



MIAMI-DADE COUNTY
FINAL OFFICIAL
Meeting Minutes

Board of County Commissioners

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

Wednesday, November 19, 2014
9:30 AM, Commission Chambers

Harvey Ruvlin, Clerk
Board of County Commissioners

Christopher Agrippa, Director
Clerk of the Board Division

Kerry Khunjar, Commission Reporter
(305) 375-5108



FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Wednesday, November 19, 2014

Members Present: Esteban L. Bovo, Jr.; Daniella Cava; Barbara J. Jordan; Jean Monestime; Dennis C. Moss; Rebeca Sosa; Javier D. Souto; Xavier L. Suarez

Members Absent: Bruno Barreiro; Audrey M. Edmonson; Sally A. Heyman

Members Late: Jose "Pepe" Diaz 10:00AM; Juan C. Zapata 9:55AM

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Kerry Khunjar, Commission Reporter*
(305) 375-5108

1A INVOCATION AS PROVIDED IN RULE 5.05(H)

Report: *The Board of County Commissioners convened in a moment of silence, followed by the Pledge of Allegiance.*

1B ROLL CALL

Report: Chairwoman Sosa called the meeting to order at 9:51 a.m. In addition to the members of the County Commission, the following staff members were present:

~County Attorney Robert Cuevas,
~Assistant County Attorneys Abbie Schwaderer-Raurell and Craig Coller;
~Assistant Director Mark Woerner, Office of Metropolitan Planning,
Department of Regulatory and Economic Resources (RER);
~Mr. Garrett Rowe, Comprehensive Development Master Plan (CDMP)
Administration Supervisor at RER;
~Clerk of the Board Division Chief Christopher Agrippa;
~Deputy Clerk Kerry Khunjar

Chairwoman Sosa welcomed newly-elected Commissioner Levine Cava, Commission District 8, to her first meeting.

Chairwoman Sosa requested guidance from the County Attorneys' Office regarding setting of the date for the new Second Budget Hearing.

County Attorney Robert Cuevas advised Chairwoman Sosa that the Board of County Commissioners (BCC) could set the new date and time at a Regular BCC Meeting or at a specially-set meeting. He noted the County needed to adhere to the time frames established from the date the notice was received from the Department of Revenue, which allowed 15 days to advertise and another two to five days for the actual meeting to occur.

Chairwoman Sosa enquired if there were any upcoming specially-set meetings in the near future and about the procedure for scheduling a specially-set meeting.

County Attorney Cuevas pointed out that a Zoning Meeting was scheduled for tomorrow (11/20) and a potential call for a special meeting was prepared in the event the Board wished to set the date for the new Second Budget Hearing at that time. He noted a special form needed to be filled out and signed by seven commissioners before being filed with the Clerk of the Board to set the special meeting.

Discussion ensued between Chairwoman Sosa and County Attorney Cuevas regarding the procedure for filling out the form and setting a date for the new Second Budget Hearing.

Chairwoman Sosa asked if there were any requests for deferrals or withdrawals that needed to be considered before proceeding with the meeting.

Hearing none, Chairwoman Sosa recommended hearing Applications 6, 7 and 8 followed by Applications 5, 4, 1 and 2, in that order, depending on the number of people wishing to speak. She noted Application 3 would be considered at the end.

Assistant Director Mark Woerner, Office of Metropolitan Planning, Department of Regulatory and Economic Resources (RER) agreed to proceed with the Applications in the order recommended by Chairwoman Sosa.

Mr. Woerner noted he had a few brief opening comments regarding the current CDMP cycle. He advised that the purpose of this hearing was for the Board of County Commissioners to take action pertaining to the May, 2014 Cycle of Applications requesting amendments to the Comprehensive

Development Master Plan (CDMP). He stated that a total of eight applications were filed, with five being filed by private applicants. Mr. Woerner further noted Applications No. 1 and 2 were small-scale amendments; Applications No. 3, 4 and 5 were standard amendments; and Applications No. 6, 7 and 8 were staff filed text amendments.

Mr. Woerner advised that the Board may take final action on Applications No. 1 and 2, (Agenda Items 3A and 3B respectively) or convert them to standard applications, in which case the attached resolutions could be used to transmit them as standard amendments.

Mr. Woerner informed the Board members that they may choose to either transmit or not transmit to the State for review the remaining standard amendments, namely Applications No. 3, 4, 5, 6, 7 and 8 (Agenda Items 4A through 4F respectively). He noted the Board could also choose to take a preliminary vote to ultimately approve or deny the Applications, but it was not a requirement to transmit.

Mr. Woerner stated that the Assistant County Attorney would read each agenda item into the record, including the foregoing proposed resolution and the foregoing proposed ordinance for first reading. He advised the Board members that they were also responsible for taking action on the ordinances for first reading for standard applications 3 through 8.

Mr. Woerner asked the Assistant County Attorney to begin with Application No. 6 pursuant to Chairwoman Sosa's suggestion.

Assistant County Attorney Craig Collier advised that he would read both the foregoing proposed resolution and the foregoing proposed ordinance for first reading for each item.

1C PLEDGE OF ALLEGIANCE

1D REASONABLE OPPORTUNITY FOR THE PUBLIC TO BE HEARD AS PROVIDED IN RULE 6.06

2 MAYORAL REPORTS

2A1

142486 Report

REPORT ON MAY 2014 CYCLE APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN (SEE AGENDA ITEM NOS. 3A THRU 4F1) (Mayor) *Accepted*

3 SMALL-SCALE APPLICATIONS

3A

142366 Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATION NO. 1 LOCATED ON THE SOUTH SIDE OF NW 61 STREET AND APPROXIMATELY 200 FEET WEST OF NW 27 AVENUE FILED IN MAY 2014 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

Adopted

Ordinance 14-115

Mover: Jean Monestime

Seconder: Esteban L. Bovo, Jr.

Vote: 9- 0

Absent: Jordan, Edmonson,

Heyman, Barreiro

Report: Assistant County Attorney Craig Collier read the foregoing proposed ordinance and foregoing proposed resolution into the record. He noted in the event the Board decided to change this "small-scale" application to a "standard" application, the resolution would be withdrawn.

Mr. Mark Woerner, Assistant Director, Regulatory and Economic Resources (RER) Department, explained that Application No. 1 was located in Commission District 2 on the South side of Northwest 61st Street and approximately 200 feet West of Northwest 27th Avenue. He noted the property was roughly 1.2 or 1.02 acres in size, making it a "small scale" amendment. Mr. Woerner pointed out that the property was currently designated on the Comprehensive Development Master Plan (CDMP) Land Use Map as "low medium density residential," with a portion of the property facing 27th Avenue designated "business and office."

Mr. Woerner said the applicant was requesting that the entire site be re-designated for "business and office." He informed the Board that the department, Community Council 8, (North/Central Community Council) and the Planning Advisory Board (PAB) all recommended adoption as a "small-scale amendment." Mr. Woerner noted there were no covenants associated with the application. He pointed out that if the site was developed for retail use it would be able to accommodate approximately 14,000 square feet of retail space; however, the applicant had indicated that they may use the site primarily for parking for a transportation business located in the vicinity of the property.

Mr. Woerner stated that the department found the application's request for re-designation compatible with the surrounding areas and reiterated its recommendation for approval.

Mr. Felix Lasarte, 3250 NE 1st Avenue, Suite 334, Miami FL, attorney for the applicant "Transportation America," noted the property was located in Commissioner Monestime's District and pointed out that the application had received all positive recommendations from the reviewing agencies and staff. He spoke of the applicant's existing contracts with the County managing Special Transportation Services (STS) and SuperShuttle. Mr. Lasarte spoke of "Transportation America's" vision to create a transportation campus in the area to train and dispatch its fleet. He spoke of the company's goals and practice of hiring from within the community and noted several members of the community were present to speak in support of the application, if need be.

Mr. Lasarte informed the Board that the applicant was actively engaged in acquiring properties in the areas surrounding the site to build the transportation campus and had recently purchased a parcel of land adjacent to the location cited in the application. He said the applicant was requesting that the newly-purchased lot be added/included to the application currently before the Board.

Chairwoman Sosa requested guidance from the County Attorney's Office on how to proceed. She asked if the applicant would be able to include the newly-acquired lot of land in the existing application or if an entirely new application would need to be filed.

Assistant County Attorney Collier explained that whilst the applicant would not be able to include the new property in the existing application, it was appropriate for the Board members to add a similarly situated property to the application, if they so choose.

Chairwoman Sosa noted even though the Commission could legally include the newly-acquired property to the existing application, she wished to hear from RER on the matter.

Mr. Woerner noted while the newly-acquired property may be small in terms of square footage, the department had not been able to review and analyze the property to ascertain if it met the criteria for re-designation to "business and office." He also noted the public would not have been informed at the Community Council and PAB meetings about the property.

Mr. Woerner acknowledged that the inclusion of the newly-acquired property may not have affected the recommendations made by the agencies; however, it would have provided them the opportunity to consider the properties in question. He also pointed out that the applicant would not have been able to amend the application to include the new lot of land in any event once an application had been filed. Mr. Woerner stated for the record that he was unable to say whether there would be a significant impact to the area, but noted he believed the impact may be minor. He indicated that the District Commissioner would need to decide if he was amenable to amending the application.

Chairwoman Sosa opened the public hearing and called for persons wishing to appear before the Board in relation to the foregoing proposed resolution and foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

Commissioner Monestime enquired about the size of the newly-acquired property and how the applicant intended to use the site.

Mr. Lasarte noted the property was approximately 20,000 square feet in size and the applicant intended to use it primarily for parking. He informed the Board members that the site would also be used by a nearby church on weekends.

Commissioner Monestime enquired from Mr. Woerner if there were any property size restrictions which would determine whether an application could remain as a small-scale amendment.

Mr. Woerner noted any property less than 10 acres in size would be considered a small scale amendment. He stated that the application in question would continue to be a small-scale amendment even if the newly-acquired property was included.

Commissioner Monestime requested that the application be amended to include the newly-acquired parcel of land. He noted he had heard complaints from neighbors and residents of the area about the current parking situation and he believed that this application had the potential to make a significant positive impact on the community if approved and transmitted, as amended. He requested guidance from the County Attorney's Office regarding the proper language for the motion to amend and move the application.

Assistant County Attorney Collier stated that he would defer to staff regarding what was needed to add the new property to the application.

Discussions ensued among Assistant County Attorney Collier, Mr. Woerner and Mr. Lasarte about using the property folio number to identify the new site.

Mr. Lasarte read the property folio number, 3031160097510, into the record.

Pursuant to Commissioner Monestime's question regarding whether the application would come before the Board for zoning, Mr. Woerner explained that the properties would have to be rezoned by the applicant and as such, the application would go before the Community Council for a public hearing.

Mr. Woerner requested clarification regarding the location for the newly-included property as an "add on." He noted his records indicated that the property was located adjacent to the original site included in the application, on the Northeast corner of NW 29th Avenue and Northwest 60th Street.

Mr. Lasarte confirmed that the location read into the record by Mr. Woerner was an accurate description of the new property included in the application. Assistant County Attorney Collier clarified that the Board would be voting on the adoption of Agenda Item 3A, as amended, and the withdrawal of Agenda Item 3A1.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance, as amended; and the withdrawal of the foregoing proposed resolution.

The Board adopted Application No. 1, as amended, to include the recently acquired parcel of land, Folio Number 303116009751, located on the Northeast corner of Northeast 29th Avenue and Northwest 60th Street; adjacent to the original property referenced in the application.

Chairwoman Sosa spoke about the compatibility of the re-designation and how it would help facilitate a growth in transportation and business in the area.

11/5/2014 Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners

11/5/2014 4F Adopted on first reading by the Board of County Commissioners

3A1

142487 Resolution

RESOLUTION PERTAINING TO MAY 2014 CYCLE APPLICATIONS 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 APPLICATION NO. 1, LOCATED ON THE SOUTH SIDE OF NW 61 STREET APPROXIMATELY 200 FEET WEST OF NW 27 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 1; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARING (Regulatory and Economic Resources)

Withdrawn

Mover: Jean Monestime

Seconder: Esteban L. Bovo, Jr.

Vote: 9- 0

Absent: Jordan, Edmonson, Heyman, Barreiro

Report: SPECIAL NOTE: Please see the Report under Agenda Item 3A, Legislative File No. 142366.

