

INITIAL RECOMMENDATIONS

NOVEMBER 2013 APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA



THIS PAGE INTENTIONALLY LEFT BLANK

INITIAL
RECOMMENDATIONS

NOVEMBER 2013 APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

March 10, 2014

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

Carlos A. Gimenez
Mayor

MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

Rebeca Sosa
Chairwoman

Lynda G. Bell
Vice Chairwoman

Barbara J. Jordan
District 1

Jean Monestime
District 2

Audrey M. Edmonson
District 3

Sally A. Heyman
District 4

Bruno A. Barreiro
District 5

Rebeca Sosa
District 6

Xavier L. Suarez
District 7

Lynda G. Bell
District 8

Dennis C. Moss
District 9

Sen. Javier D. Souto
District 10

Juan C. Zapata
District 11

Jose "Pepe" Diaz
District 12

Esteban Bovo, Jr.
District 13

R. A. Cuevas, Jr.
County Attorney

Harvey Ruvin
Clerk of Courts

MIAMI-DADE COUNTY PLANNING ADVISORY BOARD

Wayne Rinehart
Chair

William Riley
Vice-Chair

Carla Ascencio-Savola
Aida G. Bao-Garciga
Jose Bared
Reginald J. Clyne
Peter DiPace

Horacio Huembes
Joseph James
Serafin Leal
Raymond Marin

Javier Muñoz
Georgina Santiago
Jesus Vazquez
Paul Wilson

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

Jack Osterholt, Deputy Mayor/Director
Executive Secretary

Miami-Dade County provides equal access and equal opportunity in employment and services and does not discriminate on the basis of disability. "It is the policy of Miami-Dade County to comply with all of the requirements of the Americans with Disabilities Act."

TABLE OF CONTENTS

	<u>Page</u>
Introduction-----	iii
Schedule of Activities -----	v
Recommendations Summary Chart-----	vii
 Comprehensive Development Master Plan Amendments 	
1 CJUF III Flagler, LLC/Juan J. Mayol, Jr., Esq. and Hugo Arza, Esq. -----	1-1
2 TLG FL., LLC/ Eric Milne, President. -----	2-1
3 Miami-Dade County/Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources; and Lester Sola, Director, Internal Services Department. -----	3-1
4 Miami-Dade County/Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources; and Jack Kardys, Director, Department of Parks, Recreation and Open Space. -----	4-1
5 Miami-Dade County/Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources-----	5-1
6 Miami-Dade County/Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources-----	6-1

THIS PAGE INTENTIONALLY LEFT BLANK

INTRODUCTION

This report contains the initial recommendations by the Department of Regulatory and Economic Resources (Department) addressing applications to amend the Comprehensive Development Master Plan (CDMP), which were filed for consideration during the November 2013 Plan Amendment Review Cycle. A total of Six (6) applications were filed during the November 2013 filing period. Two of these applications, Application No. 1 and small-scale amendment Application No. 2 were filed by private parties. Application Nos. 3, 4, 5 and 6 were filed by the Department. The Miami-Dade County Internal Services Department and the Parks, Recreation and Open Space Department are co-applicants on Application Nos. 3 and 4, respectively. The report also contains the necessary background information and analyses upon which the initial recommendations are based.

Application Review Process and Schedule of Activities

Following is a summary of the Plan review, amendment activities and schedule that will be followed by this cycle to comply with the CDMP procedural requirements contained in Section 2-116.1, Code of Miami-Dade County and State law. The Schedule of Activities on page v lists the principal activities that will occur under this process and indicates the timeframes for those activities in accordance with the State requirements and the County Code. For this amendment cycle, the application filing period extended from November 1 through December 2, 2013.

The CDMP amendment process involves two phases. The first phase occurs between the time applications are filed and the time the Board of County Commissioners (Board) conducts its first public hearing. At its first hearing, the Board will take action addressing transmittal of the standard application(s) to the State Land Planning Agency (SLPA) and other State and regional agencies (reviewing agencies) for review and comment, and/or adopt eligible small-scale LUP map amendments on an expedited schedule. During the first phase, affected and neighboring property owners are notified of the nearby LUP map amendment request(s). The Department will issue its initial recommendations regarding each requested change by February 25, 2014, and submit the report to the Community Councils, the Planning Advisory Board (PAB) and Miami-Dade Board of County Commissioners (Board) for their consideration during their public hearings.

