



**MIAMI-DADE COUNTY  
FINAL OFFICIAL  
Meeting Minutes**

**Board of County Commissioners**  
*Stephen P. Clark Government Center  
111 N.W. 1st Street  
Miami, FL 33128*

Thursday, November 20, 2008  
As Advertised

Harvey Ruvlin, Clerk  
Board of County Commissioners

Kay Sullivan, Director  
Clerk of the Board Division

Alicia Stephenson, Commission Reporter, (305) 375-1475.



**FINAL OFFICIAL**

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**Members Present:** Bruno Barreiro; Jose "Pepe" Diaz; Audrey M. Edmonson; Carlos A. Gimenez; Sally A. Heyman; Barbara J. Jordan; Joe A. Martinez; Dorrin Rolle; Natacha Seijas; Katy Sorenson; Rebeca Sosa; Javier D. Souto

**Members Absent:** Dennis C. Moss

**Members Late:** None.

**Members Excused:** None.

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**Members Absent County Business:** None.

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**1A MOMENT OF SILENCE**

**1B PLEDGE OF ALLEGIANCE**

**1C ROLL CALL**

**Report:** *The following members of staff were present: Assistant County Attorneys Joni Armstrong-Coffey and Craig Collier; Department of Planning and Zoning Director Marc LaFerrier; and Deputy Clerks Diane Collins and Alicia Stephenson.*

*Chairman Barreiro noted the purpose of today's hearing was for the Commission to take final action on one April, 2008 Amendment Cycle application and two pending October 2007 Cycle applications requesting amendments to the Comprehensive Development Master Plan (CDMP). He also noted that final action could be to adopt, adopt with change, or to deny each application. Chairman Barreiro further noted that final action would be taken by ordinances Special Item No. 2 and Substitute Special Item No. 3 on today's (11/20) agenda. Chairman Barreiro added that Application No. 12 of the April 2008 Cycle was continued from the Commission's public hearing of November 6, 2008, and would be addressed by Special Item No. 2. He explained that Substitute Special Item No. 3 addressed Applications nos. 4 and 5 from the October, 2007 Cycle and that the Planning Advisory Board (PAB) heard both applications. He pointed out that on October 6, 2008, the PAB conducted a public hearing to review and issue its final recommendations on Application No. 12. On November 19, 2008, the PAB, acting as the Local Planning Agency, conducted a public hearing to review and issue its final recommendations on the two applications of the October 2007 Cycle, Chairman Barreiro continued. He explained that DCA did not review the October 2007 Cycle amendments and therefore issued no Objections, Recommendations, and Comments (ORC) report regarding the amendment package. Chairman Barreiro noted public hearing procedures for today (11/20).*

**PUBLIC HEARING(S) [SET FOR 9:30 A.M.]**

**APRIL 2008 CYCLE APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

SPECIAL ITEM NO.2

**082883 Ordinance**

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; ACTING UPON CAPITAL IMPROVEMENTS ELEMENT AMENDMENT APPLICATION FILED IN APRIL 2008 CYCLE TO AMEND, MODIFY, ADD TO OR CHANGE THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Adopted  
Ordinance 08-130  
Mover: Sally A. Heyman  
Seconder: Barbara J. Jordan  
Vote: 9-1  
No: Gimenez  
Absent: Moss, Martinez, Seijas*

**Report:** Assistant County Attorney Joni Armstrong-Coffey noted that the foregoing ordinance was read into the record and the public hearing was closed. She noted that unless the Commission wanted to reopen the public hearing, it could proceed with the foregoing ordinance.

Chairman Barreiro asked whether members of the Commission currently had concerns regarding the foregoing ordinance with regard to funding and financing of some projects identified in the Seaport and Mass Transit components of the Comprehensive Development Master Plan (CDMP) Capital Improvements Element (CIE).

No Commission members voiced concerns.

The Board by motion duly made, seconded, and carried adopted the foregoing ordinance and Application No. 12 to amend and update the text and policies of the Capital Improvements Element (CIE) of the Comprehensive Development Master Plan.

**10/21/2008** Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners

**10/21/2008** Adopted on first reading by the Board of County Commissioners

**11/6/2008** Continued by the Board of County Commissioners

**OCTOBER 2007 CYCLE CDMP AMENDMENTS**

SPECIAL ITEM NO. 3

**081477 Ordinance**

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATIONS FILED IN OCTOBER 2007 CYCLE TO AMEND, MODIFY, ADD TO OR CHANGE COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Withdrawn*

**Report:** Withdrawn-See Substitute Special Item No. 3 (Legislative File No. 083299)

**5/29/2008** Adopted on first reading by the Board of County Commissioners

SUB, SPECIAL ITEM NO. 3

**083299**

**Ordinance**

ORDINANCE RELATING TO MIAMI-DADE COUNTY  
COMPREHENSIVE DEVELOPMENT MASTER PLAN;  
PROVIDING DISPOSITION OF APPLICATIONS FILED IN  
OCTOBER 2007 CYCLE TO AMEND, MODIFY, ADD TO OR  
CHANGE COMPREHENSIVE DEVELOPMENT MASTER  
PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM  
THE CODE AND AN EFFECTIVE DATE

*Adopted*

*Ordinance 08-131*

*Mover: Barbara J. Jordan*

*Seconder: Dorrin D. Rolle*

*Vote: 12- 0*

*Absent: Moss*

(Department of Planning & Zoning)

**Report:** Assistant County Attorney Joni Armstrong-Coffey read the foregoing ordinance into the record.

Prior to voting on the foregoing ordinance, the Board considered applications No. 4 and 5 separately and took the following preliminary votes:

Application No. 4

Mr. Mark Woerner, Department of Planning and Zoning (DP&Z) Metropolitan Planning Section Chief, introduced the foregoing application.