3B

142367 Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATION NO. 2 LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SW 184 STREET AND SW 109 AVENUE FILED IN MAY 2014 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

Adopted
Ordinance 14-114
Mover: Dennis C. Moss
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Jordan, Edmonson,
Heyman, Barreiro

Report: Assistant County Attorney Craig Collier read the foregoing proposed ordinance and foregoing proposed resolution into the record. He noted in the event the Board decided to change this "small-scale" application to a "standard" application, the resolution would be withdrawn.

Mr. Mark Woerner, Assistant Director, Regulatory and Economic Resources (RER) Department, advised the Board that Application No. 2 was located in Commission District No. 9, at the Northeast Corner of the intersection of Southwest 184th Street (also known as Eureka Drive) and Southwest 109th Avenue. He noted it was approximately 2.3 gross acres in size and was currently designated on the Comprehensive Development Master Plan (CDMP) Land Use Map for "Low Medium Density Residential" which allowed for a maximum of 13 dwelling units per acre. Mr. Woerner stated that the applicant was requesting a re-designation of the property to "Business and Office."

Mr. Woerner informed the Commission that staff, the Redlands Community Council and the Planning Advisory Board (PAB) all recommended adoption as a small-scale amendment. He noted there were no covenants proffered for the site and the property would allow for the development of a small retail center of about 35,000 square feet, situated on a major section line road. Mr. Woerner stated that staff believed the re-designation would be compatible with surrounding developments and pointed out the different land uses around the site. He informed the Commission that the department found that there would be no impact to levels of service standards or environmental and historic resources.

Mr. Gilberto Pastoriza, Weiss Serota Helfman Cole and Bierman, 2525 Ponce De Leon Blvd, Suite 700, Coral Gables FL 33134, attorney for the applicant, Wilber Bell Living Trust, requested that the Commission adopt the application as recommended by staff and the other reviewing agencies.

Chairwoman Sosa opened the public hearing and called for persons wishing to appear before the Board in relation to the foregoing proposed resolution and foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance 3B, as presented; with the withdrawal of the foregoing proposed resolution 3B1.

The Board adopted Application No. 2 to amend the CDMP, as recommended by the Department of Regulatory and Economic Resources, and transmitted said application to the State Land Planning Agency.

Assistant County Attorney Collier requested clarification as to the commissioners requesting to be added as co-sponsors for two of the Public Hearing Agenda Items. He noted for Agenda Items 4D and 4D1; his notes reflected that Commissioners Bovo and Levine Cava requested to be added as co-sponsors. As for Agenda Items 4E and 4E1, Assistant County Attorney Collier said his notes reflected that Commissioners Zapata, Souto, Jordan, Levine Cava, Bovo and Monestime requested to be added as co-sponsors.

Chairwoman Sosa informed Assistant County Attorney Collier that Commissioners Moss and Diaz also needed to be added as co-sponsors for Agenda Items 4D and 4D1.

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Assistant County Attorney Collier confirmed that he now had all of the co-sponsors accurately noted.

11/5/2014 Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners

11/5/2014 4G Adopted on first reading by the Board of County Commissioners

3B1

142488 Resolution

RESOLUTION PERTAINING TO MAY 2014 CYCLE APPLICATIONS 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 APPLICATION NO. 2, LOCATED AT NORTHEAST CORNER OF THE INTERSECTION OF SW 184 STREET AND SW 109 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 2; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

Withdrawn

Mover: Dennis C. Moss

Seconder: Jose "Pepe" Diaz

Vote: 9- 0

Absent: Jordan, Edmonson, Heyman, Barreiro

Report: SPECIAL NOTE: Please see the Report under Agenda Item 3B, Legislative File No. 142367.

4

STANDARD AMENDMENTS AT TRANSMITTAL

4A

142489 Resolution

RESOLUTION PERTAINING TO MAY 2014 CYCLE APPLICATIONS 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 APPLICATION NO. 3, LOCATED APPROXIMATELY 480 FEET NORTH OF NW 7 STREET TO THEORETICAL SW 87 STREET, GENERALLY BETWEEN NW/SW 69 AND 70 AVENUES; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 3; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

Withdrawn

Mover: Rebeca Sosa

Second: Jose "Pepe" Diaz

Vote: 8- 3

No: Jordan, Suarez, Cava

Absent: Souto, Bovo, Jr.

Report: Assistant County Attorney Craig Collier read the foregoing proposed resolution and foregoing proposed ordinance into the record.

Mr. Mark Woerner, Assistant Director, Regulatory and Economic Resources (RER) Department, advised the Commission that Application No. 3 was located in Commission Districts 6 and 7, North of Northwest 7th Street to approximately Southwest 88th Street generally along theoretical Northwest/Southwest 69th Avenue. He noted the property was approximately 74 gross acres (72 net acres) and was currently designated for "Transportation," indicative of the fact that the property was a part of an old Florida East Coast (FEC) "Right of way" and Railway. Mr. Woerner informed the Board that the applicant was requesting that the Comprehensive Development Master Plan (CDMP) be amended to:

1. Add new language within the Land Use Element to create a new Land Use Plan map category entitled "Ludlam Trail Corridor;"
2. Add the new "Ludlam Trail Corridor" land use category to the Land Use Plan map legend;
3. Apply the new "Ludlam Trail Corridor" designation to the former railroad corridor from "Transportation (ROW, Rail, Metrorail, etc.)" to "Ludlam Trail Corridor."

Mr. Woerner pointed out that the application was a standard amendment and the Board's action for today (11/19) was to consider the application for transmittal. He reviewed the recommendations from staff and various reviewing agencies and read the recommendations and comments into the record, as follows:

- ~ Staff recommended transmittal;
- ~ Community Council 12 recommended transmit and deny, specifying that the applicant should address the concerns raised by staff in their initial recommendations report and recommended that the County consider purchasing the subject property for public use;
- ~ Community Council 8 (North Central Community Council) recommended transmit and denial, for the reasons that the applicant should address all of the concerns raised by staff in their initial recommendations report; and that the cost of the acquisition, construction and maintenance for the recreation trail should be clearly defined by the applicant with the condition that the applicant commence a charrette type process involving community input concurrently with the CDMP application process;
- ~ Community Council 10 (Westchester Community Council) recommended deny, do not transmit; and
- ~ The Planning Advisory Board (PAB) at their public hearing recommended transmittal and adoption.

Mr. Woerner advised the Commission that the application text had been formally amended by the applicant through a letter to staff dated November 12, 2014. He clarified that staff's recommendation was based on the initial text language received from the applicant. Mr. Woerner spoke about staff's concerns, identifying compatibility as the main source of concern. He stated staff was concerned about how the development of the corridor and the trail would be compatible with the existing developments along and adjacent to the corridor. In addition to the compatibility issue, Mr. Woerner noted staff was concerned about the trail itself, particularly because there were no real assurances in the text as to when, where and how the trail would become a public trail per the application. He pointed out that staff's third and final concern was centered on the fact that since a portion of the trail passed through the City of Miami, co-ordination between Land Use and Zoning was

needed to facilitate the development as well as to ensure the continuation of the proposed trail.

Mr. Woerner explained the reviewing process and noted after the Community Councils' meetings and input, RER engaged in discussions with the applicant regarding the text in an effort to address the concerns expressed by staff. He noted the applicant's first response was a draft clarifying "Urban form" related to where the densities would occur along the narrow corridor. Mr. Woerner advised the Board that RER directed the applicant to the relevant "Urban Centers" text of the CDMP as a reference and guide to provide a level of clarity regarding the "Urban Form" related to intensity density and density clusters in anticipation of discussions at today's (11/19) meeting.

Mr. Woerner stated that the applicant's latest proposal for the amendment to the Land Use text now recognized and referred to "Primary Neighborhood Places;" which are essentially three large "nodes" located at Dadeland, Bird Road and along the Blue Lagoon area. He continued to review and explain the applicant's amendments to the Commission, including the requirement/request for the creation of new zoning codes and development guidelines tailored specifically for the corridor to address the "nodes" and other areas of development as proposed by the applicant. Mr. Woerner added that the development guidelines would be used as a "guide" for how the trail would be developed in conjunction with the proposed housing development.

Mr. Woerner stated that in the event the application was transmitted today, the Board should consider the inclusion of specific language in the covenant requiring the applicant to comply and adhere to a process allowing for public input and the creation of a Steering Committee. He noted the Steering Committee members would then report their recommendations to the Board.

Mr. Woerner advised the Board that the applicant's text amendment made no guarantee that a public trail would be built but provided for the development of a private trail. He continued to explain the specifics about the proposed development and how it would affect the development of the trail. Mr. Woerner spoke of the need to ensure that the trail was planned as a continuous development regardless of how the applicant decided to proceed with the development of the nodes and housing community.

Mr. Woerner discussed the financing aspect of the trail, noting currently no public funding was available for the trail. He noted the Florida Department of Transportation (FDOT) had allocated a grant in the amount of 3.4 million dollars to be used to develop the trail, which he believed had not been utilized to-date. Mr. Woerner advised that since the land was currently privately owned, it would have to be sold to a government or quasi-government entity to be able to access the FDOT grant.

Mr. Woerner concluded by noting the application presented numerous challenges, but acknowledged that the application also provided the County an opportunity to explore options on how best to develop and finance the trail. He discussed the possibility and difficulties associated with securing funding through the recently passed "Florida Water and Land Conservation Initiative, Amendment 1" vote.

Chairwoman Sosa stated that she was confused about some of the information presented to-date about the application. After confirming with Mr. Woerner that the matter before the Board today was not a zoning process, she asked if the owner of the land could have gone through zoning instead of applying to

modify the CDMP.

Mr. Woerner explained that the owner of the property could have applied directly through the County's current Zoning Code to attempt to re-zone the property.

Discussions ensued between Chairwoman Sosa and Mr. Woerner regarding the zoning process the applicant would have had to follow and the likely outcome had the owner pursued re-zoning the property instead of coming before the Board through the CDMP application.

Responding to Chairwoman Sosa's question regarding the number of units the applicant would most likely be allowed to develop given the density and zoning of the surrounding areas, Mr. Woerner explained that according to staff's calculations the applicant would be able to construct approximately 1345 units at most, provided the applicant was successful in their attempt to re-zone the property to make it compatible with the surrounding areas.

In response to Chairwoman Sosa's question as to whether the applicant chose the CDMP process in an attempt to include the trail in the development, Mr. Woerner confirmed that the intent of the applicant was to include a trail in addition to the housing development component.

Chairwoman Sosa surmised that had the applicant pursued rezoning through the zoning process, there would be no discussions about a trail development, but because the applicant chose to come before the CDMP this allowed for dialogue regarding the development of the trail. She asked Mr. Woerner if this was a correct summation of the facts.

Mr. Woerner reiterated that the application before the Board included a trail development component as well as a housing development component.

Discussions ensued between Chairwoman Sosa and Mr. Woerner regarding the process the application would be subject to in the event the Board decided to transmit without recommendation.

Mr. Woerner assured the Board members that their action today was by no means the final decision regarding the application.

Chairwoman Sosa expressed interest in understanding if the following scenarios were possible:

1. Increasing the density in the industrial and commercial areas while keeping the residential density the same;
2. Allowing current homeowners to purchase the land behind their homes;
3. In the event a homeowner purchased the land and decided to expand their current home, how would this affect the development of the trail?

Mr. Woerner advised the Board that homeowners currently living outside the corridor but adjacent to the property always had the option of purchasing additional land to extend their lot from FEC.

Discussions ensued between Chairwoman Sosa and Mr. Woerner about the intent of the application before the Board today and what legislative actions were at the Board's disposal regarding the application, including modifying the application, suggesting changes to density and specifying where the density changes should be made.

Commissioners Monestime and Suarez announced on the record that due to prior engagements they would be leaving shortly.

Chairwoman Sosa indicated that upon Commissioners Monestime and Suarez leaving quorum would be lost. She stated that today's (11/19) meeting would continue until the loss of a quorum and asked the County Attorney's Office for guidance on what needed to be done once this occurred.

Assistant County Attorney Collier advised the Board that upon the loss of a quorum, a new date and time would need to be selected and announced. He stressed that the announcement of the new date and time would serve as the only notice to the public for the future hearing date.

Chairwoman Sosa announced that the comments made by speakers appearing before the Board at today's meeting would remain on the record but they would not be allowed to speak at the future hearing date.