Section 2-116.1 authorizes Community Councils to conduct public hearings and issue recommendations on the applications that directly affect their areas. The Community Councils public hearings for this CDMP amendment cycle must be held in, and are currently scheduled for March 2014, before the PAB, acting as the County's Local Planning Agency, and the Board conduct their public hearings. The PAB is scheduled to hold a public hearing on April 14, 2014, to receive comments and recommendations on the proposed amendments, and to formulate recommendations to the Board regarding the adoption of the eligible small-scale amendment Application No. 2 and transmittal of the standard amendments. The Board is currently scheduled to hold a public hearing on May 21, 2014, to consider adoption of the eligible small scale amendment and transmittal of the standard amendments and the small-scale amendment if the Board would like to further consider after receiving comments from the reviewing agencies. "Transmittal" of a proposed amendment to the reviewing agencies does not constitute adoption of the requested amendment.

The second phase of the amendment process begins after transmittal of the application(s) to the reviewing agencies. The CDMP amendment procedures in Section 2-116.1 of the County Code provide that the SLPA will be requested by the County to review and comment on all transmitted amendment proposals. The SLPA and/or the other reviewing agencies are expected to return comments addressing all transmitted amendment proposals by August 2014, approximately 45 days after the transmittal hearing pursuant to Chapter 163.3184(3), Florida Statutes. Within 45 days after receiving comments from the reviewing agencies, or other time period determined by the Director of the Department, the Board will conduct a public hearing and take final action on the transmitted applications. During the review period by the reviewing agencies, the Department will also review comments received at the transmittal hearings and any additional submitted material and may issue a "Final Recommendations" report reflecting any new information prior to the final public hearings. Final action by the Board will be to adopt, adopt with change or not adopt any of the transmitted applications.

Outside this regular CDMP amendment process, requests to amend the CDMP can be made by the Board under a special amendment process, or by a party having an application undergoing the Development of Regional Impact (DRI) process requesting a concurrent amendment to the CDMP. Procedures for processing such special or DRI-related amendments are established in Section 2-116.1 of the Miami-Dade County Code.

