

MAY 2015
APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT
MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA



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MAY 2015
APPLICATIONS TO AMEND
THE COMPREHENSIVE DEVELOPMENT
MASTER PLAN

June 22, 2015

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BACKGROUND AND INTRODUCTION

The purpose of this report is to present the applications to amend the Miami-Dade County Comprehensive Development Master Plan (CDMP), which were filed for evaluation during the May 2015 amendment review cycle. Amendments to the CDMP may be needed to correct an error, to reflect changing circumstances or conditions in the community, or to improve the ability of the CDMP to fulfill its purposes and goals. This report contains the tentative schedule of activities for this amendment review period, a table summarizing all of the applications, followed by a copy of each application, among other information.

Section 2-116.1 of the Miami-Dade County (County) Code establishes the exclusive procedures for the CDMP to be evaluated and amended periodically, usually semiannually. These procedures involve thorough reviews by the County, the State Land Planning Agency and other state and regional agencies (reviewing agencies) as required by Chapter 163, Florida Statutes (F.S.). Current procedures provide for the filing of applications in the months of May and November, staff analysis of the applications and public participation in the amendment process, which generally takes eleven months to complete. CDMP components eligible for amendment during the various semiannual filing periods are summarized below*.

Application Filing Period/Cycle (month)	CDMP Components Eligible for Amendment	
	Even Numbered Years	Odd-Numbered Years
May Filing Period	All Components Except UDB, UEA and Land Use Outside UDB	All Components Including UDB and UEA
November Filing Period	All Components Except UDB, UEA and Land Use Outside UDB	All Components Except UDB and UEA and Land Use Outside UDB

*Source: Section 2-116.1, Code of Miami-Dade County.

Each CDMP amendment application will be thoroughly evaluated by the Department of Regulatory and Economic Resources (Department) in coordination with other County departments and will be subject to further review at a series of public hearings. The final action adopting, adopting with change, or denying each or all of the applications will be made by the Miami-Dade Board of County Commissioners (Board). Further details about the hearings and the review process are discussed in the next section.

Application Review Process and Schedule of Activities

The following is a summary of the CDMP review and amendment activities and the tentative schedule as required by Section 2-116.1, Code of Miami-Dade County (See Table 1). After all privately filed applications were finalized, the Department published this Applications Report on June 22, 2015, presenting all applications filed.

The review process is primarily done in two phases. In the first phase, the Department will evaluate each application and submit its recommendations to the Planning Advisory Board (PAB) and the directly affected Community Councils regarding each requested change in an Initial Recommendations report due to be published on or before August 25, 2015. Each directly affected Community Council in which a proposed amendment to the Land Use Plan map is located, may, at its option, hold a public hearing in September 2015 to discuss the application(s), and to formulate recommendation(s) to the PAB and the Board regarding the request(s). The PAB acting as the County's Local Planning Agency (LPA), pursuant to Part 2 of Chapter 163, Florida Statutes (F.S.) will then hold one public hearing scheduled for October 19, 2015 to receive comments on the proposed amendments and consider the Department's initial recommendations, and to formulate its recommendations to the Board. The LPA's recommendations will address adoption of requested "small-scale" amendments and transmittal of the "standard" amendments to the reviewing agencies for review and comment. The Board will conduct one public hearing scheduled for November 18, 2015, to consider taking final actions on the requested "small-scale" amendments and to address transmittal of the "standard" amendments to the reviewing agencies. Transmittal of "standard" amendment applications to the reviewing agencies for review and comment does not constitute adoption of the requested amendments.

The second phase of the review process begins after transmittal of the applications to the reviewing agencies, which is expected to occur in or about December 2015. The reviewing agencies are each expected to issue their comments in or about January 2016 addressing all transmitted applications. During the review period for the reviewing agencies, the Department will also review comments received at the transmittal hearings and any additional document/materials submitted, and may issue a Final Recommendations report to reflect any new information received prior to the final public hearing. The Department may also address any issues raised by the reviewing agencies in their respective comments in the Final Recommendations report. The Board will conduct a final public hearing to be scheduled in February or March 2016 at which it will take final actions on the pending amendment applications. Final action by the Board will be to adopt, adopt with change, or not adopt each or all of the transmitted applications.

