

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to the Community Council 5**

**PH: Z15-139 (16-9-CZ5-1)**

**September 8, 2016**

Item No. 1

<b>Recommendation Summary</b>	
<b>Commission District</b>	12
<b>Applicants</b>	AMB Codina Beacon Lakes, LLC
<b>Summary of Requests</b>	The applicant is seeking approval of a zone change from BU-2 to IU-1 on parcel 1, a zone change from GU and IU-2 to BU-3 on parcel 2, along with a request to permit a golf driving range and entertainment facility on parcel 2. The applicant is also seeking to delete a condition of a previously approved Resolution, and to delete two (2) previously approved Declaration of Restrictions. Further, modifications of previously approved Resolutions in order to change the Development Order (DO) are also being sought, along with a request for Substantial Deviation Determination for the DRI. Additionally, the applicants seek to update the DRI build out date and to show that the proposed changes are not a substantial deviation pursuant to section 380.06(19), Florida Statutes.
<b>Location</b>	Lying between NW 12 Street and NW 25 Street and between NW 117 Avenue and NW 137 Avenue, Miami-Dade County, Florida
<b>Property Size</b>	482 Acres +/-
<b>Existing Zoning</b>	GU (Interim District), BU-2 (Business-Special District), BU-1A (Business-Limited District), IU-1 (Industrial-Light District)
<b>Existing Land Use</b>	Warehouses, vacant land and a lake
<b>2020 - 2030 CDMP Land Use Designation</b>	Restricted Industrial and Office Business and Office Water (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with the LUP map, and the interpretative text and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(7) Generalized Modification Standards, Section 33-311, District Boundary Change, Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses and New Uses, (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Deferral.</b>

Staff notes that this application is going to the Community Zoning Appeals Board (CZAB) #5 for recommendation only. Final decision will be rendered by the Board of County Commissioners (BCC), pursuant to Zoning Code Section 33-314(A)(1).

**REQUESTS:**

THE FOLLOWING REQUESTS ARE RELATED TO THE DEVELOPMENT OF REGIONAL IMPACT:

- (1) To make a substantial deviation determination pursuant to Section 380.06(19), F.S., with respect to the following DRI requests.

- (2) MODIFICATION of the subject property described in Resolution No. Z-11-02, as amended, as provided in Exhibit "A" attached hereto and to increase the size of property from approximately 436 Acres to approximately 482 Acres.
- (3) MODIFICATION of Recital of Resolution Z-20-08 "General Description of Proposed Development" reading as follows:

FROM: The Applicant is requesting approval of a multi-use development entitled "Beacon Lakes," consisting of: 5,300,000 sq. ft. of warehouses, 175,000 sq. ft. of office space, and 495,000 sq. ft. of retail space or equivalent combination of said uses.

TO: The Applicant is requesting approval of a multi-use development entitled "Beacon Lakes," consisting of: 6,085,761 square feet of warehouses, 175,000 square feet of office space, and 495,000 square feet of retail space or equivalent combination of said uses pursuant to an equivalency matrix.

- (4) MODIFICATION of Condition 3.c. of Resolution No. Z-20-08 reading as follows:

FROM: "A traffic signal warrant study for the intersection of N.W. 14th Street and N.W. 137th Avenue shall be submitted for review and approval by the Public Works Director within 180 days of the issuance of the first certificate of occupancy for the retail center, and shall be repeated annually until two years after the final certificate of occupancy is issued for 450,000 square feet or more of retail use within the commercial rezoning parcel that is the subject of this application. The Applicant shall proceed with the signal design, permitting and installation in the event that a signal is warranted. A traffic signal is required at the intersection of N.W. 137th Avenue and the southwest driveway connection to the property, to permit a median opening and westbound left turns from the driveway to southbound N.W. 137th Avenue. The traffic signal must be installed and operating prior to opening the driveway to traffic."

TO: "A traffic signal warrant study for the intersection of NW 25 Street and NW 117 Place shall be submitted for review and approval by the Public Works Director within 180 days of the issuance of the first certificate of occupancy for the retail center, and shall be repeated annually until two years after the final certificate of occupancy is issued for 450,000 square feet or more of retail use within the commercial rezoning parcel that is the subject of this application."

- (5) DELETION of Condition 4 of Resolution No. Z-20-08.

