

# **INITIAL RECOMMENDATIONS**

## **MAY 2016 SMALL-SCALE APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

**FOR MIAMI-DADE COUNTY, FLORIDA**



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RECOMMENDATIONS

MAY 2016 SMALL SCALE APPLICATIONS TO AMEND THE  
COMPREHENSIVE DEVELOPMENT MASTER PLAN

August 2016

Miami-Dade County  
Department of Regulatory and Economic Resources  
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# INTRODUCTION

This report contains the initial recommendations of the Department of Regulatory and Economic Resources (Department) addressing Application Nos. 1, 3 and 4 filed to amend the Comprehensive Development Master Plan (CDMP) during the May 2016 Plan Amendment Review Cycle. A total of five (5) applications (Application Nos. 1, 2, 3, 4 and 7) were filed, all by private parties during the May 2016 Cycle filing period. Two applications (Application Nos. 5 and 6) were filed in the November 2015 Cycle and were transferred to the May 2016 Cycle, bringing the total number of applications in the May 2016 Cycle to seven. However, Application No. 2 was transferred to the October 2016 Cycle at the request of the Applicant, pursuant to Section 2-116.1 of Miami-Dade County Code. All of the applications in the May 2016 Cycle request amendments to the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map. Application Nos. 1, 3 and 4 are eligible and are seeking expedited processing as small-scale amendments. Application Nos. 5, 6 and 7 are standard amendments that will be addressed in a separate report. A summary of each May 2016 Cycle small-scale application is presented in the Summary of Recommendations matrix on Page vii.

## **Application Review Process and Schedule of Activities**

Following is a summary of the Plan review, amendment activities and schedule that will be followed by this cycle to comply with the CDMP procedural requirements contained in Section 2-116.1, Code of Miami-Dade County and State law. The Schedule of Activities on page v lists the principal activities that will occur under this process and indicates the timeframes for those activities in accordance with the State requirements and the County Code. For this amendment cycle, the application filing period occurred from May 2 through May 31, 2016.

The CDMP amendment process involves two phases. The first phase occurs between the time applications are filed and the time Miami-Dade Board of County Commissioners (Board) conducts its first public hearing. At its first hearing, the Board will take action addressing transmittal of the standard application(s) to the State Land Planning Agency (SLPA) and other State and regional agencies (reviewing agencies) for review and comment, and/or adopt eligible small-scale LUP map amendments on an expedited schedule. Four (4) small-scale applications were filed in this May 2016 Cycle. During the first phase, affected and neighboring property owners are notified of the nearby LUP map amendment request(s). The Department issued its initial recommendations regarding each requested change in August 2016 for small-scale applications and will issue its initial recommendations by a separate report in September 2016 for the standard applications, and submit the report to the Community Councils, the Planning Advisory Board (PAB) and the Board for their consideration during their public hearings.

Section 2-116.1 authorizes Community Councils to conduct public hearings and issue recommendations on the applications that directly affect their areas. The Community Councils public hearings for this CDMP amendment cycle must be held prior to the PAB, acting as the County's Local Planning Agency, and the Board conduct their public hearings and are currently scheduled for September for the small-scale applications and October 2016 for the standard applications. The PAB is scheduled to hold a public hearing on September 19, 2016, to address small-scale Application Nos. 1, 3 and 4 and an additional public hearing on October 31, 2016, to address standard Application Nos. 5, 6 and 7. The purposes of these public hearings are to receive comments and recommendations on the applications, and to formulate recommendations to the Board regarding the transmittal of standard Application Nos. 5, 6 and 7. The Board is to



hold a duly noticed public hearing on October 26, 2016 to address small-scale Application Nos. 1, 3 and 4 and an additional public hearing on November 16, 2016, to address transmittal of the standard Application Nos. 5, 6 and 7. "Transmittal" of a proposed amendment to the reviewing agencies does not constitute adoption of the requested amendment. It must be noted that small-scale applications not adopted by the Board at its October 26, 2016 hearing may be converted to a standard amendment application and transmitted to the reviewing agencies.