Additional Information

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

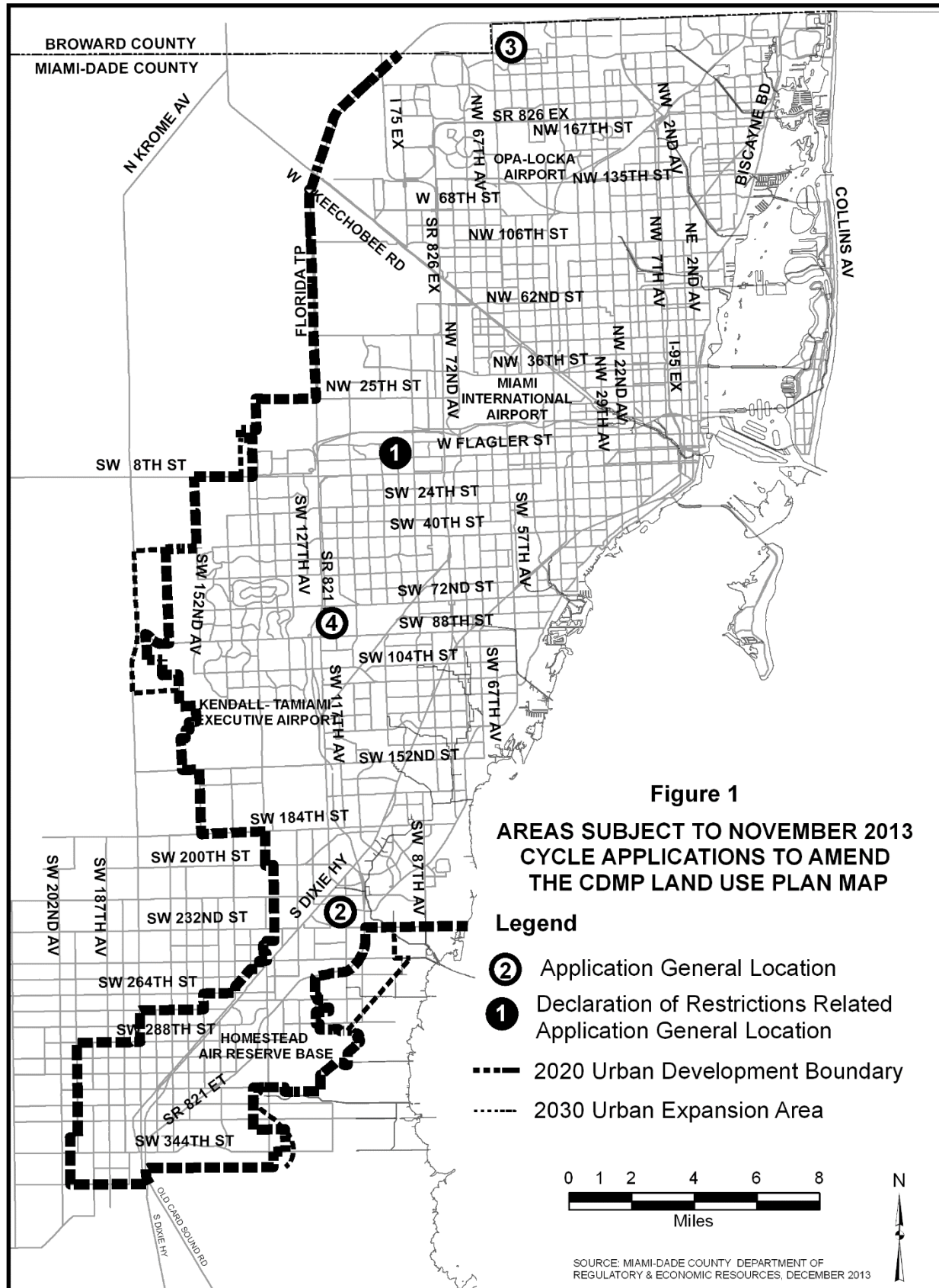
TABLE 1
SCHEDULE OF ACTIVITIES
NOVEMBER 2013-2014 CDMP AMENDMENT CYCLE

Pre-application Conference	Prior to Filing Application
Application Filing Period	November 1 to December 2, 2013
Deadline to withdraw Application and obtain Return of Full Fee. Notify applicant of deficiencies.	December 9, 2013
Deadline for resubmittal of unclear or incomplete Applications	Seventh business day after Notice of deficiency
Applications Report published by Department	December 23, 2013
Deadline for submitting Technical Reports	December 23, 2013
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	December 23, 2013
Initial Recommendations Report released by the Department	February 25, 2014
Country Club of Miami Community Council (CC5)	March 20, 2014
Westchester Community Council (CC10)	March 18, 2014
Kendall Community Council (CC12)	March 25, 2014
South Bay Community Council (CC15)	March 27, 2014
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Public Hearing to formulate Recommendations regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to State Land Planning Agency (SLPA)	April 14, 2014* 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	May 21, 2014 County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Transmittal to SLPA and other Reviewing Agencies	June 2014* (Approximately 10 days after Board Transmittal Hearing)
Deadline for Filing Supplementary Reports by the Public	July 2014* Thirty (30) days after Board's transmittal hearing
Receipt of Comment Letters from Reviewing Agencies	August 2014* (Approximately 30 days after Transmittal)
Public Hearing and Final Action on Applications: Board	October 1, 2014 (No later than 45 days after receipt of Comment Letters from reviewing agencies)

Notes

* Estimated Date

All hearings will be noticed by newspaper advertisement.



Summary of Recommendations
November 2013 Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida
April 14, 2014

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation March 2014	Community Council Recommendation, Resolution # and Date	LPA Recommendation April 14, 2014	BCC Action/ Recommendation May 21, 2014
1/ Standard	<p>CJUF III Flagler, LLC/Juan J. Mayol, Jr., Esq. and Hugo Arza, Esq.</p> <p>North side of West Flagler Street between NW 87 and 97 Avenues / (±39.51 Gross; ±36.27 Net)</p> <p><u>Requested CDMP Amendment</u> Modify existing Declaration of Restrictions listed in the Restrictions Table in Appendix A of the CDMP Land Use Element to:</p> <p>1. Allow businesses on the application site to begin daily operations at 5:00 AM, rather than at 6:00 AM as currently allowed; and</p> <p>2. Revise the "Modification, Amendment, Release" clause.</p>	10/ Souto	Transmit and Adopt	Transmit with Change (to allow only fitness facilities and food establishments on the application site to begin daily business operations at 5 am instead of 6 am) and Adopt CC 10-01-14 (March 18, 2014)	Transmit With Change As Requested By The Applicant And Adopt	
2/ Small-scale	<p>TLG FL., LLC/Eric Milne, President</p> <p>Southwest corner of the intersection of SW 224 Street and SW 112 Avenue / (±2.643 Gross; ±1.954 Net)</p> <p><u>Requested CDMP Amendment</u> Redesignate application site on the Land Use Plan (LUP) map:</p> <p>From: "Low Density Residential (2.5 to 6 dwelling units per gross acre)"</p> <p>To: "Business and Office"</p>	9/ Moss	Adopt as a Small-Scale Amendment	No Quorum CC 15 (March 27, 2014)	Adopt (As a Small-Scale Amendment)	

