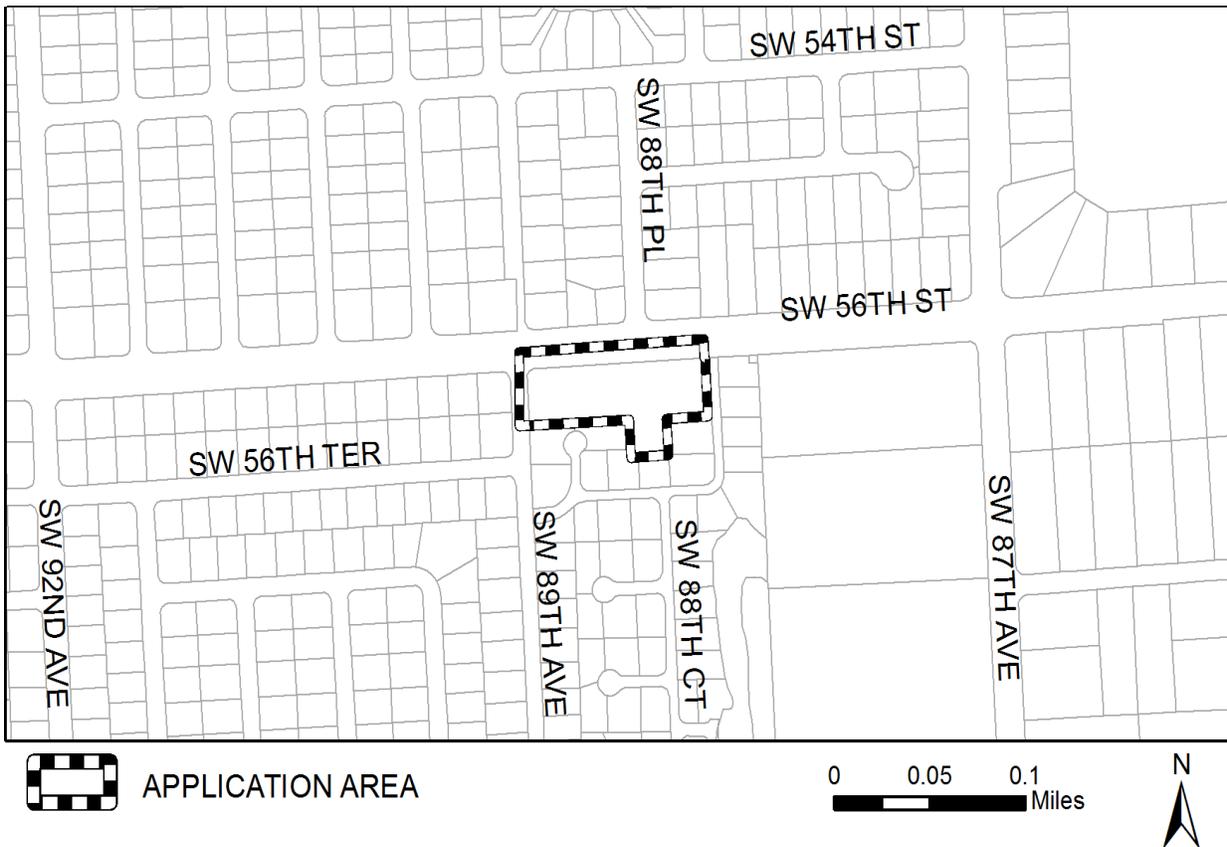
Redesignate the application site on the Land Use Plan map

From: "Low Density Residential (2.5 to 6 dwelling units per gross acre)"  
To: "Business and Office"

Location: Southeast corner of the intersection of SW 56 Street (Miller Road) and SW 89 Avenue.

Acreage of Application area: ±2.46 gross acres; ±1.87 net acres

Acreage Owned by Applicant: ±1.87 net acres



**Notes:**

1. This page is not part of the Application that was filed by the applicant.
2. The Disclosure of Interest published herein contains only those applicable pages; all others were deleted.

**APPLICATION FOR A SMALL-SCALE AMENDMENT TO THE  
LAND USE PLAN MAP OF THE MIAMI-DADE COUNTY  
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

TEPA PROPERTIES LLC  
c/o Gerardo Arquero-Pereda  
9411 S.W. 112 St  
Miami, Florida 33176

2. APPLICANT'S REPRESENTATIVE

Jonathan J. Coto, Esq.  
René J. García, Jr. Esq.  
Coto Garcia PLLC  
141 Sevilla Avenue  
Coral Gables, Florida 33134

2015 MAY 29 P 3:47  
PLANNING & ZONING  
METROPOLITAN PLANNING SECT

By:   
\_\_\_\_\_  
Jonathan J. Coto, Esq.

05-29-15  
\_\_\_\_\_  
Date

By:   
\_\_\_\_\_  
René J. García, Jr. Esq.

5/29/15  
\_\_\_\_\_  
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. Changes to the Land Use Plan Map.

Applicant requests changes to the Land Use Plan (LUP) map designation on the subject property from "Low Density Residential" to "Business and Office"

B. Description of the Subject Property (the "Property").

The Property contains approximately  $\pm$  2.46 gross acres ( $\pm$  1.87 net acres) and is located on the southeast corner of the intersection of SW 89<sup>th</sup> Avenue and SW 56<sup>th</sup> Street in Section 28 Township 54, Range 40, according to the Plat thereof, as recorded in Plat Book 90, at Page 82, of the Public Records of Miami-Dade County, Florida. The Property is more specifically described in Exhibit "A" to this application.