The second phase of the amendment process begins after transmittal of the standard application(s) to the reviewing agencies. The CDMP amendment procedures in Section 2-116.1 of the County Code provide that the County will request to the SLPA to review and comment on all transmitted CDMP amendment proposals. Application Nos 5 and 6 will undergo the State Coordinated Review process. Pursuant to Chapter 163.3184(4)(d)1., F.S., under the State Coordinated Review Process, the reviewing agencies are expected to return comments addressing Application Nos. 5 and 6, if transmitted, by February or March 2017, approximately 60 days after the transmittal hearing. Application No. 7 will undergo the Expedited State Review Process. Pursuant to Chapter 163.3184(3)(b)2., F.S., under the Expedited State Review Process, the reviewing agencies are expected to return comments addressing Application No. 7, if transmitted, by January or February 2017, approximately 30 days after the transmittal hearing. Within 45 days, 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 hearing and any additional submitted materials and may issue a "Final Recommendations" report reflecting any new information prior to the final public hearing. Final action by the Board will be to adopt, adopt with change or not adopt any of the transmitted applications.

Outside of this regular CDMP amendment process, requests to amend the CDMP can be made by the Board under a special amendment process, or by a party filing a Notice of Proposed Change application, pursuant to Chapter 380.6, F.S., that is related to an existing application undergoing the Development of Regional Impact (DRI) process. Procedures for processing such special or DRI-related amendments are established in Section 2-116.1 of the Miami-Dade County Code.