Mr. Joseph Goldstein, Holland & Knight, 701 Brickell Avenue, Suite 3000, Miami FL 33131, attorney for the applicant Flagler Development, thanked the Board for allowing him the opportunity to speak about the application. He noted present with him today were co-counsel Ms. Tracy Slavens and members of the Flagler team.

Mr. Goldstein reviewed the history of Flagler Development and summarized staff's recommendation regarding the application. He noted staff's initial concerns about compatibility, intergovernmental co-ordination with the City of Miami and the need for more details regarding the development of the trail had all been addressed in the latest draft submitted by the applicant. He expressed the applicant's commitment and willingness to continue working along with staff to address any concerns or issues that may arise and read into the record staff's findings and decision supporting their recommendation to transmit. Mr. Goldstein requested that the Board approve staff's recommendation to transmit, which would allow for continued dialogue regarding the application.

Mr. Goldstein with the aid of a Power Point Presentation and diagrams reviewed key elements and components of the application which helped justify staff's recommendation to transmit. He noted the project would satisfy several County policies regarding infill, promote redevelopment around primary places, create jobs and stimulate the economy, include a trail component, and had received support in the form of letters of recommendation from various governmental agencies. He spoke of the various studies conducted along the corridor and pointed out that this was the first time the actual owner of the property was engaged in and proposed development in the form of a mixed used infill project. Mr. Goldstein reviewed the process and recommendations from the various reviewing entities including staff and other local governmental agencies. He provided members of the Commission with a handout to review which included letters of recommendation and support from several organizations and associations.

Mr. Goldstein thanked staff and "Friends of Ludlam Trail" for facilitating meetings and noted because of staff's help, the applicant was able to submit the amended text application.

Mr. Goldstein noted the amended application sought transmittal and adoption of:

1. Text amendment to the Land Use Element to create the Ludlam Trail

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Corridor Category;

2. Re-designation of the property to Ludlam Trail Corridor and acceptance of a Declaration of Restrictions; and
3. Covenant.

Mr. Goldstein concluded by providing the Board with a description and summary of the property and the applicant's plans for development. He provided a draft of the covenant and noted once the covenant was approved the applicant would be bound by the conditions and stipulations as specified in the covenant. He reiterated his client's commitment to the project and acknowledged that a large segment of the community was not in support of the development. Mr. Goldstein reviewed options available to the County for the acquisition of land and addressed the most frequently asked questions about the corridor and development based on the public participation at the numerous hearings and Community Council meetings.

Mr. Jim Tinson, Chief Executive Officer for Hart Howerton, provided a brief description and history of his firm and the services they provide. He reviewed key elements of the application including: the cornerstones of the vision; primary neighborhood places; neighborhood connectors; and finally compatibility. Mr. Tinson noted his firm and client were eager to work with the community during the design phase of the project.

Mr. Goldstein acknowledged the many challenges facing the development but expressed optimism that the Flagler team would be able to successfully overcome whatever hurdles came their way.

Chairwoman Sosa opened the public hearing and called for persons wishing to appear before the Board on the foregoing proposed resolution and foregoing proposed ordinance.

Commissioner Suarez requested a point of order. He announced that he had cancelled his previously scheduled arbitration hearing in order to stay for the duration of today's meeting.

Chairwoman Sosa noted the Board would select a new date and time for the continuation of today's (11/19) hearing in the event quorum was lost. She reviewed the public hearing process with the audience pointing out that each speaker would be allotted two minutes to speak in an effort to ensure that everyone was heard.

The following persons appeared before the Board:

1. Mr. Paul Eisenheart, 7029 SW 68th Court, South Miami Fl 33143, spoke in support of the application.
2. Mr. Larry Kaplin, 6800 SW 59th Street, Miami FL, appeared in opposition to the application based on the impact that it would have on traffic in the area, particularly close to the elementary school.

Responding to Commissioner Bovo's question as to whether the School Board had any input in staff's review and recommendations, Mr. Woerner explained that the School Board reviewed all CDMP applications to determine impact on enrollment and whether the school had the capacity to handle additional students.

Based on comments made by Mr. Kaplin, Chairwoman Sosa asked if the

Administration or staff had denied the school board or teachers the opportunity to be present at today's public hearing.

Mr. Woerner assured the Board that no member of the public was prevented from attending today's meeting.

3. Mr. Douglas Thompson, 4248 SW 62nd Avenue, South Miami FL, spoke in opposition to the application.

4. Ms. Ebru Ozer, 4248 SW 62nd Avenue, South Miami FL, spoke in opposition to the application but noted he supported the development of the area into a linear park.

5. Ms. Alexandra Diaz, 5601 SW 69th Court, Miami FL 33143, spoke in opposition to application.

6. Mr. Peter Rabbino, 5961 SW 63rd Avenue, Miami FL 33143, appeared in opposition to the application. He spoke of the potential to develop a linear park and stated that he was willing to work with Flagler Development Company and the Florida East Coast Railway to preserve the area. Mr. Rabbino said he believed that it was possible to purchase the land and discussed funding opportunities.

7. Mr. Jude Chan, 5601 SW 69th Court, Miami FL 33143, spoke in opposition to the application citing traffic and environmental concerns.

8. Mayor Philip Stoddard, Mayor of the City of South Miami, 6130 Sunset Drive, Miami FL 33143, appeared in opposition to the application. He spoke of his constituents' concerns and mistrust for the Flagler Development Company.

9. Ms. Truly Burton, Executive Vice President for the Builders' Association of South Florida, 111 NW 183rd Street, Miami Gardens FL, appeared in support of the application and read from her letter of support which she submitted to be included as part of the record for today's meeting.

10. Mr. Richard Gomez, 10040 SW 33rd Street, Miami FL 33165 spoke in support of the application.

11. Mr. Tim Cotter, 7235 SW 15th Street, Miami FL, thanked Chairwoman Sosa for responding to his emails. He spoke in opposition to the application and the development of a linear park. He spoke about extending Metro-Rail service along the Palmetto Expressway.

12. Ms. Dana Krempels, 6960 SW 60th Terrace. Miami FL 33143, spoke in opposition to the application. She stated that as a biologist she had a unique perspective regarding the development of the corridor and believed that the trail was a highly endangered Pinerock land ecosystem which needed to be properly preserved and safeguarded.

13. Ms. Lisa Tucker, 6556 SW 78th Terrace, Miami FL, voiced her opposition to the application.

Chairwoman Sosa inquired if there were still enough Commissioners present to meet quorum. Upon verification that quorum had not been lost; Commissioner Jordan informed her colleagues that she would be leaving shortly.

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14. Ms. Sally Philips, 7310 SW 64th Court, South Miami FL 33143, appeared in opposition to the application and voiced her concerns regarding the insufficient sewer capacity for the area and changing representations made by FEC.

15. Mr. Josh Liebman, Commissioner for Group II for City of South Miami, 5861 SW 87th Street, Miami FL 33143, voiced his opposition to the application and spoke about the benefits of linear parks.

16. Vice Mayor Walter Harris, Vice Mayor for City of South Miami, 7000 SW 64th Court, Miami FL, appeared in opposition to the application. He expressed his disagreement with Flagler Development and FEC's referral to their planned housing development and trail as a "legacy" that would benefit Miami. Vice Mayor Harris asked the Board to envision a linear park complete with jogging and bike trails, as well as dog parks in place of Flagler Development's proposed housing project and argued that using the property to develop a linear park in the heart of South Miami would truly be a legacy.

Assistant County Attorney Collier apologized for interrupting Vice Mayor Harris as he addressed the Commission, but noted that only seven commissioners were present on the floor, which constituted a loss of quorum.

Chairwoman Sosa discussed the possibility of scheduling the continuation of today's public hearing meeting for Agenda Items 4A and 4A1 on the morning of December 4th 2014 since a specially-set meeting requiring the attendance of the entire Board was already scheduled for that afternoon.

Assistant County Attorney Collier advised the public that the announcement of the future date and time would constitute the only notice provided to the public for the continuation of today's meeting.

Chairwoman Sosa explained that a number of Commissioners were unable to attend today's meeting because of a previous engagement where their attendance was necessary as representatives of the County. She promised Vice Mayor Harris that he would be allowed to address the Commission on December 4th, 2014, the continuation date for today's public hearing.

Discussions ensued among Chairwoman Sosa, Commissioner Diaz and Assistant County Attorney Collier regarding the continuation date and time.

Assistant County Attorney Collier explained that no motion was needed since today's meeting would be continued.

Chairwoman Sosa announced that today's (11/19) CDMP meeting would have to be adjourned due to the loss of a quorum. She noted the public hearing on the foregoing proposed ordinance would be continued on December 4, 2014 at 10.00 A.M.

Assistant County Attorney Collier informed the public that today's announcement of the date and time would serve as the only notice of the upcoming meeting and no published notice would be provided.

(THE FOLLOWING DISCUSSION OCCURRED ON DECEMBER 4, 2014, IN CONTINUATION OF THE NOVEMBER 19, 2014 COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) MEETING, WHICH RECESSED

DUE TO LOSS OF A QUORUM.)

Chairwoman Sosa called the meeting to order at 10:19 a.m.

The Board convened in a moment of silence, followed by the Pledge of Allegiance.

Chairwoman Sosa stated, for the record, that today's meeting was the continuation of the November 19, 2014 CDMP Meeting to continue consideration of Agenda Items 4A and 4A1.

Assistant County Attorney Craig Collier advised that no special motion or action was needed to resume today's (12/4) meeting as it was a continuation of the last (11/19) CDMP meeting. He noted the Board was free to resume the Public Hearing component of the meeting.

Chairwoman Sosa requested that a representative from the Mayor's Office be present to answer questions regarding the possibility of obtaining funds from the recently passed ballot question on the "Florida Water and Land Conservation Initiative, Amendment 1."

Responding to Chairwoman Sosa's question whether the applicant could file to re-zone the property in the event the Commission denied the CDMP application, Mr. Mark Woerner, Assistant Director, Metropolitan Planning Division, Regulatory and Economic Resources Department (RER), explained that the applicant could file a petition to re-zone the property based on the County's current zoning codes.

Chairwoman Sosa inquired as to what would happen to the bike/walking trail component of the application, should the applicant decide to proceed with the County's zoning process.

Mr. Woerner advised that the applicant would not be required to develop the bike/walking trail if they pursued the rezoning because the property was privately owned.

Chairwoman Sosa asked if the only way to guarantee the development of the trail was to approve the CDMP application and include a stipulation requiring compliance with the trail's development.

Mr. Collier clarified that the Board could not impose a requirement that the applicant dedicate a trail in the development; however, the applicant could voluntarily proffer a covenant, with the County agreeing, to develop the trail in exchange for specific development rights.

Discussions ensued between Chairwoman Sosa and Mr. Collier regarding the alternatives available to the County to ensure that a trail component was included in the applicant's development plan for the property.

Chairwoman Sosa stated that she wanted to fully understand what the County and applicant could achieve through separate CDMP and Zoning processes. She noted if the Board denied the applicant's request today, the applicant could file to rezone the property and result in a higher density designation than the Board could control/restrict through the CDMP process.

Chairwoman Sosa pointed out that if a zoning application was denied, the applicant could litigate the matter, removing elected officials from the process

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and placing it into the responsibility of the Courts. She noted this could result in the applicant being granted more density than the Board would have allowed.

Chairwoman Sosa indicated she had unanswered questions regarding the possibility of funding a park's development through "Amendment 1;" however, she would await a response from the Mayor's office regarding this issue. She stressed the importance of the public understanding the County's CDMP process and the alternatives available to applicants should the Board deny the application.

In response to Commissioner Zapata's question whether the zoning application would be brought before the Board or a zoning council, Mr. Collier explained the zoning process as follows:

1. If the applicant was seeking to rezone the property in accordance with existing County codes, for the surrounding area, the application would be considered by the Community Council;
2. If the applicant applied for a complete rezoning of the property, the decision would be made by the Community Zoning Appeals Board (CZAB) and any appeals of the CZAB's decision would come before the Board;
3. If the applicant was seeking a variance or similar relief, the decision would be made by the Courts.

Commissioner Zapata inquired about the size of the property and whether it was divided into segments or considered one parcel. He expressed interest in knowing if the size of a property determined whether a zoning application would come before the Commission.

Mr. Woerner explained that the property consisted of 72 acres, but was divided into different Folios. He noted the entire site was owned by Florida East Coast Industries (FECI)/ Florida East Coast Railroad (FECR) and advised that the size of a property did not factor into determining whether zoning requests would be heard by the Board.