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation March 2014	Community Council Recommendation, Resolution # and Date	LPA Recommendation April 14, 2014	BCC Action/ Recommendation May 21, 2014
3/ Standard	<p>Miami-Dade County/Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources; and Lester Sola, Director, Internal Services Department.</p> <p>West side of NW 47th Avenue between Snake Creek Canal and NW 199 Street / (±165.9 Gross±; ±160.5 Net)</p> <p><u>Requested CDMP Amendment</u></p> <p>1. Redesignate application site on the LUP map:</p> <p style="padding-left: 40px;">From: "Institutions, Utilities, and Communication"</p> <p style="padding-left: 40px;">To: "Business and Office"</p> <p>2. Add text to the CDMP Land Use Element limiting development on the site to a maximum floor area ratio (FAR) of 0.4</p>	1/ Jordan	Transmit and Adopt	<p>Transmit with Conditions, as follows:</p> <p>Miami-Dade County to retain ownership of the application site for 99 years; conduct a Charrette for the site; a cohesive large scale development should be built on the site rather than several small projects; address the severe impact to fire and rescue service; prohibit residential development on the site; ensure funding for the widening of NW 47 Avenue from NW 186 Street to north of the County line and permit no development on site until roadway improvement is complete; County to provide a 99-year lease to His House and designate adequate area on the rear of the site to accommodate His House with its planned expansion; and County should not allow the property to be annexed.</p> <p>CC 5-01-14 (March 20, 2014)</p>	Transmit With Change And Adopt (with the condition that the County provide a 99-year lease to His House)	
4/ Standard	<p>Miami-Dade County/Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources; and Jack Kardys, Director, Department of Parks, Recreation and Open Space.</p> <p>East side of SW 117 Avenue and south of SW 76 Street. / (±20.8 Gross; ±18.840 Net).</p> <p><u>Requested CDMP Amendment</u></p> <p>Redesignate the application site on the LUP map</p> <p style="padding-left: 40px;">From: "Institutions, Utilities, and Communication"</p> <p style="padding-left: 40px;">To: "Parks and Recreation"</p>	10/ Souto	Transmit and Adopt	<p>Transmit and adopt with conditions (Application site to be kept as passive park use; and the placement of a 6 foot high chain-link fence and a 6 foot high hedge along the property line of the site and the adjacent Police and Fire Rescue Stations.)</p> <p>CC 12-01-14 (March 25, 2014)</p>	Transmit and Adopt	

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation March 2014	Community Council Recommendation, Resolution # and Date	LPA Recommendation April 14, 2014	BCC Action/ Recommendation May 21, 2014
5/ Standard	Miami-Dade County/Jack Osterholt, Deputy Mayor/Director Department of Regulatory and Economic Resources. <u>Requested CDMP Amendment</u> 1. Revise the Agriculture text in the Land Use Element to provide that uses in the South Dade Agricultural Area that promote ecotourism and agritourism are not restricted to locating on an existing arterial roadway; and 2. Revise the Agriculture text in the Land Use Element to allow wineries to utilize imported products for winemaking.	Countywide	Transmit and Adopt	Not Applicable	Transmit and Adopt	
6/ Standard	Miami-Dade County/Jack Osterholt, Deputy Mayor/Director Department of Regulatory and Economic Resources. <u>Requested CDMP Amendment</u> Revise the text in the Conservation, Aquifer Recharge and Drainage Element of the CDMP to correct the code reference in Policy CON-8I.	Countywide	Transmit and Adopt	Not Applicable	Transmit and Adopt	

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

Notes:

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

THIS PAGE INTENTIONALLT LEFT BLANK