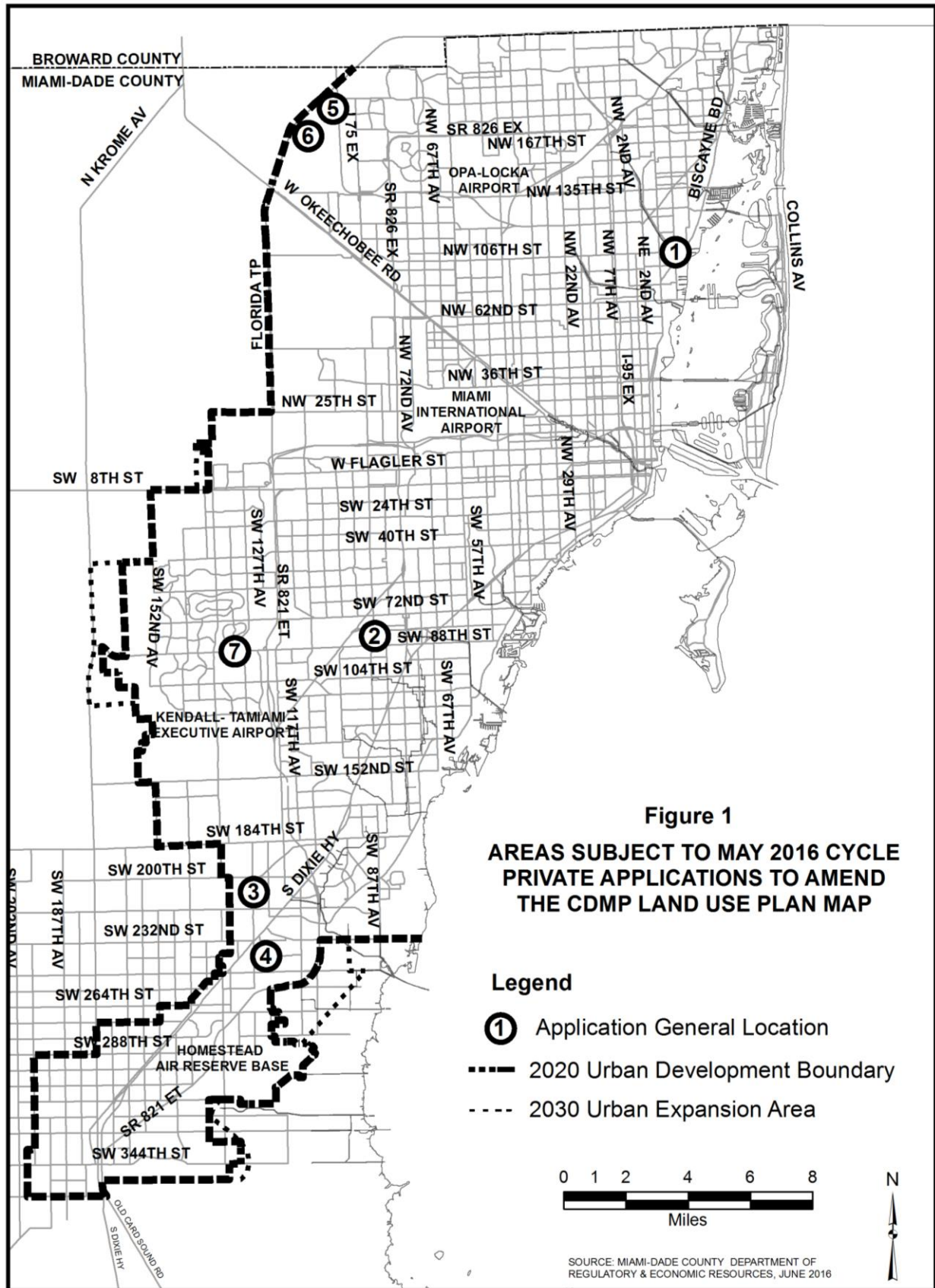
### **Additional Information**

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 1<sup>st</sup> Street, 12<sup>th</sup> Floor, Miami, Florida 33128-1972; telephone 305/375-2835.

Table 1  
Schedule of Activities  
May 2016-2017 CDMP Amendment Cycle

Pre-application Conference	Prior to Filing Application
Application Filing Period Documents required upon filing an application <ul style="list-style-type: none"> <li>• <i>Proposed modification(s) to a Declaration of Restrictions</i></li> <li>• <i>Traffic Impact Study – required for Standard Applications</i></li> </ul>	May 1 to May 31, 2016
Deadline to withdraw Application for return of full Fee	June 7, 2016
Deadline to cure unclear or incomplete Applications	5 <sup>th</sup> business day after Notice of deficiency
Applications published by Department	June 21, 2016
Deadline for submitting Technical Reports	July 1, 2016
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	June 21, 2016
Initial Recommendations Report released by the Department	August 2016 September 2016
Community Council (CC) Public Hearings	
Application No. 1 (Small-Scale): Biscayne Shores (CC-7)	No hearing held
Application No. 2 (Small-Scale): Kendall (CC-12)	Transferred to the October 2016 Cycle
Application No. 3 (Small-Scale): Redland (CC-14)	September 1, 2016
Application No. 4 (Small-Scale): South Bay (CC-15)	September 6, 2016
Application No. 5 (Standard): Country Club of Miami (CC-5)	November 2016**
Application No. 6 (Standard): Country Club of Miami (CC-5)	November 2016**
Application No. 7 (Standard): West Kendall (CC-11)	November 2016**
Planning Advisory Board (PAB), acting as the 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)	September 19, 2016 (Small-Scales) County Commission Chamber 111 NW 1 Street, Miami, Florida 33128
	December 2017 (Standards)** 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	October 26, 2016 (Small-Scales) County Commission Chamber 111 NW 1 Street, Miami, Florida 33128
	January 2017 (Standards)** County Commission Chamber 111 NW 1 Street, Miami, Florida 33128
Transmittal to SLPA and other Reviewing Agencies	January 2017** (Approximately 10 business days after Board Transmittal Hearing)
Deadline for Filing Supplementary Reports by the Public	February 2017** (30 days after Board's Transmittal Hearing)
Receipt of Comment Letters from Reviewing Agencies	February or March 2017** (Approximately 30 days after Transmittal under the Expedited State Review process, or 60 days for State Coordinated Review process)
Final Recommendations Report may be released by the Department	February or March 2017**
Public Hearing and Final Action on Applications: Board	Specific date(s) to be set in March or April 2017** (No later than 45 days after receipt of Comments from reviewing agencies)

Notes: \*\* indicates estimated Date; Dates subject to change and all hearings will be noticed by newspaper advertisement  
Application Nos. 5 & 6 to undergo State Coordinated Review and Application No. 7 to undergo State Expedited Review



**Summary of Recommendations**  
**May 2016 Cycle Small-Scale Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida**  
**October 2016**