"4. That the Applicant shall mitigate and monitor any odor emissions from the adjacent fat rendering/tallow plant, located within the property described by folio numbers 30-3935-001-0030, 30-3935-001-0020, 30-3935-001-0010 (the "Tallow Plant"), through the following program:

- a) Extend NW 132nd Avenue and sewer infrastructure (including along NW 14<sup>th</sup> Street, if necessary) to the property frontage of the Tallow Plant in a manner that will ensure that the fat rendering plant will be able to connect to public sewer.
- b) Within 180 days following the final approval of the rezoning of the property legally described in Exhibit A to this resolution (the "Commercial Rezoning Property"), including the expiration of all appeals and appeal timeframes, retain an expert in odor issues and odor control to prepare a study of the Tallow Plant odor emissions and provide said study, including mitigation recommendations (the "Odor Study"), to the

Department of Environmental Resources Management, Department of Planning and Zoning and the owners of the Tallow Plant.

- c) Within 30 days of receipt of the Odor Study by the Directors of the Departments of Environmental Resources Management, Planning and Zoning, and the Tallow Plant, schedule a meeting with said Directors, or their designees, (and invite the owners of the Tallow Plant or its representatives) to devise a program for monitoring and/or controlling odor emissions from the Tallow Plant (the "Odor Control Program") which may include the installation and operation of monitoring equipment on the Commercial Rezoning Parcel or installation of or odor control equipment within the Tallow Plant.
- d) The Applicant shall fund or cause the implementation some or all of the Odor Control Program, provided that said funding or said implementation measures caused shall not exceed \$50,000, in addition to the cost of extending the sewer line pursuant to subparagraph (a).
- e) Within 45 days following the final approval of this development order amendment, including the expiration of all appeal periods, the Developer shall record a Notice of Adoption in the public records of Miami-Dade County, Florida, so as to provide notice to the public of this and all other new conditions to the amended DRI development order. This amended DRI development order shall serve as disclosure to any parties of interest within the Commercial Parcel of the existence of the Tallow Plant and that it may emit unpleasant odors from time to time.

The timeframes provided within this condition may be extended by the Director of the Planning and Zoning Department for good cause shown. This condition shall continue until such time as the use of the existing fat rendering plant has ceased or until it has been satisfied."

(6) MODIFICATION of Condition 6 of Resolution No. Z-20-08 reading as follows:

FROM: "That prior to issuing the first building permit, the Applicant will coordinate with Miami-Dade Transit to develop service plan alternatives for providing transit service to the proposed +/-46 acre retail center located at the southwest corner of the Beacon Lakes DRI. Options for providing transit service shall include one or more of the following: neighborhood circulators, route extension/realignment, as well as applicant/developer contributions. Other transit amenities, including bus bays and shelters for all bus stops, especially at all possible turnaround location(s), shall be included."

TO: "That prior to issuing the first building permit, the Applicant will coordinate with Miami-Dade Transit to develop service plan alternatives for providing transit service to the proposed +/-63 acre retail center located on the east portion of the Beacon Lakes DRI. Options for providing transit service shall include one or more of the following: neighborhood circulators, route extension/realignment, as well as applicant/developer contributions. Other transit amenities, including bus bays and shelters for all bus stops, especially at all possible turnaround location(s), shall be included."

(7) MODIFICATION of Conditions 58, 59, and 60 of Resolution No. Z-10-12, as administratively modified from time to time and as reflected in the Notice of Adoption of an Extension to the Development Order for the Beacon Lakes Development of Regional Impact, as recorded in Official Records Book 28753 at Page 2187, as subsequently amended administratively, reading as follows:

FROM: "58. April 27, 2019 is hereby established as the build out date for this project, which includes administrative extensions approved pursuant to Florida Statutes, and is the date until which the local government of jurisdiction agrees that the Beacon Lakes DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to public health, safety, or welfare."

"59. The deadline for commencement of physical development shall be two (2) years from the date of the effective date of the development order. For purposes of this paragraph, physical development means development as defined in Section 380.04, F.S. The termination date for completing the physical development shall be April 27, 2019, which includes administrative extensions approved pursuant to Florida Statutes."

"60. September 1, 2025, is hereby established as the expiration date for the development order, which includes administrative extensions approved pursuant to Florida Statutes."