Mr. Miguel Diaz de la Portilla, 121 Alhambra Plaza, attorney representing the applicant, made a presentation in support of this application.

The following persons appeared before the Board in opposition to application No. 4:

~Mr. Scott Bunch, 10950 S.W. 95 Street  
~Ms. Rosa Bunch, 10950 S.W. 95 Street  
~Mr. Manny Escobar, 11481 S.W. 95 Street  
~Mr. Peter Ostrowsky, 11401 S.W. 93 Street  
~Ms. Leonor Andreu, 10821 S.W. 93 Street  
~Mr. Jack Tierney, 1080 S.W. 93 Street

The following persons appeared before the Board in support of application No. 4:

~Mr. Elias Artze, 10770 S.W. 95 Street  
~Ms. Martha Glaeser, 10890 S.W. 95 Street  
~Mr. Roger Sassine, 11015 S.W. 95 Street  
~Mr. Jason Poulos, 10870 S.W. 95 Street  
~Mr. Jose Gutierrez, 9935 S.W. 117 Avenue  
~Mr. Antonio Sarmiento, 10805 S.W. 95 Street  
~Mr. Jaime Colao, 10900 S.W. 91 Street  
~Mr. Jorge Morales, 9255 S.W. 125 Avenue

Mr. Diaz de la Portilla reappeared in rebuttal.

Commissioner Sorenson expressed concern that the applicant did not initiate discussion with area residents regarding designating the subject property as residential.

Mr. Harpal Kapoor, Miami-Dade Transit Agency Director, responded to Commissioner Sorenson's inquiries regarding bus service in the application area.

Mr. Woerner responded to Commissioner Sorenson's questions regarding depletion of the supply of land designated or zoned as commercial or residential.

It was moved by Commissioner Sorenson that Application No. 4 be denied. This motion was seconded by Commissioner Heyman.

Commissioner Seijas expressed concern regarding staff recommendations pertaining to accessibility to business operations for area residents. She pointed out that the office building proposed for the subject property would be residential in appearance.

Commissioner Diaz expressed concern regarding denying the applicant's request for an office/residential designation when land adjacent to the subject property was being used for commercial and institutional purposes.

Commissioner Edmonson expressed concern that if the property owner could build only homes on the subject property, the homes would cost six to seven hundred thousand dollars and therefore, the property owner would be unable to sell them. She further expressed concern that the property would deteriorate as a result.

Discussion ensued regarding disapproval from area residents regarding uses of the subject property.

Commissioner Heyman expressed concern regarding placing an office building in a residential area.

Mr. Diaz de la Portilla noted that he and the applicant would take all necessary steps to put the covenant into a form acceptable to the County Attorney's Office and DP&Z and would add to the covenant the prohibition of a call center within the next ten days.

Commissioner Sorenson withdrew her motion to deny this application. She asked that this application be amended to prohibit an egress on S.W. 95 Street.

Mr. Raul Piño, Office of Land Development, Public Works Department, noted an egress was needed on S.W. 95 Street to address safety issues.

It was moved by Commissioner Souto that Application No. 4 be adopted with acceptance of the proffered covenant with the additional prohibition of call centers as a permitted use. This motion was seconded by Commissioner Diaz and upon being put to a preliminary vote, passed by a vote of 11-1 (Commissioner Sorenson voted "No.") (Commissioner Moss was absent).

#### Application No. 5

Mr. Mark Woerner, Metropolitan Planning Chief, Department of Planning and Zoning (DP&Z), introduced the foregoing application.

Chairman Barreiro opened the public hearing; however, it was closed when no one responded to Chairman Barreiro's call for persons wishing to be heard in connection with the foregoing application.

It was moved by Vice Chairwoman Jordan that Application No. 5 be adopted. This motion was seconded by Commissioner Rolle and upon being put to a preliminary vote, passed by a vote of 11-0 (Commissioners Moss and Sorenson were absent).

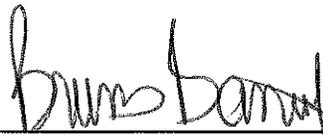
Upon the closing of the public hearing, the Board by motion duly made, seconded, and carried, adopted the foregoing ordinance, incorporating therein preliminary votes taken on application Nos. 4 and 5 to amend the Comprehensive Development Master Plan.

090320 Report

11/20/2008 BCC CDMP NON-AGENDA REPORT

**Report:** Vice Chairwoman Jordan recognized Miami-Dade County high school students who were attending today's meeting to observe government in action. She explained that this activity was facilitated through Youth Co-Op Inc. by Mr. Xavier Ingram under the direction of Ms. Sylvia Daughtrey, Center Director.

**ADJOURNMENT**



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Bruno A. Barreiro, Chairman

ATTEST: HARVEY RUVIN, CLERK



By: \_\_\_\_\_  
Kay Sullivan, Deputy Clerk