C. Gross and Net Acreage.

Application area:  $\pm$  2.46 gross acres ( $\pm$  1.87 net acres)  
Acreage Owned by Applicant  $\pm$  1.87 net acres.

D. Requested Change.

- i. It is requested that the application area be re-designated on the Land Use Plan map from "Low Density Residential" to "Business and Office."
- ii. It is also requested that this application be processed as a Small-Scale Amendment under the expedited procedures.

4. REASONS FOR AMENDMENT

The Applicant requests the Property be re-designated from "Low Density Residential" to "Business and Office" on the Land Use Plan (LUP) Map of the Miami-Dade County Comprehensive Development Master Plan. The proposed amendment is requested to revise a designation existing on the Property predating the enactment of the Comprehensive Development Master Plan.

The Property enjoys direct frontage on one major roadway, SW 56<sup>th</sup> Street, and is located one block west of another major roadway, SW 87<sup>th</sup> Ave. Despite the Property being designated "Low Density Residential," a restaurant has lawfully operated under BU-1A zoning since 1975. The Property's continuous permissible commercial use, in conjunction with its proximity to a major intersection warrants re-designation of the Property to "Business and Office."

The proposed amendment is in-line with the Comprehensive Development Master Plan's Goals, Objectives and Policies of balancing the conservation of land and natural resources with encouraging sufficient development to accommodate the needs of the community. The existing use of the Property as a restaurant is currently compatible with the community, therefore, in accordance with the CDMP's elements of preservation and sustainability. The community will continue to benefit from the existing commercial use of the Property, without depleting any land presently used for residential use or re-directing resources away from the community. To that end, approval of the re-designation from "Low Density Residential" to "Business and Office" will be strictly consistent with the Comprehensive Development Master Plan.

Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses.

Any concerns as to access, traffic, and connection to the Property are mitigated by its proximity to existing major thoroughfares (SW 87<sup>th</sup> Avenue and SW 56<sup>th</sup> Street) and by its position on existing county bus routes, which link to county's Metrorail network. The Property is effectively linked to already existing mass traffic-transit corridors and infrastructure, while simultaneously synced with existing public transit framework.

As such, the Applicant considers an approval of this application a judicious and appropriate correction to the Land Use Plan map of the Miami-Dade County Comprehensive Development Master Plan while reducing the stress placed on existing commercial services to the community due to the dearth of said services.

**LAND USE OBJECTIVE 1:** The location and configuration of Miami-Dade County's urban growth through the year 2025 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.

**LAND USE POLICY 1G:** Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. □

**LAND USE OBJECTIVE 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.

**LAND USE POLICY 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. □

**LAND USE POLICY 8E:** Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated to consider 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; and □

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.

**LAND USE OBJECTIVE 10:** Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multimodal transportation systems.

**LAND USE POLICY 10A:** Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation. ☐

#### 5. ADDITIONAL MATERS SUBMITTED

Additional items in support of this application may be submitted at a later date.

#### 6. COMPLETE DISCLOSURE FORMS

Attached as Exhibit "C"

Attachments:

- |                                    |               |
|------------------------------------|---------------|
| Legal Descriptions of the Property | – Exhibit "A" |
| Location Map for Application       | – Exhibit "B" |
| Disclosure of Interest             | – Exhibit "C" |
| Certified Survey                   | – Exhibit "D" |

## 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  $S89^{\circ}36'00''W$  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  $S00^{\circ}03'15''W$  for 150.01 feet; thence  $S89^{\circ}36'00''W$  for 103.56 feet; thence  $S00^{\circ}24'00''E$  for 65.00 Feet; thence  $S89^{\circ}36'00''W$  for 115.00 feet; thence  $N00^{\circ}24'00''W$  for 65.00 feet; thence  $S89^{\circ}36'00''W$  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":  $N00^{\circ}02'10''E$  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  $89^{\circ}33'50''$  for an arc distance of 39.08 feet to the point of tangency; thence  $N89^{\circ}36'00''E$  for 468.80 feet to the Point of Beginning.

Folio No. 30-4028-023-0020

## Exhibit "B"

### Location Map for Application

#### Applicant

Tepa Properties LLC

#### Description of Subject Area

The Property contains approximately  $\pm$  2.46 gross acres ( $\pm$  1.87 net acres) and is located on the southeast corner of the intersection of SW 89<sup>th</sup> Avenue and SW 56<sup>th</sup> Street in Section 28 Township 54, Range 40, according to the Plat thereof, as recorded in Plat Book 90, at Page 82, of the Public Records of Miami-Dade County, Florida. The Property is more specifically described in Exhibit "A" to this application.

#### Location Map



**EXHIBIT "C"**

**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: Tega Properties, LLC, a Florida Limited Liability Company

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.

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>ACRES</u>
<u>A</u>	<u>Tega Properties, LLC.</u>	<u>30-4028-023-0020</u>	<u>+/- 1.87net</u>

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2. above.

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACT FOR PURCHASE</u>	<u>OTHER</u>
<u>A</u>	<u>X</u>			<u>*</u>

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.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	*

- 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: Tepa Properties, LLC.

<u>NAME, ADDRESS, OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
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\*\*\*Please see Attached "Disclosure of Interest for Tepa Properties LLC"\*\*\*

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- 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: N/A \*

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
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N/A	*
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The above is a full disclosure of all parties of interest in this application to the best of my knowledge and behalf.

TEPA PROPERTIES LLC

BY: \_\_\_\_\_

PRINT NAME: GERARDO ARQUEZO

TITLE: MANAGER

Sworn to and subscribed before me on this 29 day of May, 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 registered 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 FOR TEPA PROPERTIES, LLC.**