TO: "58. September 1, 2025 is hereby established as the build out date for this project, which includes administrative extensions approved pursuant to Florida Statutes and is the date until which the local government of jurisdiction agrees that the Beacon Lakes DRI shall not be subject to down-zoning, unit density reduction or intensity reduction unless a local government of jurisdiction can demonstrate that substantial changes made by developer in the facts or circumstances underlying the approval of the DRI development order have occurred or that the DRI development order was based on substantially inaccurate information provided by the applicant or that the change is clearly essential to public health, safety or welfare."

"59. The deadline for commencement of physical development shall be two (2) years from the date of the effective date of the development order. For purposes of this paragraph, physical development means development as defined in Section 380.04, F.S. The termination date for completing the physical development shall be September 1, 2025, which includes administrative extensions approved pursuant to Florida Statutes."

"60. April 27, 2024, is hereby established as the expiration date for the development order, which includes administrative extensions approved pursuant to Florida Statutes."

- (8) MODIFICATION of Exhibit 1 of Resolution No. Z-11-02, as last modified by Resolution No. Z-20-08, reading as follows:

FROM: EXHIBIT 1, MASTER DEVELOPMENT PLAN MAP H (Revised 12/20/06)

TO: EXHIBIT 1, MASTER DEVELOPMENT PLAN MAP H (Revised 9/10/15)

THE BELOW REQUESTS ARE RELATED TO ZONING:

- (9) DISTRICT BOUNDARY CHANGE for Parcel 1 from BU-2 to IU-1.
- (10) DISTRICT BOUNDARY CHANGE for Parcel 2 from GU and IU-2 to BU-3.
- (11) UNUSUAL USE for Parcel 2; to wit a golf driving range and entertainment facility.
- (12) DELETION of Condition #2 of Resolution No. CZAB5-10-04, removing as follows:
  - “2. That the applicant proceed through the Administrative Site Plan Review (ASPR) process for all future development on each individual IU-1 zoned parcel of the subject site prior to obtaining building permits for said development.”
- (13) DELETION of Declaration of Restrictions, recorded in Official Records Book 20487, Pages 4478-4496, as last modified by (i) a Modification of Declaration of Restrictions Recorded at Official Records Book 20487, Pages 4478 to 4496, as Further Modified by a Covenant Proviso Contained in Resolution No. CZAB5-10-4, recorded in Official Records Book 26750 at Page 1709, and (ii) a Modification of Declaration of Restrictions Recorded at Official Records Book 20487, Pages 4478 to 4496, as Further Modified by a Covenant Proviso Contained in Resolution No. CZAB5-10-4, recorded in Official Records Book 26758 at Page 3003.
- (14) DELETION of Declaration of Restrictions recorded in Official Records Book 20487, Page 4314.

The purpose of Requests #2 through #8 and Requests #12 through #14 is to allow the applicant to amend the Development Order to show additional property with office/commercial zoning and to increase the amount of industrial/warehouse uses, while amending the buildout date.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled “Beacon Lakes Prologis” as prepared by RCL Architects dated stamped received 12/23/15 and consisting of 5 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

In 2002, the Board of County Commissioners (BCC), pursuant to Resolutions #Z-11-02 and #Z-12-02, redesignated the subject property to Industrial and Office and also granted a zone change from GU, Interim District, to IU-1, Light Industrial District, and BU-1A, Limited Business District. The DRI has undergone several modifications approved by the BCC. The last modification was approved in 2012, pursuant to Resolution #Z-10-12, which modified Conditions #58 through #60 to extend the buildout, termination and expiration dates to April 27, 2019.

The applicant is seeking approval of a zone change from BU-2 to IU-1 on parcel 1, a zone change from GU and IU-2 to BU-3 on parcel 2, along with a request to permit a golf driving range and entertainment facility on parcel 2. The applicant is also seeking to delete a condition of a previously approved Resolution, and to delete two (2) previously approved Declaration of Restrictions. Further, modifications of previously approved Resolutions in order to change the Development Order (DO) are also being sought, along with a request for Substantial Deviation Determination for the DRI. Additionally, the applicants seek to update the DRI build out date and to show that the proposed changes are not a substantial deviation pursuant to section 380.06(19), Florida Statutes.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	GU, BU-1A, BU-2 and IU-1; warehouses, vacant land and a lake	Restricted Industrial and Office, Business and Office, Water
<b>North</b>	GU and IU-1; vacant lands and lakes	Restricted Industrial and Office, Open Land and Water
<b>South</b>	GU, IU-1 and IU-2; vacant lands a lake and SR 836 Extension	Restricted Industrial and Office and Water Transportation
<b>East</b>	IU-1 and IU-2; Florida Turnpike	Transportation Restricted Industrial and Office
<b>West</b>	IU-1 and GU; vacant lands	Restricted Industrial and Office, and Open Land

