

Memorandum



Date: September 27, 2018

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name.

Agenda Item No. 3(B)(1)

Subject: Resolution for Expedited Application No. CDMP20180013 to Amend the Comprehensive Development Master Plan

The attached resolution addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate report that appears on this agenda, which, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.

A handwritten signature in black ink, appearing to read "Jack Osterndt", written over a horizontal line.

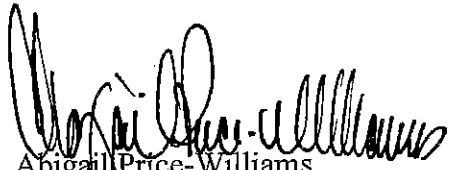
Jack Osterndt
Deputy Mayor



MEMORANDUM
(Revised)

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

DATE: September 27, 2018

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(B)(1)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(B)(1)
9-27-18

RESOLUTION NO. _____

RESOLUTION PERTAINING TO EXPEDITED APPLICATION NO. CDMP20180013 FILED IN JUNE 2018 BY LION MIAMI TERRACE, LLC, REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO EXPEDITED APPLICATION NO. CDMP20180013, LOCATED BETWEEN SW 8 STREET AND SW 12 STREET, AND BETWEEN SW 71 AVENUE AND SW 69 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. CDMP20180013; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade Board of County Commissioners (“Board”) adopted the Miami-Dade County Comprehensive Development Master Plan (“CDMP”) in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, Miami-Dade County procedures provides for expedited processing of applications to amend the CDMP; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources (“Department”) by private parties or by the County; and

WHEREAS, Application No. CDMP20180013 was filed by Lion Miami Terrace, LLC in June 2018 as an Expedited application to amend the CDMP and is contained in the document titled "Expedited Application No. CDMP20180013 to Amend the Comprehensive Development Master Plan," dated June 2018, and kept on file with and available upon request from the Department; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendation addressing the expedited standard Application No. CDMP20180013 in a report titled "Initial Recommendation Expedited Application No. CDMP20180013 to Amend the Comprehensive Development Master Plan" dated August 2018, and kept on file with and available upon request from the Department; and

WHEREAS, the affected community council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued a recommendations for the disposition of expedited Application No. CDMP20180013; and

WHEREAS, the Department may issue a final recommendation addressing Standard Expedited Application No. CDMP20180013 if transmitted to the reviewing agencies; and

WHEREAS, this Board desires to further evaluate, without prejudice, Application No. CDMP20180013, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
CDMP2018 0013	<p>Lion Miami Terrace, LLC / Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Alejandro Arias, Esq., & James R. Williams, Esq.</p> <p>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)</p> <p><u>Requested Amendment to the CDMP:</u></p> <ol style="list-style-type: none"> 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. <p>Standard Amendment</p>	

Section 3. The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 4. The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

Section 5. The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2018 to address the Expedited CDMP Amendment Application No. CDMP20180013.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman
Audrey M. Edmonson, Vice Chair

Daniella Levine Cava
Sally A. Heyman
Barbara J. Jordan
Jean Monestime
Rebeca Sosa
Xavier L. Suarez

Jose "Pepe" Diaz
Eileen Higgins
Joe A. Martinez
Dennis C. Moss
Sen. Javier D. Souto

The Chairperson thereupon declared this resolution duly passed and adopted this 27th day of September, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Dennis A. Kerbel