Commissioner Diaz questioned whether the Board's adoption of the application would allow the parties involved to continue negotiations. He pointed out that, should the applicant choose to proceed with litigation, all dialogue would cease.

Mr. Woerner confirmed that adoption of the application would permit the applicant and residents additional time to negotiate the development.

Mr. Collier explained that the CDMP process provided the Board an opportunity to oversee the application; however, if the applicant chose to litigate the matter, the Board would lose its control.

Chairwoman Sosa stated that, while it would be in the community's best interest to develop a park on the property, funding was still a major issue. She reviewed the funding options discussed to date and noted that the CDMP process was the only means by which the applicant could be "conditioned" to create a trail and reduce their density request. Chairwoman Sosa pointed out that if the application was denied; the County and the community would lose the opportunity to maintain open dialogue with the applicant.

Chairwoman Sosa inquired as to whether residents would have the opportunity to work with the applicant if the application was sent without recommendation.

Mr. Woerner confirmed that transmittal without recommendation by the Board would provide additional time for negotiations, which was the approach used with both the Rosal Westview and Fontainebleau developments.

Commissioner Diaz reminded everyone that the property was privately owned and the Commission was obligated to respect the owner's property rights, as well as the community's wishes, when making a final decision.

Commissioner Heyman noted that she was absent from the November 19, 2014 CDMP meeting, but had been briefed by staff. She asked whether her absence from the first half of the discussion would prohibit her from voting on the items today.

Mr. Collier assured Commissioner Heyman that her absence from the first half of the discussion would not preclude her from voting today. He advised Board members that their presence was not required during the testimonial portion of Legislative matters, such as the CDMP, in order to vote. He noted however, for quasi-judicial proceedings, such as Zoning, a Commissioner who was absent from a portion of the proceedings would be required to read the transcripts and make a statement, on the record, that they read the transcripts, before they could vote.

Responding to Commissioner Heyman's question regarding "adverse possession" of the property, Mr. Collier stated he was unaware of any such issues with the property and noted that the property was fully owned by the applicant.

Commissioner Heyman inquired whether there was anything before the Board that would remove the option for non-vehicular access along the entire length of the trail.

Mr. Woerner confirmed that the current plan was for bicycle, pedestrian, and non-vehicular type mode of transportation. He noted that the application had two components as part of the text, in addition to a proffered covenant. Mr. Woerner explained the development component of the text dealt with the density, types of mixed uses, and a limit on the number of units that could be developed. He noted if the trail was conveyed to the public, the applicant could develop a maximum of 2400 units; however if the trail was developed privately, in whole or in part, the applicant could only develop up to 1345 units.

Mr. Woerner advised that, to date, neither the text application nor the covenant guaranteed, or made any assurances, that there would ever be a completely public corridor as part of the development. He explained that the number of units proposed were gross numbers and could be greatly decreased under current zoning or if the application was approved, a requirement that a separate zoning code, like an urban center, be created for the entire length of the corridor.

Mr. Woerner noted provisions must be contained within the text that ensured compatibility in the density and where it was clustered, advising that currently:

- 1. Three primary "nodes" or clusters of development with higher density at Blue Lagoon, Bird Road and Downtown Kendall;*
- 2. Three secondary centers along 8th Street, Coral Way and Flagler with lower density developments; and finally*
- 3. "Connectors" located between the primary and secondary developments*

where the density would be determined by the current density designation/restrictions imposed on adjacent properties.

Discussions ensued between Commissioner Heyman and Mr. Woerner regarding the distribution of housing units along the corridor. Mr. Woerner confirmed that the maximum number of units that could be developed was 2345 and that the units would be located throughout the corridor; not just in one area.

In response to Commissioner Heyman's request for a summary of the covenant, Mr. Woerner explained that the covenant addressed specific threshold issues regarding the number of units that could be built if the trail was developed privately versus made public.

Commissioner Heyman questioned who was responsible for maintenance of the property, per the covenant, in light of the property being privately owned and crossing over two jurisdictions.

Mr. Woerner explained the covenant required:

1. An established mechanism to ensure the conveyance of the trail to a public entity;
2. A demonstration by the entity that the trail could be purchased and maintained for "perpetuity," before the density threshold would be increased from 1345 units to 2345 units.

Commissioner Heyman asked if any organization, such as the "Friends of Ludlam Trail" or the State of Florida's "Greenway Trails" Group, had started negotiations to convey the trail to them; or if the Parks Foundation of Miami-Dade should initiate the process. She asked if there was still time available to develop a plan before the application was transmitted.

Mr. Woerner explained that the covenant required full funding in place and stated that he did not believe any of the organizations mentioned above had finalized any funding to date. He noted that the County did have approximately \$3.4 million set-aside from a Florida Department of Transportation (FDOT) grant that could be used to publically develop the trail.

In response to Commissioner Heyman's inquiry as to whether ample time existed to secure financing for the development of a public trail if the application was transmitted today, Mr. Woerner explained that the County would have 60 days to finalize funding if the application were transmitted today.

With respect to Commissioner Monestime's request for clarification regarding the Board's control of the application if the applicant decided to litigate, Mr. Collier advised that there were no guarantees on the outcome. He confirmed that the the Commission would maintain control and oversight only if the application remained before the Board for consideration.

Responding to Commissioner Monestime's question regarding the options available to the applicant should the application be denied today, Mr. Collier explained that the applicant could either seek to develop pursuant to the existing zoning designation for the property; or file a zoning application to rezone the property and develop consistent with the existing CDMP for the area. He reviewed the zoning process, noting that initially the application would be considered by the Community Zoning Appeals Board (CZAB) and if

appealed the application would then come before the Board. Mr. Collier noted if the applicant sought a variance, set back, or lot coverage, the application would go directly to the courts, unless the Department appealed the decision made by the CZAB to the Commission.

Commissioner Monestime inquired what could be developed on the property at this time without filing for a variance, given the existing zoning codes.

Mr. Woerner stated that he did not believe anything could be developed on the property without the applicant filing for a variance, since most of the property was only about 100 feet wide. He pointed out that areas along the corridor were designated for different densities, ranging from "State" to "Single Family," and that the applicant could develop pursuant to the existing zoning designations along the corridor.

Discussions ensued between Commissioner Monestime and Mr. Woerner regarding the possibility of the applicant filing for a variance to develop certain portions of the corridor and existing density and zoning designations along the corridor.

Commissioner Monestime asked if denial of the application today would then require the County acquiring/purchasing the property to develop a public trail and inquired if there were existing plans for the development.

Mr. Woerner confirmed that the County or another public entity would have to purchase the property to develop a public trail if the application was denied today. He noted that, over the past 11 years, more than seven different plans for a public trail spanning the entire length of the corridor had been proposed; the most recent by the Miami-Dade Parks, Recreation and Open Spaces Department (MDPROS).

Additional discussions ensued between Commissioner Monestime and Mr. Woerner regarding the cost of implementing the plan, possible funding options, and the outcome from approval of Staff's recommendation to "transmit without recommendation."

Commissioner Suarez referenced the Florida East Coast Industries' (FECI) development plans and noted the proposed "nodes" were located at major intersections rather than along the residential portions of the trail. He advised that a linear park development, similar to the High Line in New York, required that residents, as well as the County, be prepared to negotiate with FECI and Florida East Coast Railway (FECR) regarding pedestrian platforms over the major intersections near the proposed node locations.

Commissioner Suarez noted transmittal of the application as proposed would give the impression that the Board supported a higher density and increase the value of the property during future condemnation proceedings with the County.

Commissioner Suarez stated it would be in the County's best interest to acquire the property in an amicable fashion and supported Chairwoman Sosa's recommendation to pursue funding through Amendment 1. He noted, while Amendment 1 funds were specifically allocated for projects associated with the Everglades, the development of a six-mile trail could benefit the Everglades environmentally and justify the use of Amendment 1 funds for the project.

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Commissioner Suarez informed the Board that City of Miami Commissioner Francis Suarez was currently engaged in negotiations to acquire a portion of property located in his Commission District (District 7), with plans to attach it to the Robert King High Park. He stated that he believed denial of the transmittal would force FECI to continue negotiating with the County and residents towards a mutually beneficial solution. Additionally, he spoke of the importance of engaging in proper negotiations with the applicant to avoid losing the possibility of the development of the trail--an asset that would benefit the residents of the surrounding areas and the entire County. Commissioner Suarez reiterated his recommendation to not transmit the application today and continue negotiating with FECI.

In response to Chairwoman Sosa's request for updates regarding the possibility of securing Amendment 1 funds to finance this project, Mr. Osterholt advised that there was no additional information regarding Amendment 1 or how the funds would be allocated. He noted that the Mayor had asked the Administration to identify a list of projects that might qualify for Amendment 1 funding, and this process was in the initial stages. Mr. Osterholt anticipated a prioritized list of projects would be submitted to the Board to determine which project(s) should be forwarded to Tallahassee for Amendment 1 funding.

Commissioner Zapata pointed out that Amendment 1 did not include any language regarding implementation and was ambiguous as to what could be done with the funds. He acknowledged the Legislature's influence on distribution of the funds and recommended the County begin advocating for a percentage of the funds to be allocated specifically for bikeways, highlighting the indirect environmental benefits of such projects. Commissioner Zapata urged the Board to consider suggesting to the County's Legislative Delegation and lobbyists to seek inclusion of implementing language to Amendment 1 to facilitate development of projects such as the Ludlam Trail and other pedestrian and bike trails. Commissioner Zapata noted funding was the real issue that needed to be resolved; and discussed the various funding mechanisms, including the creation of a Special Taxing District or Community Development District (CDD).

Commissioner Zapata spoke in support of the development of a bike trail and questioned whether the ultimate intent of the application was approval for higher density along the major corridors in exchange for development of the green spaces.

Mr. Collier confirmed Commissioner Zapata's summary of the application was correct and explained that the increased density served as the covenant's triggering mechanism.

In response to Commissioner Zapata's request for additional information on whether the housing or green space component would be developed first, Mr. Woerner advised that the first "trigger" in the covenant permitted the development of a trail in conjunction with 1345 housing units, but that the trail would be private. He added that the second "trigger" would be the increased density, which would then convey the trail to the County or other public entity.

Discussions ensued between Commissioner Zapata and Mr. Woerner regarding the specific requirements of the covenant as related to the conveyance, development and maintenance of the trail, as well as the second "trigger" point pertaining to the increase in density and development of the

housing units.

Commissioner Zapata inquired about the court's precedent on prior rulings with similar applications, Mr. Coller noted that the County was typically successful in litigated cases, particularly with regards to zoning issues.

Pertaining to Commissioner Edmonson's inquiry about the plans by MDPROS, Mr. Woerner explained the plan created a general "Trails Guidelines" document which utilized Ludlam Trail as the case study for the guidelines and included specific graphics and plans unique to the trail.

Following a brief discussion regarding funding, Mr. Woerner provided a historical background on the development of the trail. He noted that the Commission previously adopted a "North Trail Greenways Plan" and a "South Trail Greenways Plan" and ultimately combined them in one of the Long Range Transportation Plans (LRTP). Mr. Woerner estimated plans for a Ludlam Trail had been in existence for a minimum of 15 years.

Commissioner Edmonson voiced her support for the development of a trail and inquired whether the FECCI had participated in the planning process.

Mr. Woerner advised that FECCI has always been a party to discussions regarding the development of the trail and was particularly involved during the last Ludlam Trail Study.

Discussions ensued between Commissioner Edmonson and Mr. Woerner regarding FECCI's plans, direct and indirect involvement, and commitment to developing and maintaining the trail.

Commissioner Edmonson spoke about the actions available to the Board regarding the application and noted that if the application was not transmitted today it would allow time for the FECCI to meet and work with the residents, possibly through a Charrette, in an attempt to determine what the majority of the community would like to see done with the trail. She acknowledged that FECCI was not obligated to meet or work with the residents to resolve the issue and could choose to litigate the matter instead.

Mr. Woerner confirmed that, while FECCI was not obligated to work with the residents towards a resolution, it would be in their best interest to continue to do so, along with staff. He noted in the event the applicant chose to litigate and filed for re-zoning or any type of variance, they would still be required to meet with the community through Community Council meetings.