**NEIGHBORHOOD COMPATIBILITY:**

The 482-acre subject property is comprised of warehouse buildings, vacant land and a lake located between NW 12 Street and NW 25 Street and between NW 117 Avenue and NW 137 Avenue. The property abuts the Florida Turnpike Homestead Extension to the east. The other surrounding properties contain vacant lands, lakes and the SR 836 Extension.

**SUMMARY OF THE IMPACTS:**

The approval of this application will allow the applicant to redevelop the parcel with additional commercial uses while maintaining other industrial uses. However, based on the memorandum from the Transportation and Public Works Department, the proposed change will generate negative impacts on the surrounding roadways.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Restricted Industrial and Office** use. The applicant is seeking to modify a previously approved Development Order (DO), to allow a zone change from BU-2 to IU-1 on parcel 1, a zone change from GU and IU-2 to BU-3 on parcel 2, along with a request to permit a golf driving range and entertainment facility on parcel 2. The applicant is also seeking to delete a condition of a previously approved Resolution, and to delete two (2) previously approved Declaration of Restrictions. Further, staff notes that no new uses or impacts are being introduced into the DRI with this application. Additionally, staff notes that the applicant is concurrently seeking approval of a CDMP amendment to designate parcel 2 to Business and Office, which would allow BU-3 zoning on said parcel. Therefore, staff opines that approval of this application is **consistent** with the CDMP Land Use Plan map **Restricted Industrial and Office** and the proposed **Business and Office** designations for the subject property.

**ZONING ANALYSIS:**

The applicant is seeking a substantial deviation determination to a Development of Regional Impact (DRI) pursuant to Section 380.06(19) of the Florida Statutes as it pertains to modifying

portions of Resolutions regarding the Development Order (DO) of the DRI (request #1). In addition, the applicant seeks ancillary requests to modify conditions from several resolutions in order to increase the size of the property, change the development square footage for warehouse use, delete a resolution that is no longer necessary and change the build out date.

Staff's analysis of the applicants' request for a substantial deviation determination (request #1), is based on the standards outlined in Miami-Dade County Code, Section 33-303(D)(7), Developmental Impact Committee; and the ancillary requests to modify conditions and delete a resolution (requests #2 through #8 and #12 through #14) are based on the standards outlined in Section 33-311(A)(7), Generalized Modification Standards. The DIC review standards require the County to determine the extent to which the development permitted by the approval of zoning action referred to will efficiently use or unduly burden water, sewer, solid waste disposal, education, recreation or other necessary public facilities or public transportation facilities, including roads, streets and highways, which have been constructed or planned and budgeted for construction in the area, and whether the proposed development will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida.

The Modification standards also require the County to determine if the approval of the requested modifications *would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.* Staff notes that the memorandum submitted by the Miami-Dade Fire Rescue (MDFRD) indicates that MDFRD is unable to favorably recommended approval of the subject application until the applicant complies with or demonstrates that due diligence is underway to comply with condition #28 of Resolution #Z-11-02, which required the applicant to convey two-acre parcel of land within the DRI to MDFRD. However, memoranda submitted by the various departments and entities reviewing the application, to include the Water and Sewer Department, Miami-Dade Police Department (MDPD), the Public Works and Waste Management Department and the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER), the Parks, Recreation and Public Spaces Department and the Florida Department of Economic Opportunity (DEO) indicate that approval of the aforementioned requests will not unduly burden the services or facilities provided. Based on said memoranda, when considering the necessity and reasonableness of the modifications in relation to the present and future development of the area within the subject DRI property and the surrounding areas, staff opines that approval of the application would be **compatible** with the area concerned.