Outside this regular CDMP amendment process, requests to amend the CDMP can be made only by the Board under a "Special" amendment process, or by an application for concurrent approval, or amendment of a Development of Regional Impact (DRI). Procedures for processing such "Special Amendment" or "Concurrent DRI/CDMP" amendments are established in Section 2-116.1 of the County Code.

Table 1
Tentative Schedule of Activities
May 2015-2016 CDMP Amendment Cycle

Pre-application Conference	Prior to May 1, 2015
Application Filing Period	May 1 to June 1, 2015
Deadline to withdraw Application and obtain Return of Full Fee. Notify applicant of deficiencies.	June 8, 2015
Deadline for resubmittal of unclear or incomplete Applications	Seventh business day after Notice of Deficiency
Applications Report published by Department	June 22, 2015
Deadline for submitting Technical Reports	July 1, 2015
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	July 29, 2015
Initial Recommendations Report released by Department	August 25, 2015
Community Council(s) Public Hearing(s)	Specific date(s) to be set in September 2015
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Public Hearing to formulate Recommendations regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to State Land Planning Agency (SLPA)	October 19, 2015 County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Board of County Commissioners (Board) Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to SLPA	November 18, 2015 County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Transmittal to SLPA and other Reviewing Agencies	December 2015** (Approximately 10 days after Board Transmittal Hearing)
Deadline for Filing Supplementary Reports by the Public	Thirty (30) days after Board transmittal hearing
Receipt of Comment Letters from Reviewing Agencies	January 2016** (Approximately 30 days after Transmittal)
Public Hearing and Final Action on Applications: Board	Specific date(s) to be set in February or March 2016** (No later than 45 days after receipt of Comment Letters from reviewing agencies)

Note: ** Estimated Date.

Dates are subject to change. All hearings will be noticed by newspaper advertisement.

Small-Scale Amendments

A procedure is provided for the expedited processing of "Small-scale" amendments to the Land Use Plan map as defined in Amended Section 163.3187(2), F.S. This procedure authorizes the Board to take final action on small-scale requests to amend the Land Use Plan map at the May 2015 transmittal public hearing. An amendment application is eligible for expedited processing as a "Small-scale" amendment under the following conditions:

1. The proposed amendment involves a land use change of 10 acres or less.
2. The cumulative annual acreage of all small-scale amendments shall not exceed 120 acres.
3. The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible under this section.

Any applicant who wants his/her eligible application processed under the expedited "Small-scale" amendment procedure must explicitly make such a request in the application. Generally, "Small-scale" amendments will not be reviewed by the SLPA or issued a notice of intent, and will take effect 31 days after adoption by the Commission unless a challenge is timely filed against the amendment.

Six (6) of the applications (Application Nos. 1 through 6), filed by private parties in the May 2015 CDMP Amendment Cycle are eligible and have requested to be processed under the small-scale amendment procedure.

Prohibition on Argument or Representation Regarding Proposed Specific Future Uses Without Proffering a Declaration of Restrictions

According to County Ordinance 03-40 pertaining to CDMP procedures, no applicant or applicant's representative seeking a recommendation for approval or approval of an amendment to the Land Use Plan map shall be permitted to argue or represent to the Board or other recommending County board a specific future use or uses for an application site without such representation being proffered in a Declaration of Restrictions (covenant). The representation cannot include a specific use or uses or exclude a use or uses authorized by the proposed land use designation, unless the applicant has submitted a covenant committing to such representation for the subject property, which has been submitted to the Director and has received approval as to form. The covenant and associated opinion of title and joinders must be submitted to the Metropolitan Planning Section of the Department and a copy to the Office of the Assistant Director for Planning on the 12th floor. The applicant or applicant's representative should also deliver the fully executed documents with all signatures on the covenant, Opinion of Title, any and all joinders to the Metropolitan Planning Section. The Department will hold the final executed covenant until such time as the expiration of the challenge period and the adopted amendment becomes effective. The Department Administrative Staff will then contact the applicant(s) or the applicant's representative(s) for payment of the appropriate fee before recording the covenant through the Clerk of the Courts Office.