Responding to Commissioner Edmonson's request for clarification regarding the applicant's ability to develop the property under existing zoning designations, without the need for a variance, Mr. Coller indicated that the applicant could do so, provided they complied with the set-back, lot coverage and other requirements. He noted the uncertainty of the application was primarily focused on what the applicant would be able to develop without a variance or rezoning of the property.

Commissioner Moss inquired as to whether the developer would be able to secure building permits and begin construction at this juncture.

Mr. Woerner stated that he believed the developer could secure permits for specific portions of the corridor, depending on the current zoning designations; however, he noted he was unable to identify which portions or

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type of development that would be permitted.

In response to Commissioner Moss' question of when the item would return to the Board if deferred today, Mr. Collier reviewed the CDMP Cycle Application deadline dates and noted that if the Commission denied transmittal of the application today, the applicant could refile the application for the May 2015 Cycle. Pointing out that the Board had not previously deferred an application, he advised that the application could be deferred to the next filing period and suggested the Commission consider making accommodations for the noticing costs.

Commissioner Moss referenced the Transit Study conducted by Miami-Dade Expressway Authority (MDX) and inquired whether transmittal of the application would have an impact on the development of the transit corridor.

Mr. Woerner noted he was unfamiliar with the MDX Study or plans for development of the corridor, but if the application was transmitted today, the current plans for a pedestrian walkway and bike path would leave little room for any transit development.

Acknowledging the work and planning done by staff and the applicant, as well as the community input to date, Commissioner Levine Cava voiced her belief that today's proceedings appear to be "putting the cart before the horse," in that the available solutions were inadequate for the situation at hand. She referenced her conversations with Mr. Collier regarding the deferral process and stated she believed there was a need for new rules regarding matters of great public importance and regional impact.

Commissioner Levine Cava expressed concern with the Board's apparent urgency to address the application, in light of the lack of sufficient information to make an informed decision. She addressed the possibility of the applicant taking the matter to court and argued that the applicant could be subjected to a lengthy process due to the property's current zoning as a railroad corridor. Commissioner Levine Cava noted that the railroad was decommissioned 12 years ago and no taxes had been paid for at least the last 10 years.

Commissioner Levine Cava stated her intent to pursue modifications to the code to address issues related to beach access and dedicated use of roads for trails and greenways; concerns not currently encompassed in today's code. She expressed her support for continuing negotiations.

Commissioner Jordan asked whether a complete cost analysis for development of the trail had ever been performed.

Ms. Maria Nardi, Chief of Planning and Research Division, MDPROS, advised that the estimated cost for construction was \$80 million, with an estimated annual maintenance cost of \$600,000 and an additional \$300,000 - \$400,000 per year for security.

Responding to Commissioner Jordan's inquiries whether additional funding sources had been identified and if the FDOT grant had been factored into the estimated cost for construction, Ms. Nardi noted that no additional funding sources had been identified and that FDOT funds had not been factored into the estimated cost for construction.

Discussions ensued between Commissioner Jordan and Commissioner Suarez

regarding the measurements of specific portions of the trail.

In response to Commissioner Jordan's questions about the analysis performed by MDPROS, Ms. Nardi clarified that no master plan was ever developed for Ludlam Trail and that the design guidelines and standards created by the department looked at proto-typical conditions of sections along the trail, such as intersection crossings and amenities. She emphasized that no analysis for the specific design of each section along the corridor was done by MDPROS as part of the study.

Commissioner Jordan stated she believed an analysis of the trail needed to be performed with emphasis on determining the number of homes that would be affected by development of the trail.

In response to Commissioner Jordan's question as to whether any other entity(ies) could have performed such a study, Mr. Woerner stated that he was unaware of any other studies done on the site and pointed out that there were no other cost estimates for construction nor any estimates relating to acquisition costs.

Discussions ensued between Commissioner Jordan and Mr. Woerner regarding the total estimated costs for acquisition of the property, as well as construction of the trail.

Commissioner Jordan expressed concern with making a decision without the necessary information. She noted her agreement with the sentiments shared earlier by Commissioner Suarez, regarding the impression the Board might communicate to the public and applicant if the application were transmitted, even without recommendation. Commissioner Jordan stated that she was in support of the applicant working with the community to resolve the issues at hand. She identified concerns and questions she would like to see addressed by the applicant before making a decision to transmit.

Commissioner Monestime asked how much it would cost for the applicant to reapply for the May 2015 Cycle and noted, based on his colleagues' comments, additional information and time was needed to facilitate further discussions.

Mr. Woerner advised that the application cost was \$148,664.00.

Commissioner Monestime proposed waiving the application fee to allow the applicant to refile in the May 2015 Cycle, providing the applicant agreed. He pointed out that this option would provide the additional time needed by all parties to engage in further discussions or negotiations.

Mr. Woerner stated that he was unsure if an application fee had ever been waived by the County and that the application fee was based on the type of application and could be less or more than the original fee paid by the applicant.

Commissioner Monestime clarified that his intent was not a complete waiver of the application fee, but rather a suggestion that the May 2014 Cycle application fee previously paid by the applicant be taken into account so that the application may be considered in May by the Board. He requested guidance from the County Attorney's Office regarding appropriate language and/or method to facilitate the process.

Mr. Woerner noted the applicant must agree to such arrangement and explained that the applicant was eligible for a 25 percent refund of the original application fee, if transmittal was denied today and the Board approved the refund.

Commissioner Monestime expressed interest in hearing from the applicant regarding their position on the matter.

Chairwoman Sosa noted that the property in question was located in Commission Districts 6 and 7, and as one of the District Commissioners, she was concerned about the residents who could be affected by this development. She asked if the application was deferred today, would she have sufficient time to bring forth a resolution to form a Charrette that would include the immediately adjacent residential areas impacted by the development of the trail.

Mr. Collier stated the County Attorney's Office could prepare a resolution for the creation of a Charrette, for the Board's consideration.

Chairwoman Sosa vowed to work with the Administration to prepare the resolution. She noted it was important that her constituents be afforded the opportunity to voice their opinions regarding the development. Chairwoman Sosa spoke in favor of the City of Miami acquiring a portion of the corridor and acknowledged the benefits to the community from other municipalities doing the same.

Commissioner Suarez disclosed his knowledge of another city's interest in purchasing a portion of the trail and noted several residents were also willing to invest. Commissioner Suarez inquired whether the Commission would be able to communicate with the applicant and potential financial sources in the event the application was denied or deferred. He noted he was aware of the policy related to litigated matters in the County's Home Rule Charter (the Charter); however, he was unclear about what was permitted in this instance.

Mr. Collier reviewed the Charter's policies reregarding litigated matters and explained that deferral of the application or retaining it as a CDMP application would not prohibit Commission members from communicating with the applicant/financial sources, because the application remained a Legislative Item.

Commissioner Barreiro stated that he believed the County spent unnecessary time and money conducting studies of privately owned property, which often created false hopes within the public's eye about future plans. He voiced his belief that studies should not only focus on what could be developed on the site, but should also include an in-depth cost analysis. Commissioner Barreiro noted he did not believe the corridor would be developed solely as a green space, based on the value of the property, and encouraged continued communications between the applicant and residents of the surrounding communities. Expressing his support for transmittal, he pointed out that he did not believe transmittal of the application would increase the property's value should the County or other public entity acquire the land at a later date; nor would it lead to immediate development by the applicant.

Commissioner Edmonson stated she concurred with Commissioner Barreiro's points and that she typically voted alongside the District Commissioner for the area. She acknowledged that both Chairwoman Sosa and Commissioner Suarez represented the Commission Districts included in the application and,

based on discussions thus far, would support transmittal.

Commissioner Edmonson stated either option discussed thus far, transmittal or deferral, would facilitate further discussions between the applicant and residents and would accomplish the same results. She indicated the applicant could choose to litigate the matter and remove the Board's input and oversight of the application.

Chairwoman Sosa opened the public hearing and called for persons wishing to appear before the Board on the foregoing proposed resolution and ordinance. She noted the public hearing would begin with Vice Mayor Walter Harris, who was the last person to appear before quorum was lost on November 19, 2014.

The following persons appeared before the Board:

16. Vice Mayor Walter Harris, Vice Mayor for City of South Miami, 7000 SW 64th Court, Miami FL, appeared, on behalf of his constituents, in opposition to the application. He spoke of the overwhelming display of opposition by his constituents to development of Ludlam Trail. Vice Mayor Harris stated that the County had been provided a unique opportunity to develop an iconic park and urged the Commission to take the necessary steps to make it a reality.

17. Commissioner Bob Welsh, City of South Miami, 7437 SW 64th Court, Miami FL, appeared in opposition to the application and read, into the record, the results of a previous survey that found a majority in support of a park, as opposed to housing, at Ludlam Trail.

18. Mr. Victor Dover, 6227 SW 57th Street, South Miami FL 33143, appeared as a representative of "Friends of Ludlam Trail (FOLT)" and urged the Board to not transmit at this time. He stated that more discussion and planning was needed and invited the Board to participate in a meeting scheduled for January 2015, to discuss the planning process to continue the work already done.

19. Ms. Laura Reynolds, 5530 Sunset Drive, Miami FL 33143, representing the Tropical Audubon Society (TAS), appeared and clarified that a statement made, at the last meeting, by the attorney representing the Flagler Group, that the TAS supported this proposal was not true. She correctly stated that the TAS supported a public trail; however, due to the absence of funds to accomplish this, indicated additional time was needed to identify funding. Ms. Reynolds directed the Board's attention to a letter, from TAS, requesting three conditions, which the applicant was not willing to meet. She requested deferral of the item so TAS could meet with representatives of the "Friends of Ludlam Trail" organization.

20. Mr. Brian Behr, 3787 South Lake Drive, Miami FL, appeared in opposition to the development and requested the Board deny and not transmit the application.

21. Mr. Gus Gil, 7300 SW 93rd Avenue, #210, Miami FL, appeared in support of the application and called for continued dialogue.

22. Mr. Alex Edevarria, 7843 SW 71 Avenue, Miami FL, appeared in opposition to the application.

Chairwoman Sosa stated, for the record, that she was in receipt of a

resolution from the City of West Miami supporting the application.

23. Mr. Gonzalo Sanabria, 7241 SW 63rd Avenue, Miami FL, appeared in support of transmittal of the application. He provided a historical background of the area and stated that if the application was denied, the Board would lose control and oversight of the development.
 24. Mr. Gene Cano, 6701 SW 52nd Street, Miami FL 33155, appeared in opposition to the development and requested the application be denied and not transmitted.
 25. Mr. Stuart Grant, 6991 SW 66th Street, Miami FL 33143, appeared in opposition to the application.
 26. Ms. Wanda Cardani, 5827 SW 69th Court, Miami FL 33143, appeared in opposition to the application.
 27. Ms. Lisa Vale, 6961 SW 62nd Street, Miami FL, appeared in opposition to the application and requested the Board deny and not transmit.
 28. Ms. Diana Iturralde, 5200 SW 69th Avenue, South Miami FL, appeared in opposition to the application and indicated the possibility that a species of federally endangered bats resided in the area. She stated she would support the trail being restored to a nature reserve.
 29. Mr. Luis Fernandez, 6811 SW 30th Street, Miami FL, appeared in opposition to the transmittal of the application.
 30. Mr. Ian Radin, 6905 SW 64th Street, South Miami FL, appeared in opposition to the development and transmittal of the application.
 31. Mr. Richard Santos, 6700 SW 69th Avenue, South Miami FL, appeared as a representative of "Friends of Ludlam Trail" in opposition to transmittal of the application.
 32. Mr. Steve Johnson, 5220 SW 69th Avenue, Miami FL 33155, member of "Friends of Ludlam Trail" organization, appeared in opposition to the transmittal of the application.
 33. Mr. Richard Formoso, 5030 SW 69th Avenue, South Miami FL, appeared in opposition to the transmittal of the application.
- Commissioner Suarez requested a point of order to clarify a statement he made earlier regarding the length of a portion of the trail. He confirmed that Mr. Formoso had correctly stated that the 2 ½ mile portion began at Southwest 48th Street.
34. Ms. Eleanor Quigly, 3470 SW 75 Avenue, Miami, representing the "Waterway Neighborhood Association," appeared in opposition to the transmittal of the application.
 35. Ms. Martha Singleton, 6600 SW 79th Avenue, Miami FL, appeared in opposition to the transmittal of the application.
 36. Mr. Walter Walkington, 6600 SW 79th Avenue, Miami FL, appeared in opposition to the transmittal of the application.