The applicant has submitted the required documentation describing the proposed changes to the DRI. Documents submitted by the applicant indicate that the proposed change involves the addition of an adjacent and contiguous  $\pm 45.09$  acre parcel of land to the DRI, the addition of 785,761 SF of warehouse use and a reconfiguration of the DRI Master Plan. The new land is currently designated "Restricted Industrial and Office" and is identified as a portion of "Parcel 296 from the 2010 EAR". "Parcel 296 from the 2010 EAR" was entitled by Miami-Dade County with an FAR of 0.4 under the Restricted Industrial land use designation, which yields a 785,761 SF of Warehouse use entitlement on the new area. Parcel 296 was moved into the UDB (by Miami-Dade County) during the October 2012 Cycle for "EAR-Based Amendment Application No. 1, Part C, Parcel 296 to amend the CDMP". In order to maintain the County's minimum adopted level of service standards on all State and County roads adjacent to and in the vicinity of Parcel 296, Miami-Dade County established the entitlements for Parcel 296 with an FAR of 0.4. As part of the approval process for changes to the CDMP, the South Florida Regional Planning Council (as the Regional Planning Agency) held a hearing to formerly review the proposed land use change

for the October 2012 Cycle for "EAR-Based Amendment Application No. 1, Part C, Parcel 296 to amend the CDMP that entitled Parcel 296. Thus, the transportation impacts resulting from the land use change to Parcel 296 were previously reviewed and approved by Miami-Dade County, FDOT and the SFRC (South Florida Regional Council), all the while adjacent to the active development underway for the Beacon Lakes DRI. Notwithstanding, the analysis provided in the developer's enclosed traffic analysis evaluates the 3,042 PM Peak Hour traffic impact for the DRI's approved but unbuilt uses, the uses under construction, the relocated uses on-site, and the uses added from the new land, resulting in 251 PM Peak Hour Trips.

Further, staff anticipates that once submitted the memorandum from the Transportation and Public Works (TPW) Department would not have any adverse traffic impacts in the subject area. Additionally, staff notes that the South Florida Regional Council (SFRC) submitted a letter stating that based on the information provided, the proposed changes to the subject DRI will not create new or additional adverse impacts to state and regional resources or facilities and are not substantial deviations as defined by Chapter 380.06(19) of the Florida Statutes (see attached SFRC Letter). Further, based on the documents submitted by the applicant and the memoranda submitted by the Departments reviewing the application, staff opines that the approval of the proposed changes to the DRI do not constitute a substantial deviation from the DO in accordance with Subparagraph 380.06(19)(e)2.k., Florida Statutes. **However, staff has not received all the necessary documentation or information to properly analyze the subject application. Therefore, staff recommends deferral of this application.**

In request #9, the applicant is requesting a zone change on Parcel 1 from BU-2, Special Business District, to IU-1, Light Industrial District. Additionally, the applicant is requesting a zone change on Parcel 2 from GU, Interim District and IU-2, Heavy Industrial District to BU-3, Liberal Business District (request #10). When considering district boundary changes, the Zoning Code requires that the Board consider whether the development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered. Additionally, the Board shall consider if the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently utilize or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways. The applicant is seeking approval for the aforementioned district boundary changes, which staff supports.

The portion of the subject property where the zone change is being requested on Parcel 1 from BU-2, Special Business District, to IU-1, Light Industrial District is located at the southwest corner. Additionally, the portion of the subject property where the zone change is being requested on Parcel 2 from GU, Interim District and IU-2, Heavy Industrial District to BU-3, Liberal Business District is located at the southeast corner of the subject site, and is also the location of the proposed CDMP amendment where the commercial center is proposed. As previously mentioned, subject to the approval of the concurrent Master Plan Amendment on Parcel 1, the requested zone changes on Parcels 1 and 2 will be **consistent** with the land use designation on the LUP map. Additionally, staff opines that these requests are **compatible** with the area. Staff opines

that the requested zone changes will not have adverse impacts on the area. Essentially, the applicant's request for BU-3 zoning would permit proposed retail and commercial uses on Parcel 2. Staff notes that the proposed zone changes would not result in a detrimental impact on the environmental and transportation resources of the County, as evidenced by the comments from DERM and the Transportation and Public Works Department in their memoranda, when submitted as a part of this application. Additionally, staff opines that the proposed development will not have a negative impact on the economy of the Miami-Dade County. **However, staff has not received all the necessary documentation or information to properly analyze the subject application. Therefore, staff recommends deferral of this application.**

