

Memorandum



Date: September 27, 2018

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Report on Pending Expedited Application Nos. CDMP20180006, CDMP20180013
and CDMP20180014 to Amend the Comprehensive Development Master Plan

Agenda Item No. 2(A)(1)

Recommendation

It is recommended that the Board of County Commissioners (Board) take action on Application Nos. CDMP20180006, CDMP20180013 and CDMP20180014 filed to amend the Comprehensive Development Master Plan (CDMP). The pending applications are identified in the table below with the corresponding ordinance with which final action is to be taken. The ordinances for small-scale Application Nos. CDMP20180006 and CDMP20180013 were adopted on first reading at the Board's public hearings held on September 5, 2018.

APPLICATION NUMBER	ITEMS FOR CONSIDERATION BY THE BOARD
CDMP20180006 (Small-scale Application) (Altis Ludlam-Miami, LLC)	Item No. 3A – Ordinance (Final Action) Item No. 3A1 – Resolution for Transmittal to the State Land Planning Agency (If converted to standard application)
CDMP20180013 (Small-scale Application) (Lion-Miami Terrace, LLC)	Item No. 3B – Ordinance (Final Action) Item No. 3B1 – Resolution for Transmittal to the State Land Planning Agency (If converted to standard application)
CDMP20180014 (Standard Application)	Item No. 4A – Resolution for Transmittal to the State Land Planning Agency Item No. 4A1 – Ordinance (First Reading)

Small-Scales Application

Background

Two (2) small-scale applications (Application Nos. CDMP20180006 and CDMP20180013) to amend the CDMP were filed in June 2018 by private parties. A description of the applications along with the recommendations of the Department of 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 and 3B) which were approved on first reading on September 5, 2018, provide for the Board's action on small-scale amendment Application Nos. CDMP20180006 and CDMP20180013. State law allows the adoption of the referenced small-scale applications at the Board's CDMP public hearing currently scheduled for September 27, 2018. 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 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 2018, the Board has the ability to approve the proposed small-scale amendment Application Nos. CDMP20180006 and CDMP20180013 totaling approximately ±8.9 gross acres, without prior review by the State Land Planning Agency.

At the September 27, 2018 public hearing, the Board is scheduled to take final action on the attached ordinances providing for final disposition of Application Nos. CDMP20180006 and CDMP20180013. 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 and 3B1), to transmit the proposed small-scale amendments to the State Land Planning Agency and other state and regional agencies (reviewing agencies) for review and comments, and then take final action in or about November 2018, 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 impacts on one or more Commission Districts. Application No. CDMP20180006 is located within District 7, which is represented by Commissioner Xavier L. Suarez; and Application No. CDMP20180013 is located within District 6, which is represented by Commissioner Rebeca Sosa.

Fiscal Impact

There is no direct fiscal impact associated with Application Nos. CDMP20180006 and CDMP20180013. However, CDMP amendment applications may have varying impacts to County services. These impacts are discussed in the document titled, "Initial Recommendation, Expedited Application No. CDMP20180006 to Amend the Comprehensive Development Master Plan," dated August 2018, and "Initial Recommendation, Expedited Application No. CDMP20180013 to Amend the Comprehensive Development Master Plan," dated August 2018. These documents are kept on file with and available upon request from the Department of Regulatory and Economic Resources.

Social Equity Statement

The recommendations of the Director on Expedited Application Nos. CDMP20180006 and CDMP20180013 are contained in the documents titled "Initial Recommendation, Expedited Application No. CDMP20180006 to Amend the Comprehensive Development Master Plan," dated August 2018, and "Initial Recommendation, Expedited Application No. CDMP20180013 to Amend the Comprehensive Development Master Plan," dated August 2018, which are prepared in accordance with Section 2-116.1 of the Code of Miami-Dade County, and 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 the monitoring of contracts.

Final Recommendations

A summary description of Application Nos. CDMP20180006 and CDMP20180013 and the recommendations of the Department on the pending applications are contained in the "Summary of Recommendations" matrix (Attachment A) of this report. The matrix also includes the prior recommendations of the Board, the affected Community Council, and the Planning Advisory Board acting as the Local Planning Agency.

Standard Application

Background

Standard Application No. CDMP20180014 was filed by the Department for review under the expedited CDMP amendment process. A description of the standard application, the recommendations of the Department, and the Local Planning Agency are provided in Attachment A.