Deadlines for Submitting Declaration of Restrictions By Applicants

The Department has established deadlines for the submission of Declaration of Restrictions at different stages throughout the CDMP application review process. These deadlines allow for adequate review of proffered Declaration of Restrictions by the Department, and for consideration by the affected Community Councils, the Planning Advisory Board and the Board of County Commissioners at their respective public hearings. The table below indicates these deadlines:

Table 2
Declaration of Restrictions Deadlines
May 2015-2016 CDMP Amendment Cycle

Deadline for submitting Declaration of Restrictions to be considered in the Initial Recommendations Report	July 29, 2015
Deadline for submitting new or revised Declaration of Restrictions to be considered at Community Council(s) Public Hearing(s)	17 days prior to Community Council hearing
Deadline for submitting new or revised Declaration of Restrictions to be considered at Planning Advisory Board (PAB) Hearing Regarding Adoption of Small-Scale Amendments and Transmittal/Adoption of Standard Amendments	17 days prior to PAB Hearing
Deadline for submitting new or revised Declaration of Restrictions to be considered at Board of County Commissioners (Board)'s Hearing Regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendments	17 days prior to BCC Hearing
Deadline for submitting Declaration of Restrictions to be considered in the Final Recommendations Report	17 days prior to BCC Final Hearing
Deadline for submitting Declaration of Restrictions to be considered at BCC Hearing Regarding Adoption of Standard Amendments	17 days prior to BCC Final Hearing

Additional Information

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

OVERVIEW OF THE MAY 2015 AMENDMENT APPLICATIONS

A total of eight (8) applications (Application Nos. 1 through 8) were filed, all by private parties, and are being evaluated in the May 2015 CDMP Amendment Cycle. Application Nos. 1, 2, 3, 4, 5 and 6 are eligible small-scale applications requesting amendments to the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map. Application Nos. 7 and 8 are standard applications requesting amendments to the LUP map and expansion of the 2020 Urban Development Boundary (UDB) to include the application site. Application No. 7 also requests changes to the CDMP Land Use Element text and to maps within the CDMP Transportation Element. Each application is further described in Table 3 below and their general locations are identified in Figure 1 on Page 5.

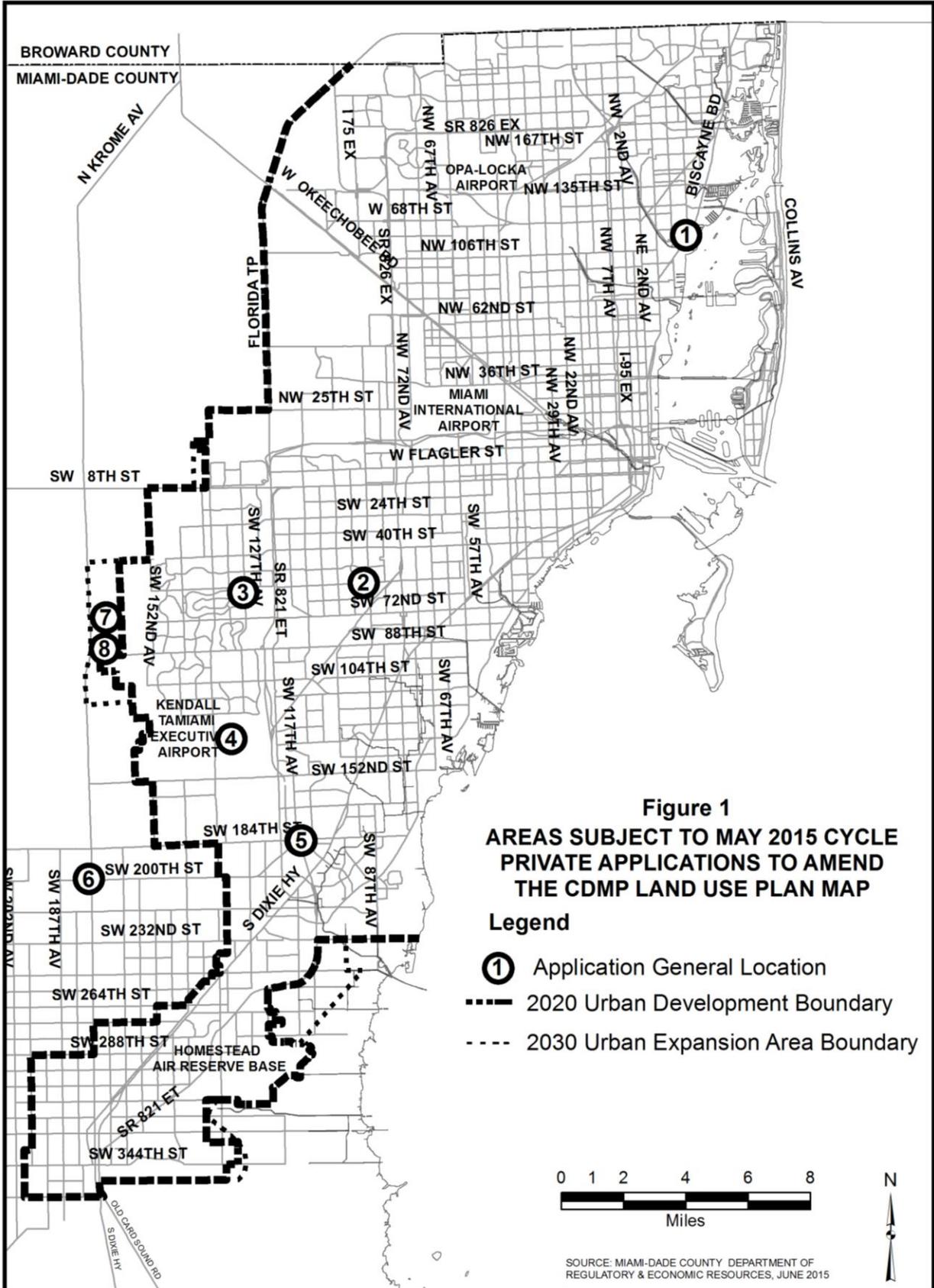
Table 3
May 2015 Applications Requesting Amendments To
The Comprehensive Development Master Plan