The applicant is also seeking approval of an unusual use request to permit on Parcel 2 a golf driving range and a golf related entertainment facility (request #11). The Master Plan specifies that certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the Zoning Code. However, it provides that uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible with and would not have an unfavorable effect on the surrounding area by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. The unusual use request for a golf driving range and a golf related entertainment facility is similar to other outdoor and indoor playing facilities, which are also permitted in the BU-3 zoned areas where people can engage in some form of outdoor or indoor activity or entertainment. In this regard, the use is substantially similar to uses permitted in the LUP map category and in the proposed zone and will be compatible with other permitted commercial uses within the subject development. As previously noted, the applicant is requesting a concurrent CDMP amendment to change the current land use designation to Business and Office. Additionally, the applicant is requesting a zone change from GU and IU-1 to BU-3. If these requests are approved, the request for an unusual use would be consistent with the CDMP. Staff notes that no environmental impacts are generated by the golf driving range and golf related entertainment facility uses, as indicated by the various Department memoranda, and said activities do not require structures with a scale that could detrimentally impact adjoining uses. Furthermore, staff notes that the proposed golf driving range and golf related entertainment facility uses will be easily accessed from the nearby network of roadways. As such, staff is of the opinion that the unusual use to permit a golf driving range and a golf related entertainment facility is **consistent** with the CDMP. **However, staff has not received all the necessary documentation or information to properly analyze the subject application. Therefore, staff recommends deferral of this application.**

**ACCESS, CIRCULATION AND PARKING:** See attached plans.

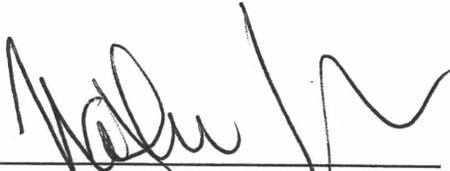
**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

**RECOMMENDATION:** Deferral.

**CONDITIONS FOR APPROVAL:** None.

NK:MW:NN:DH:JV



Nathan Kogon, AICP, Assistant Director  
Development Services Division  
Miami-Dade County  
Regulatory and Economic Resources Department

*NK*

PLANNING AND ZONING  
AGENDA

2016 AUG 31

PLANNING AND ZONING  
AGENDA  
2016 AUG 31

# ZONING RECOMMENDATION ADDENDUM

AMB Codina Beacon Lakes, LLC  
Z15-139

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Public Works and Waste Management	Pending
Parks, Recreation and Open Space	No objection
Fire Rescue	Objects
Police	No objection
Schools	No comment

## COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

<p><b>Restricted Industrial and Office</b> (Pg. I-40)</p>	<p>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for <b>Restricted Industrial and Office</b>. Industrial and Office areas designated as "Restricted" are areas where the range of uses and design of facilities are governed by special groundwater protection regulations. This category primarily affects "wellfield protection areas" designated in the Miami-Dade County Code (Chapter 24, Code of Miami-Dade County). Development in Restricted Industrial and Office areas should generally be limited to office uses, but certain business, warehousing and manufacturing uses may be permitted, provided that the use employs best management practices, and the use does not involve the on-site use, handling, storage, manufacture or disposal of hazardous materials or waste as defined in Chapter 24 of the County Code.</p>
<p><b>Business and Office</b> (Pg. I-40)</p>	<p>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for <b>Business and Office</b>. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.</p>

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<p><b>Section 33-311 District Boundary Change</b></p>	<p>(A) The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</p> <p>(F) <b>Section 33-311</b> provides that the Board shall take into consideration, among other factors the extent to which:</p>
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# ZONING RECOMMENDATION ADDENDUM

## AMB Codina Beacon Lakes, LLC Z15-139

	<p>(1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i></p> <p>(2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i></p> <p>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></p> <p>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></p> <p>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i></p>
<p><b>33-311(A)(3) Special Exceptions, Unusual and New Uses</b></p>	<p><i>Special exceptions (for all applications other than public charter schools), <b>unusual</b> and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and <b>unusual uses</b> which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development. For purposes of public hearing, a site plan shall be considered one (1) special exception, and upon approval of a site plan by the Community Zoning Appeals Board and/or the Board of County Commissioners, all non-use variances incorporated within and reflected upon the site plan shall be considered a part thereof, and official approval of the site plan shall constitute approval of all such non-use variances, unless otherwise so moved by the approving board.</i></p>
<p><b>Section 33-311(A)(7) Generalized Modification Standards.</b></p>	<p><i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity</i></p>

# ZONING RECOMMENDATION ADDENDUM

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	<p><i>and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i></p>
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