37. Mr. George Green, 6820 SW 71st Court, Miami FL, appeared in opposition to the transmittal of the application.
38. Mr. Michael Greenberg, 8430 SW 46th Street, Miami FL 33155, appeared in opposition to the transmittal of the application.
39. Ms. Brenda McClymonds, 7900 Red Road, South Miami FL 33143, appeared on behalf of "The Trust for Public Land" and provided a historical background of the Trust and its involvement in various projects nationwide. She noted the Trust initiated discussions with the applicant and was offering its services to the County and other entities interested in exploring funding options, acquisition, planning and construction of a greenway.
40. Mr. Tom Derringer, 3460 SW 75th Ave, Miami FL, appeared in opposition to the transmittal of the application.
41. Ms. Mari Chael, 6227 SW 57th Street, South Miami FL, appeared on behalf of "Friends of the Ludlam Trail," and presented a petition containing over 1755 signatures in opposition to the transmittal of the application. She advised that she was also President of the South Miami Neighbors and Vice President of Green Mobility Network organizations.
42. Ms. Tracy Magellan, 6635 SW 48th Street, Miami FL 33155, appeared in opposition to the development by FECL.
43. Mr. Ed Sanchez, 7401 SW 69th Court, Miami FL 33143, appeared in opposition to the application.
44. Ms. Maggie Duque, 7500 SW 69th Court, Miami FL 33143, appeared in opposition to the application.
45. Mr. Sam Van Veer, 13400 N. Miami Avenue, Miami FL, appeared in opposition to the application.
46. Norma Isabel Moran, 7520 SW 69th Court, Miami FL 33155, appeared in opposition to the application.
47. Mr. Edelberto Herrero, 5728 SW 69th Avenue, Miami FL 33143, appeared in opposition to the application.
48. Mr. Jon Skinner, 6725 SW 52nd Street, Miami FL, appeared in opposition to the application.
49. Ms. Judi Sawyer, 1920 SW 69th Avenue, Miami FL 33143, appeared in opposition to the application.
50. Mr. S. Peter Capua, 7280 SW 69th Court, Miami FL 33143, appeared in opposition to the application.
51. Ms. Elizabeth Gonzalez, 7740 SW 69th Avenue, Miami FL 33143, appeared in opposition to the application.
52. Ms. Virginia Mirabal, 5907 SW 69th Court, Miami FL 33143, appeared in opposition to the application.
53. Ms. Maria Theresa Rodriguez, 7350 SW 69th Court, Miami FL 33155, appeared in opposition to the application.

54. Ms. Carol Alaimo-Tosca, 4706 SW 67th Avenue, N-4, Miami FL 33155, appeared in opposition to the application.

55. Ms. Jennifer Enfield, 4700 SW 67th Avenue, Miami 33155, appeared in opposition to the application.

56. Ms. Lenora Bach, 7600 69th Avenue, Miami FL 33143, appeared in opposition to the application.

57. Ms. Lynn VanTienhoven, 4702 SW 67th Avenue, Miami FL 33155, appeared in opposition to transmittal of the application.

58. Mr. Lee Jacobs, 6860 SW 77th Terrace, Miami FL, appeared in opposition to the transmittal of the application.

59. Mr. Dan McCrea, 945 Alfonso Avenue, Coral Gables FL 33146, appeared in opposition to the application.

60. Mr. Matthew Olson, 6825 SW 70th Avenue, Miami FL 33143, appeared in opposition to the application.

61. Mr. John Palenchar, 7641 SW 65th Place, Miami FL, appeared in opposition to the application.

62. Ms. Lydia Calvo-Florentino, 234 Romano Avenue, Coral Gables FL, appeared in opposition to the application.

63. Ms. Debbie Stoot, 1910 SW 69th Avenue, Miami FL, appeared in opposition to transmittal of the application.

64. Dr. E Marti Jr., 1550 N Miami Avenue, Miami FL 33136, appeared and offered to work with the County on procedures regarding project management.

65. Mr. Deltravis Williams, 6510 SW 58th Place, South Miami FL 33143, urged the Commission to deny transmittal of the application.

(SPECIAL NOTE: Report continued in Legislative File #151216)

151216 Ordinance

CONTINUATION OF AGENDA ITEM 4A, LEGISLATIVE
142489, CONSIDERED AT THE CDMP MEETING OF
NOVEMBER 19, 2014

Report: (SPECIAL NOTE: Continuation of the report for Agenda Item 4A; Legislative File #142489.)

Chairwoman Sosa closed the public hearing after no other persons appeared wishing to speak.

Mr. Collier explained that it was at the Board's discretion to permit the applicant to re-address the Commission; however, the County's Charter did not require the Board to provide the applicant or other speakers the opportunity for rebuttal.

Chairwoman Sosa requested that the applicant wait until the end of the Board's discussion to re-address the Commission and answer any questions.

Expressing concern that it was too early to transmit the application, Chairwoman Sosa discussed the option of deferring the application and waiving the refiling fees. She noted deferral would provide the time necessary for the applicant and residents to continue discussions. Additionally, she stated, the County could explore the various funding opportunities available, including "Friends of Ludlam Trail," Amendment 1, and in-house through MDPROS.

Chairwoman Sosa voiced her concerns regarding the length of time it would take for the deferred item to come back to the Board. She informed her colleagues that the County Attorney's Office had advised her that converting the application to a County application would ensure the item was before the Board within the November 2014 Cycle.

In response to Chairwoman Sosa's request for clarification on the application conversion process and how it would affect the creation of Charrettes in Commission Districts 6 and 7, Mr. Collier explained that the County's Procedures provided that the Board, by resolution or ordinance, could bring a CDMP application into a Cycle for which the filing period had expired, essentially making it a County application. He stated to do so with this application, he would recommend the Board deny transmittal and direct the County Attorney to prepare the appropriate resolution to convert the application to a County application to be filed in the November 2014 Cycle, which expired the end of November. Mr. Collier advised that the application would then come before the Board for transmittal in May 2015. With respect to Charrettes, Mr. Collier noted the Board could, by motion, direct staff to conduct a Charrette in the area to be completed.

Chairwoman Sosa voiced her desire to create a Charrette for the area of the corridor located within Commission District 6. She reiterated her belief that denying transmittal today and converting the application to a County application was the best option available, as it would provide all parties involved the additional time needed. Chairwoman Sosa referenced comments made earlier by some speakers about a promise to create a linear park and questioned the origin of such promise. She also expressed interest in knowing if the residents were ever provided the opportunity to vote on the creation of a special taxing district. Chairwoman Sosa noted that there was too much information missing that was needed to make an informed decision and that the additional time provided, by converting the application, would result in better answers and explanations.

Commissioner Edmonson assured the public that she heard their concerns and would consider them when making her decision.

Commissioner Suarez commented on the projected costs associated with the development of the trail of approximately \$80 million being preposterous and noted that he supported the majority vote for either a deferral or denial of the application.

Mr. Joseph Goldstein, Holland & Knight, 701 Brickell Avenue, Miami, attorney representing the applicant, Flagler Development, appeared before the Board and spoke about starting the process with a one-and-a-half page application in May, which, after numerous Community Council meetings, had increased to seven-and-a-half pages through efforts to address all the issues. He informed the Board that the applicant was amenable to the Commission's suggestion for additional time and information. He pointed out that the applicant was committed to resolving the issues and, like most of the speakers today, desired the development of a trail along the entire length of the corridor. Mr. Goldstein requested verification that if the Board proceeded with their suggestion to deny the application and convert it to a County application, no additional filing fee would be imposed. Additionally, he requested the Board's assurance that whatever was approved today would not impact his client's contractual obligation for the sale of a parcel of land within the corridor, at Dadeland, within the Downtown Kendall Urban area.

Mr. Collier clarified that if the application was converted to a County application, the fees, including advertising, would be borne by the County.

Upon Chairwoman Sosa's inquiry as to the possibility of asking the applicant to pay only the advertising fees Mr. Goldstein noted the applicant would be willing to pay the advertising costs.

Commissioner Suarez voiced his support for Chairwoman's Sosa proposal to deny the transmission of the application and convert the pending private application to a County application.

In response to Chairwoman Sosa's request for guidance regarding the appropriate language for the motion. Mr. Collier explained that the motion would entail a two-step process:

- 1) Deny transmittal of the application and;
- 2) Direct the County Attorney to prepare the appropriate resolution to have the application converted to a County application to be filed for the November 2014 Cycle.

He noted that, because it would be a County application, no waiver of fees would be necessary.

Commissioner Suarez accepted the language for the motion as delineated by Mr. Collier; with the correction that the County Application be filed in the November 2015 Cycle and not November 2014 as was previously stated.

Mr. Collier clarified that the County Application would in fact be filed in the November 2014 Cycle and thus be considered by the Commission at the May 2015 CDMP Meeting.

Mr. Goldstein inquired whether his client should withdraw the application in lieu of a denial, considering what the Commission intended to accomplish.

Mr. Collier advised that the applicant could withdraw the application and noted the applicant would be eligible for a refund of 25 percent of the

application fee whether the application was denied or withdrawn, subject to the Board's approval.

Mr. Goldstein offered to withdraw the application subject to discussions relative to the Board's intent to proceed with the item as a County application.

It was moved by Commissioner Suarez that the applicant's withdrawal of the application be accepted and that 25 percent of the previously paid application fee be refunded to the applicant. This motion was seconded by Chairwoman Sosa, followed by discussion.

Commissioner Jordan voiced her concerns about the County's application for re-designation of density for privately owned land. She noted waiving the additional filing fee to exclude the cost for advertising was understandable in this situation; however, she questioned the County paying an application fee on behalf of a private entity.

Commissioner Suarez stated he believed that the applicant's offer to withdraw the application would now make the applicant responsible for re-filing the new application.

Commissioner Jordan referenced the statement that the application would become a County application and requested clarification as to why the County should assume that responsibility.

Mr. Collier explained the only way the application could be filed within the expired November 2014 Cycle was to convert it to a County application. He clarified that if the Board desired to have the application returned as a private application, the applicant would only be able to refile the application in the May 2015 Cycle.

Commissioner Jordan expressed objection to converting the application into a County application and inquired as to whether the rule could be waived to allow the applicant to file in the November 2014 Cycle.

Responding to Commissioner Jordan's question about waiving the rule, Mr. Collier explained that such action would require a change to the procedures ordinance because the current rule could not be waived. He noted the current procedure never envisioned the deferral of a private application to an ongoing Cycle.

Mr. Goldstein noted that all privately filed CDMP applications were viewed by the State of Florida as County applications since they involved amending County designations.

Commissioner Jordan stated that she was fully aware that an application approved by the Board was considered the property of the County by the State of Florida; however she explained that her primary concern was public perception of the County taking over a private application involving private land. She expressed her support for deferral, as well as for the applicant withdrawing the application and the waiving of future filing fees; but stated her preference was for the application to come before the Board as a private application and go through the CDMP process, like other private applications.

Commissioner Suarez noted his agreement with Commissioner Jordan's concerns regarding the public's perception.

Chairwoman Sosa noted that she was following the County Attorney's guidance and that she did not want to lose the opportunity for the oversight afforded to the Board, at the CDMP level, to ensure the applicant worked with the community. Chairwoman Sosa expressed her desire to protect the interests of the residents with regards to when the application would next be addressed by the Board. She voiced her concerns that the applicant might pursue other alternatives for development of the property resulting in loss of the option for a trail or park.

Chairwoman Sosa reiterated the point that not transmitting the application would afford the County the time needed to explore funding and other development options. She stated it was important to conduct the Charrettes so the applicant, the Administration and the residents could discuss possible alternatives and solutions. Chairwoman Sosa addressed the issues of timing, which would impact whether development of a trail or park would be an option for the community.

Commissioner Suarez stated that he disagreed with the comment that denial of the application would result in litigation or that the applicant would pursue other avenues at the detriment of the community. He voiced his belief that the applicant was interested in developing the entire 6.2 miles of the corridor and had no issue with the privately filed application coming before the Board in 2016. Commissioner Suarez noted he was now inclined to deny the current application with a provision regarding the application fee.

Commissioner Zapata acknowledged that the property was located in Commission Districts 6 and 7, and that he agreed with the direction the District Commissioners appeared to be headed regarding the application. He spoke about the unique opportunity available to the County and pointed out that, while the applicant was proposing to develop approximately 1300 units, the zoning designation could be different, as stated by many residents in their earlier comments. He voiced his belief that it was in the County's best interest to defer the application and take the appropriate time to develop a plan to best utilize the property. Commissioner Zapata voiced his support for creation of the Charrettes and spoke about the probability of the entire property being developed into a green space and the associated cost.