Application Number	Applicant/Representative Location Requested Change(s)	Acres
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</p> <p>Redesignate the application site on the Land Use Plan map From: "Medium Density Residential (13 to 25 dwelling units per gross acre)" To: "Business and Office"</p> <p>Small-Scale Amendment</p>	<p>±1.16 Gross ±0.828 Net</p>
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.</p> <p>Redesignate the application site on the Land Use Plan map From: "Low Density Residential (6 to 13 dwelling units per gross acre)" To: "Business and Office"</p> <p>Small-Scale Amendment</p>	<p>±2.46 Gross ±1.87 Net</p>

Application Number	Applicant/Representative Location Requested Change(s)	Acres
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.</p> <ol style="list-style-type: none"> 1. Redesignate the application site on the Land Use Plan map From: "Agriculture" 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. 	<p>±10.0 Gross ±8.45 Net</p>
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</p> <p>Redesignate the application site on the Land Use Plan map From: "Industrial and Office" To: "Office/Residential"</p>	<p>±10.0 Gross ±9.9 Net</p>
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.</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. 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>±2.19 Gross ±1.98 Net</p>
Small-Scale Amendment		

Application Number	Applicant/Representative Location Requested Change(s)	Acres
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).</p> <p>Redesignate the application site on the Land Use Plan map From: "Business and Office and Agriculture" To: "Business and Office"</p> <p>Small-Scale Amendment</p>	<p>±4.08 Gross ±3.17 Net</p>
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 (North Kendall Drive), and between SW 177 Avenue (Krome Avenue) and SW 167 Avenue.</p> <ol style="list-style-type: none"> Expand the 2020 Urban Development Boundary (UDB) 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 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. <p>Standard Amendment</p>	<p>±859.0 Gross ±831.4 Net</p>

Application Number	Applicant/Representative Location Requested Change(s)	Acres
8	Neighborhood Planning Company, LLC/ Joseph G. Goldstein Esq., Richard A Perez, Esq & Hugo P. Arza, Esq.	±61.1 Gross ±53.4 Net
	Southeast corner of the intersection SW 88 Street (Kendall Drive) and SW 177 Avenue (Krome Avenue).	
	<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 	
	Standard Amendment	



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