At the conclusion of the public hearing for the standard expedited application, the Board will take action on a resolution issuing transmittal instructions for the application to the State Land Planning Agency. The resolution (Agenda Item No. 4A) will also incorporate a request for the reviewing agencies to review and return their comments on the transmitted application before the Board takes final action. After adoption of the transmittal resolution, the Board will be requested to approve, on first reading, an ordinance for the transmitted application (Agenda Item No. 4A1) that will be used at a later date to take final action on the pending application. A subsequent public hearing, currently scheduled for November 28, 2018, will be held for the Board to take final action on this standard application that is transmitted to the State Land Planning Agency and other reviewing agencies.

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. CDMP20180014 is an interpretive text amendment.

Fiscal Impact

There is no direct fiscal impact associated with Application No. CDMP20180014. However, the development allowed by the CDMP amendment Application No. CDMP20180014 may have varying impacts on County services. The impacts associated with this application are discussed in the "Initial Recommendation Expedited Application No. CDMP20180014 to Amend the Comprehensive Development Master Plan" report dated September 2018. This document is kept on file with and available from the Department of Regulatory and Economic Resources, and could be accessed at the following link: <http://www.miamidade.gov/planning/cdmp-amendment-cycles.asp>.

Social Equity Statement

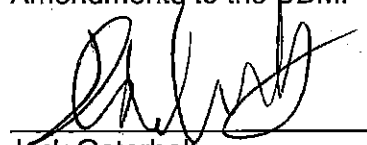
The recommendations of the Department's Director on Application No. CDMP20180014 are contained in the document titled "Initial Recommendation Expedited Application No. CDMP20180014 to Amend the Comprehensive Development Master Plan" report dated September 2018, which was prepared in accordance with Section 2-116.1 of the Code of Miami-Dade County, includes, among other things, a compatibility analysis and conclusion that satisfies

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the requirements of Ordinance No. 15-83, regarding social equity, to the extent applicable to this application.

Track Record/Monitor

Amendments to the CDMP do not involve the monitoring of contracts.

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
 Expedited Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida
 September 2018

Application Number/Type	Applicant/Applicant representative/ Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation	BCC Final Action/ Recommendation
CDMP 20180006/ small-scale	Altis Ludlam – Miami, LLC., Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., & Gloria M. Velazquez, Esq. Southeast Corner of SW 40 Street and SW 70 Court, West of the Florida East Coast Railroad / (±3.48 gross acres/±2.73 net acres) <u>Requested Amendment to the CDMP:</u> 1. Redesignate the application site on the LUP map: From: "Business and Office" and "Industrial and Office" To: "Special District – Ludlam Trail Corridor District" 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.	7/ Suarez	Adopt with Acceptance of the Proffered Declaration of Restrictions (August 2018)	Kendall CC12 Adopt with Acceptance of the Proffered Declaration of Restrictions (September 4, 2018)	To Be Determined (September 24, 2018)	To Be Determined (September 27, 2018)
CDMP 20180013/ small-scale	Lion Miami Terrace, LLC / Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Alejandro Arias, Esq., & James R. Williams, Esq. Between SW 8 Street and SW 12 Street, and Between SW 71 Avenue and SW 69 Avenue / (±5.42 gross acres/5.03 net acres) <u>Requested Amendment to the CDMP:</u> 1. Redesignate the application site on the LUP map: From: "Industrial and Office" To: "Special District – Ludlam Trail Corridor District" 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.	6/ Sosa	Adopt with Acceptance of the Proffered Declaration of Restrictions (September 5, 2018)	Westchester CC10 Adopt with Acceptance of the Proffered Declaration of Restrictions (September 5, 2018)	To Be Determined (September 24, 2018)	To Be Determined (September 27, 2018)

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation	BCC Action/ Recommendation
CDMP20180014/ standard	Miami-Dade County/ Jack Osterholt, Deputy Mayor/Director Amend Policies LU-7F, LU-7G, LU-9F, and interpretive text, including the Mixed Use Development and Urban Center text, of the Land Use Element, and amend the Intergovernmental Coordination Element Policy ICE-9G, regarding transit supportive mixed use development.	Countywide	Transmit and Adopt (September 2018)	Not Applicable	To be Determined (September 24, 2018)	To be Determined (September 27, 2018)

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

Notes:

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