Commissioner Zapata stated that he believed the ideal development for the property would entail a compromise between the applicant's and residents' visions for the space. He expressed his concerns regarding the County bearing the cost of the application and stated his support for the County working with the applicant on re-filing the application, but not absorbing the entire application cost.

Commissioner Levine Cava pointed out that it had become increasingly apparent that the process in place was lacking in certain areas and that it was time to explore legislative change to be better equipped to handle similar issues moving forward. She addressed the importance of properly implementing and conducting the Charrette process and commended Chairwoman Sosa for wanting to take an active role in the Charrette process within her Commission District (Dist. 6). Commissioner Levine Cava also noted the importance of looking at the "National Standards" for guidance to ensure a robust process that would honor the immediately adjacent residents and the regional developmental impact. She suggested the County consult the National Charrette Institute for guidance on proper implementation and operation of future Charrettes.

Commissioner Levine Cava requested additional information regarding the process and costs resulting from the County filing the application.

Commissioner Diaz stated that the key element was that the property was privately owned and noted this fact would drive the entire process. He noted CDMP applications were forwarded to the State of Florida for review and informational purposes only, rather than for the State to direct the County on how to proceed with the application. Commissioner Diaz pointed out that the Board was responsible for making the final decision regarding applications and voiced his support for Chairwoman Sosa's suggestions.

Responding to Commissioner Diaz' comment regarding the State's involvement in CDMP applications, Mr. Woerner confirmed that the State reviewed the applications and typically made recommendations to the Board; however, the final decision was made by the County Commission.

Commissioner Diaz reiterated his support for Chairwoman Sosa's recommendation for formation of a Charrette.

Commissioner Barreiro noted his support of the applicant withdrawing the application and the County assuming the application. He stated that he believed the County could create a successful Charrette and spoke of the importance of all parties coming to the table to discuss the issues.

Commissioner Barreiro stressed the need to explore local, State and Federal funding opportunities. He discussed the opportunity for the development of a public green space and voiced his optimism that it would be achieved.

Commissioner Jordan reiterated her full support for not transmitting the application and creation of the Charrettes and questioned whether the County had ever converted an application before.

Upon hearing Mr. Woerner's response that he could not recall the County ever assuming such a responsibility, Commissioner Jordan asked what the County would file if the application were converted.

Mr. Woerner explained that he was unsure as to the exact process the County would perform and would defer to the Board's directions regarding what should be included in the County application.

Commissioner Jordan noted converting this application would be setting a precedent and questioned whether the County could do the same for future developers.

In response to Chairwoman Sosa's comment on being surprised that the County had never converted a private application before, Mr. Woerner clarified that the option to convert the private application was just one option available to the Board, depending on what the Commission hoped to achieve. He stated that he believed the Charrettes were a great idea and should be the driving force behind the application. Mr. Woerner spoke about the time needed to properly conduct a Charrette and suggested the applicant re-file the application in the May 2015 Cycle upon the completion of the Charrettes and based on the results. He recommended the applicant be allowed to re-file without paying any additional fees, because the department would retain the information and reports prepared to date.

Responding to Chairwoman Sosa's inquiry whether he was recommending that the applicant re-file the application in May 2015 and that the Board waive the application fee, Mr. Woerner confirmed that was another option the Board should explore. He advised that the Charrettes should be completed and the result brought before the Commission before the application was re-filed.

Chairwoman Sosa noted she requested guidance from staff in regards to the CDMP process, and her goal was to receive recommendations on the best way to proceed so that the residents and applicants interests were protected.

Mr. Goldstein indicated that, while his client was amenable to the application taking additional time to move forward, he could not guarantee that his client would agree to re-file the application in the May 2015 Cycle. He reviewed the current CDMP process, emphasizing the amount of time the application would take to move through the various steps. He stated that the applicant was willing to proceed with the Charrettes as soon as possible. Mr. Goldstein reiterated that his client was willing to withdraw the application to allow conversion to a County application for the November 2014 Cycle.

Commissioner Levine Cava requested clarification regarding the issue of a precedent being set by the County for converting and filing the application and inquired if there were any legal issues associated with the County being the primary applicant.

Mr. Collier advised that he was not aware of any legal issues associated with the County filing the application.

Commissioner Levine Cava addressed the issue of setting a precedence and noted the actions considered today (12/4) were based on the unique nature of the application and were not applicable to all applications; therefore she was not concerned about a precedence being set. Commissioner Levine Cava pointed out that a County-filed application would offer the Commission more control and oversight. She reiterated the need to revisit the existing rules and procedures and suggested drafting new legislation to prevent future developers from attempting to manipulate the process to their benefit.

Discussions ensued between Commissioner Levine Cava and Mr. Collier regarding whether a precedence was being established and the impact the proposed development would have on the entire County.

Commissioner Heyman voiced her support for providing the applicant with a credit or refund of the application fee in light of the applicant's willingness to work with the County towards finding a solution. She expressed interest in the County converting the private application into a County application and spoke of the oversight and flexibility it would provide to the Commission, staff and the Administration. Commissioner Heyman noted her agreement with the statements expressed by Commissioner Levine Cava and inquired if there were any administrative or legal disadvantage related to the County filing the application.

Mr. Collier reassured the Commission that there were no legal concerns or issues associated with the County filing the application.

Deputy Mayor Jack Osterholt voiced his concerns regarding the County assuming the responsibility of filing the application based on differences of opinions expressed regarding what the County filed versus what the original

applicant and owner of the property believed should be filed.

In response to Chairwoman Sosa's interpretation of the County's role in the application process, Mr. Collier clarified that once the County filed the application, the County assumed full responsibility for the application and that the property owner would be allowed input in the application process, but the Board would make the final decision.

Commissioner Heyman stated the County should be considered the conduit for the paperwork while the property owners would be responsible for handling the Charrettes and other requirements. She asked what the applicant was willing to do at this point, given the options discussed.

Mr. Goldstein reiterated the applicant's commitment to working with the County and allowing the County to file the application to allow for continued dialogue with the residents throughout the Charrette process. Mr. Goldstein indicated that the property owner might not always agree with situations in the process the County used to file the application, but was open to discussion to find an acceptable compromise. He explained that a precedent was actually being set by development of the corridor and the County having an integral role in the process.

Commissioner Heyman discussed the regional impact development of the property would have on the County. She thanked the applicant for being amenable to the process and allowing the County to convert the application to a County application.

Commissioner Diaz thanked his colleagues for providing clarification regarding the process. He voiced his support for the County assuming responsibility for filing the application and noted the County became involved in the process when MDPROS initiated a report/guide specific to the corridor. Commissioner Diaz noted the development of the corridor was not limited to the immediate area, but was of countywide interest and concern.

Commissioner Suarez stated that he shared Commissioner Jordan's concerns regarding the County filing the application, as well as other colleagues' concerns about the application and the process. He noted this application was unique in that it was located in two separate Commission Districts and that, if the application were denied today, the applicant could re-file two separate CDMP applications to address each Commission District separately; which might be the best solution. Commissioner Suarez stated that he wished to recast his motion and now move to deny the application.

Chairwoman Sosa referred to her initial motion to deny the application and allow the County to convert the private application to a County application and Commissioner Suarez's second, and asked the County Attorney on how to proceed.

In response to Mr. Collier's request for verification that a motion was made and seconded on the record, Ms. Linda Cave, Assistant Director, Clerk of the Board Division, Clerk of Courts, confirmed that the motion was made by Chairwoman Sosa and seconded by Commissioner Suarez.

Subsequently, Commissioner Suarez withdrew his "second" to Chairwoman Sosa's motion.

Discussions ensued among Board members regarding the motion on the table.

Chairwoman Sosa requested the County Attorney read the pending motion into the record, including the provision that the applicant would pay advertising costs.

Mr. Collier read into the record the motion made by Chairwoman Sosa, as follows:

1. To accept withdrawal of the application by the applicant and approval of the 25% refund request;
2. To direct the County Attorney to prepare the appropriate resolution to have the Ludlum Trail Application filed as a County application, as part of the November 2014 Cycle, recognizing that the applicant offered to pay any out of pocket advertising fees;
3. To direct staff to conduct Charrettes in Commission Districts 6 and 7.

Commissioner Levine Cava stated she wanted to ensure that the Charrette process would not be rushed and inquired about what to expect should the County assume the lead in filing the application.

Mr. Woerner reviewed the process and time frames associated with the County filing the application within the November 2014 Cycle. He advised that the Community Councils were scheduled to meet in March 2015, the Planning Advisory Board (PAB) would meet in April 2015, and the application would come before the Board for a transmittal hearing in May 2015. Mr. Woerner voiced his concerns regarding the condensed time period the County was working within and how it would affect the Charrette process. He spoke of the importance of providing ample time for the Charrette process to be successful and suggested the County file the application within the May 2015 Cycle instead with all other conditions remaining the same. Mr. Woerner stressed the importance of the project and its regional impact.

Commissioner Levine Cava stated it was her understanding that MDPROS recommended a Charrette be conducted by an independent party and asked if that proposal was still being considered, to which Mr. Woerner stated he was unaware of that recommendation.

Commissioner Zapata inquired whether the applicant wished to comment on the latest suggestion that the application be filed in the May 2015 Cycle, to allow enough time for the Charrettes to be performed.

Mr. Goldstein acknowledged the need for ample time for Charrettes, but voiced his belief that the proposed Charrettes for Commission Districts 6 and 7 could be completed in time. He expressed confidence in the County's ability to complete the Charrette process in a timely manner and reiterated his client's support for the County assuming responsibility for the filing of the application in the November 2014 Cycle, as detailed by Mr. Collier, but would not commit to a re-filing of the application in the May 2015 Cycle. Mr. Goldstein stated if the option to have the County assume responsibility of the application and have it filed within the November 2014 Cycle was no longer being considered, his client would request the opportunity to make a presentation to the Board for the transmittal of the application.

Discussions ensued between Commissioner Zapata and Mr. Osterholt regarding his concerns with the application going from a private entity to County staff and the State's view of the application.

There being no further questions or comments, the Board proceeded to vote

on the motion as proffered by Chairwoman Sosa and read into the record by Assistant County Attorney Collier, as follows:

1. Accept withdrawal of the application by the applicant and approval of the 25% refund request;
2. Direct the County Attorney to prepare the appropriate resolution to have the Ludlum Trail Application filed as a County application as part of the November 2014 Cycle recognizing that the applicant has offered to pay for any out of pocket advertising fees;
3. Direct Staff to conduct Charrettes in Commission Districts 6 and 7.

Commissioner Jordan inquired as to whether the motion could be bifurcated to allow for a separate vote regarding the County filing the application.

Discussions ensued among Chairwoman Sosa, Commissioner Zapata and Commissioner Jordan regarding the request that the motion be bifurcated.

Following Mr. Collier's advice that each item could be voted on separately, several commissioners expressed opposition to bifurcating the motion.

Hearing no further questions or comments, the Commission proceeded to vote on the withdrawal of the foregoing proposed ordinance and resolution, as amended.

The Board accepted the applicant's motion to withdraw Application No. 3 and directed the following:

1. Staff to refund the applicant 25% of the application fee;
2. The County Attorney to prepare the appropriate resolution to have the Ludlum Trail Application filed as a County application as part of the November 2014 Cycle, recognizing that the applicant offered to pay for any out of pocket advertising fees;
3. Staff to conduct Charrettes in Commission Districts 6 and 7.

Mr. Collier clarified that Commissioner Bovo requested that he be added as a co-sponsor to Agenda Items 4F and 4F1.

Commissioner Jordan requested that she be recorded as voting "No" on Agenda Items 4A and 4A1.

Chairwoman Sosa requested that the Administration contact her and Commissioner Suarez's offices, as soon as possible, regarding the implementation of the Charrettes for each Commission District.

ADJOURNMENT

There being no further business to come before the Board, the Comprehensive Development Master Plan meeting for December 4th, 2014 adjourned at 3.01 p.m.

4A1

142490 Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); PROVIDING DISPOSITION OF APPLICATION NO. 3, LOCATED APPROXIMATELY 480 FEET NORTH OF NW 7 STREET TO THEORETICAL SW 87 STREET, GENERALLY BETWEEN NW/SW 69 AND 70 AVENUES, FILED IN MAY 2014 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

Withdrawn
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 8-3
No: Jordan, Suarez, Cava
Absent: Souto, Bovo, Jr.