Application Number/ Type	Applicant/Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation	BCC Action/ Recommendation
1/ small-scales	<p>Paloma Property Holdings, LLC. / Stanley B. Price, Esq., Brian S. Adler, Esq. &amp; Wendy Francois, Esq.</p> <p>Southeast corner of the intersection of NE 110 Street and East Dixie Highway / (±1.33 gross/net)</p> <p><u>Requested Amendment to the CDMP Land Use Plan (LUP) map</u></p> <p>1. Redesignate the application site on the LUP map:  From: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)" and "Business and Office"  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>	4/ Heyman	Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-Scale Amendment) (08-22-16)	<p>Biscayne Shores CC7</p> <p>[pursuant to Miami-Dade County Code Section 2-116.1(3)(f), community council exercised its option not to hold public hearing]</p>	Adopt as a Small-Scale Amendment with Acceptance of the Proffered Declaration of Restrictions (09-19-16)	Adopt with Acceptance of the Proffered Declaration of Restrictions (October 5, 2016)
2/ small-scales	<p>Kendall 79, LLC. / Jeffrey Bercow, Esq. &amp; Graham Penn, Esq.</p> <p>Northwest corner of the intersection of SW 88 Street and SW 79 Avenue / (±3.89 gross; ±3.89 net)</p> <p><u>Requested Amendment to the CDMP LUP map and text:</u></p> <p>1. Redesignate the application site on the LUP map:  From: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)"  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>	7/ Suarez	<p>Transferred to the October 2016 Cycle  Pursuant to Section 2-116.1 of Miami-Dade County Code,  As Amended by Ordinance No. 16-65</p>			
3/ small-scales	<p>South Florida RE Holdings, LLC. / Jorge L. Navarro, Esq.</p> <p>±212 feet west of the southwest intersection of SW 200 Street and SW 127 Avenue / (±1.83 gross; ±1.83 net)</p> <p><u>Requested Amendment to the CDMP LUP map</u></p> <p>Redesignate the application site on the LUP map:  From: Low Density Residential (2.5 to 6 dwelling units per gross acre)"  To: "Business and Office"</p>	8/ Levine Cava	Adopt as a Small-Scale Amendment (08-22-16)	Adopt as a Small-Scale Amendment Redland CC14: (09-01-16)	Adopt as a Small-Scale Amendment (09-19-16)	Adopt as a Small-Scale Amendment (October 5, 2016)

<b>Application Number/ Type</b>	<b>Applicant/Location/Acreage/ Requested Amendment</b>	<b>BCC District/ Commissioner</b>	<b>Department's Initial Recommendation</b>	<b>Community Council Recommendation, Resolution # and Date</b>	<b>PAB/LPA Recommendation</b>	<b>BCC Action/ Recommendation</b>
4/ small-scales	<p>12499 Holding, LLC. / Gilberto Pastoriza, Esq.</p> <p>Southwest corner of the intersection of SW 232 Street and theoretical SW 124 Court / (±2.55 gross; ±2.44 net)</p> <p><u>Requested Amendment to the CDMP LUP map</u></p> <p>Redesignate the application site on the LUP map:</p> <p>From: "Low Density Residential (2.5 to 6 dwelling units per gross acre)"</p> <p>To: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)"</p>	8/ Levine Cava	<p>Adopt with Change</p> <p>[Change is to add two parcels (±2.61 gross acres) adjoining to the west of application site and redesignate the parcels from "Low Density Residential" and "Business and Office" to "Low-Medium Density Residential"]</p> <p>(08-16-16)</p>	<p>Adopt with Change as Recommended by Staff.</p> <p>South Bay CC15: (09-06-16)</p>	<p>Adopt with Change as Recommended by Staff</p> <p>(09-19-16)</p>	<p>Adopt with Change as recommended by Staff</p> <p>[Change is to add two parcels (±2.61 gross acres) adjoining to the west of application site and redesignate the parcels from "Low Density Residential" and "Business and Office" to "Low-Medium Density Residential"]</p> <p>(October 5, 2016)</p>

Notes:

CC: Community Council; PAB/LPA: Planning Advisory Board, acting as the Local Planning Agency

BCC: Board of County Commissioners