Report: *The Board recessed the November 19, 2014 CDMP Meeting and announced that the CDMP public hearing would be continued on Thursday, December 4, 2014.*

SPECIAL NOTE: Please see the Report under Agenda Items 4A, Legislative File No. 142489 and Legislative File No. 151216.

4B

142491 Resolution

RESOLUTION PERTAINING TO MAY 2014 CYCLE APPLICATIONS 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 APPLICATION NO. 4, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 4 STREET AND SW 92 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 4; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

*Adopted
Resolution R-1021-14
Mover: Rebeca Sosa
Seconder: Dennis C. Moss
Vote: 9- 0
Absent: Jordan, Edmonson,
Heyman, Barreiro*

Report: Assistant County Attorney Craig Collier read the foregoing proposed resolution and foregoing proposed ordinance into the record.

Mr. Mark Woerner, Assistant Director, Regulatory and Economic Resources (RER) Department, explained that Application No. 4 pertained to a property located in Commission District 6 at the Southeast corner of Southwest 92nd Avenue and Southwest 4th Street measuring approximately 10.14 gross acres. He stated that the applicant was requesting a re-designation of the property from "Low Medium Density Residential;" which allows up to 13 units per acre to "Low Medium Density Residential with One Density Increase;" which would increase the amount of units to a maximum of 25 units per acre provided that the applicant comply with the Urban Design guidelines, as a part of the approval.

Mr. Woerner advised the Commission that both Staff and the Planning Advisory Board (PAB) recommended transmittal and adoption with the acceptance of a proffered covenant; while the Westchester Community Council recommended that the application be denied without transmittal. He noted Staff's comment regarding the application acknowledged that the property was an "infill" site and the density "bump up" would only apply if it were demonstrated that Urban Design principals would be applied to the site at the time of zoning to ensure compatibility and a pedestrian-friendly environment.

Mr. Woerner provided a brief explanation of what a density "bump up" would mean to the community and pointed out that the covenant would primarily address and commit to the required Urban Design principals.

Mr. Juan Mayol, Holland & Knight, 701 Brickell Avenue, Suite 3300, Miami, representing the applicant, OROT Flagler LLC, expressed his appreciation to Staff for its recommendation and support of the application. He spoke about the merits and benefits of the application and acknowledged the concerns expressed by the community. Mr. Mayol assured the Commission that the applicant was engaged in open dialogue with members of the community regarding their concerns and both parties were scheduled to meet in a few days depending on availability.

Mr. Mayol asked the Board to transmit the application, allow the applicant time to work with the community and return in Spring 2015 with more details about the design and proposal.

Chairwoman Sosa opened the public hearing and called for persons wishing to appear before the Board in relation to the foregoing proposed resolution and foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

Chairwoman Sosa relinquished the Chair to Commissioner Moss.

Chairwoman Sosa noted while she understood the intent and purpose for the re-designation of the property, she would not support the increase in density as requested by the applicant because she believed that it was too high for the area. She requested guidance from the County Attorney's Office and the Department regarding transmittal of the application without a recommendation and urged the applicant meet with the residents of the immediate and most impacted areas and consider reducing the density request.

Mr. Mayol assured the Commission that the applicant was already working on

the details of the proposals and would address the concerns voiced by Chairwoman Sosa.

Chairwoman Sosa requested guidance from the County Attorney's Office regarding how the motion should be phrased to accurately address her concerns and suggestions to the applicant.

Responding to Chairwoman Sosa's request for clarification, Assistant County Attorney Collier advised that the motion would be to adopt without recommendation; with direction to the applicant to meet with the residents of the immediate and most impacted areas and consider reducing the density.

Assistant County Attorney Collier also noted all prior votes taken by the Board today (11/19) should be corrected to capture the Commission's intent, which was to "transmit with recommendation for approval."

Chairwoman Sosa used the Fontainebleau Golf Course Project as an example of what could be accomplished if the developer and community worked together.

Responding to Commissioner Zapata's question regarding whether transit was taken into account when applications were reviewed, Mr. Woerner confirmed that transit was always considered when reviewing applications. He noted for this particular application, there were approximately four bus routes servicing the area.

Commissioner Zapata asked about the zoning in the areas around the property.

Discussions ensued between Commissioner Zapata and Mr. Woerner regarding the specifics of zoning and density allowances in the property and the surrounding areas.

Commissioner Zapata stated that while he intended to support and follow the District Commissioner's vote for the application, he was concerned about the applicant's request to increase the density allocation for the property, given the existing density designations for the surrounding areas.

In response to Commissioner Zapata's question as to why the department believed increasing the density designation along half section line roads qualified as "good planning," Mr. Woerner explained that if done correctly with Urban Design Principles incorporated into the project, the development had the potential to fit in and be compatible with the surrounding lower density areas.

Commissioner Zapata said he believed that if transit was a major deciding factor and component in the reviewing and recommendations process then it would be more logical to focus on section line roads as opposed to half section line roads.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed resolution and foregoing proposed ordinance, as presented.

The Board adopted Application No. 4, without recommendation and transmitted said application to the State Land Planning Agency, with direction to the applicant that they meet with the residents of the immediate and most impacted areas and consider reducing the density.

4B1

142492 Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); PROVIDING DISPOSITION OF APPLICATION NO. 4, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 4 STREET AND SW 92 AVENUE, FILED IN MAY 2014 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

*Adopted on first reading
Public Hearing: February 4, 2015
Mover: Rebeca Sosa
Seconder: Dennis C. Moss
Vote: 9- 0
Absent: Jordan, Edmonson,
Heyman, Barreiro*

Report: *The foregoing proposed ordinance was adopted on first reading and set for a public hearing before the Board of County Commissioners on February 4, 2015 at 9.30 A.M.*

4C

142493 Resolution

RESOLUTION PERTAINING TO MAY 2014 CYCLE APPLICATIONS 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 APPLICATION NO. 5, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 286 STREET AND SW 132 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 5; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

Adopted
Resolution R-1022-14
Mover: Dennis C. Moss
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Edmonson, Heyman,
Barreiro

Report: Assistant County Attorney Craig Collier read the foregoing proposed resolution and foregoing proposed ordinance into the record.

Mr. Mark Woerner, Assistant Director, Regulatory and Economic Resources (RER) Department, advised that Application No. 5 was a privately filed application requesting a re-designation of the application site on the Land Use Plan (LUP) map from "Low Density Residential" to "Low-Medium Density Residential." He noted the property in question was located in Commission District 9 at the Southeast Corner of Southwest 132nd Avenue and Southwest 286th Street and was approximately 10.1 gross acres.

Mr. Woerner explained that the site's current designation on the Comprehensive Development Master Plan (CDMP) as a "Low Density Residential" property allowed for development of up to 6 units per acre and the applicant was requesting that the site be re-designated to a "Low-Medium Density Residential" property which would allow for development of up to 13 dwelling units per acre. He pointed out that the application was a standard amendment with Staff and the South Bay Community Council recommending transmittal and adoption. Mr. Woerner informed the Commission that the Planning Advisory Board at its public hearing recommended transmittal and adoption with the condition that, per the applicant's representation, the applicant commits to disclosure requirements and noise level reduction standards for the development of the property.

Mr. Woerner added that the Department found the application compatible with the surrounding development and there were no issues with levels of service or public facilities availability, nor were there any environmental or historical concerns or impact to resources.

Mr. Woerner advised the Commission that a representative from the Air Reserve Base, serving as an ex-officio member of the Planning Advisory Board (PAB) expressed concern at PAB's public hearing regarding the property's proximity to the base and the base's noise contours for the area. He noted the applicant was working alongside staff and the County Attorney's office on a covenant and/or covenants that would address both the noise and a disclosure to notify future residents of noise and vibrations emanating from the base.

Mr. Woerner stated that the Department recommended transmittal with the proviso that the applicant enter into a covenant and/or covenants to address the concerns expressed above.

Mr. Hugo Arza, Holland & Knight, 701 Brickell Avenue, Suite 3300, Miami, representing the applicant, the George C. Busher Trust, appeared before the Board. He thanked Staff, South Bay Community Council and PAB for their recommendation of approval for the re-designation of the property. He spoke about the concerns expressed by the Air Reserve Base and the representations made on behalf of the applicant to enter into a covenant and/or covenants committing to the utilization of construction noise level reduction standards to mitigate and/or insulate construction noise for the development; as well as comply with disclosure requirements to provide notification to future property owners.

Mr. Arza assured the Commission that the applicant was working closely with the County Attorney's Office as well as the Air Reserve Base to address the concerns and resolve the issue by way of two separate covenants, which he anticipated would be ready for the next time the application came before the Board for consideration.

Chairwoman Sosa opened the public hearing and called for persons wishing to appear before the Board in relation to the foregoing proposed resolution and foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

Commissioner Moss stated that he would support transmittal of the item today (11/19) with the caveat that the covenants be finalized before the application came back before the Board.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed resolution and foregoing proposed ordinance, as presented.

The Board adopted Application No. 5, with change that the applicant enter into a covenant and/or covenants with the County and/or Air Base committing to the utilization of construction noise level reduction standards to mitigate and/or insulate construction noise for the development; as well as comply with disclosure requirements to provide notification to future property owners, as recommended by the Department of Regulatory and Economic Resources; and transmitted said application to the State Land Planning Agency.

4C1

142494

Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); PROVIDING DISPOSITION OF APPLICATION NO. 5, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 286 STREET AND SW 132 AVENUE, FILED IN MAY 2014 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

Adopted on first reading
Public Hearing: February 4, 2015
Mover: Dennis C. Moss
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Edmonson, Heyman,
Barreiro

Report: *The foregoing proposed ordinance was adopted on first reading and set for a public hearing before the Board of County Commissioners on February 4, 2015 at 9.30 A.M.*

4D

142495

Resolution

Rebeca Sosa,
Esteban L. Bovo, Jr.,
Daniella Levine Cava

RESOLUTION PERTAINING TO MAY 2014 CYCLE APPLICATIONS 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 APPLICATION NO. 6, AMENDING THE TEXT OF THE LAND USE ELEMENT, TRANSPORTATION ELEMENT, AND COMMUNITY HEALTH AND DESIGN ELEMENT OF THE CDMP; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 6; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

Adopted
Resolution R-1023-14
Mover: Sen. Javier D. Souto
Seconder: Xavier L. Suarez
Vote: 10-0
Absent: Edmonson, Heyman,
Barreiro

Report: Assistant County Attorney Craig Collier read the foregoing proposed resolution and foregoing proposed ordinance into the record.

Mr. Mark Woerner, Assistant Director, Regulatory and Economic Resources (RER) Department, explained that the application was a text amendment filed by RER to amend the Land Use element, Transportation Element (including a portion or policy within the Traffic Circulation Sub-element) and the Community Health and Design Element of the Comprehensive Development Master Plan (CDMP). He noted both Staff and the Planning Advisory Board recommended transmittal and adoption.

Mr. Woerner stated that the intent of the text amendment was to address the collaborative efforts of the Pfizer Foundation, the Health Systems of South Florida, Miami-Dade County Parks, Recreation and Open Spaces (MDPROS) Department and RER, which were all involved in a grant application to review, enhance and support the Miami-Dade County Age-Friendly Initiative. He noted a Steering Committee was involved in reviewing the amendments and made a recommendation in support of said amendments.

Mr. Woerner read an example of the text amendment into the record noting the addition of language to include "seniors and/or community centers" to an existing Community Health and Design Element Policy. He reiterated the Department's recommendation to adopt and transmit.

Chairwoman Sosa opened the public hearing and called for persons wishing to appear before the Board in relation to the foregoing proposed resolution and foregoing proposed ordinance. She noted she was a proud sponsor of the foregoing proposed resolution and spoke about the various projects and programs that would be implemented to enhance the community.

Chairwoman Sosa closed the public hearing after no one appeared wishing to speak.

Shortly thereafter, Ms. Isabel Rovira, Coordinator for Miami-Dade County Age-Friendly Initiative appeared wishing to address the Commission.

Chairwoman Sosa re-opened the public hearing to allow Ms. Rovira to speak.

Ms. Rovira thanked Chairwoman Sosa for sponsoring the foregoing proposed resolution and foregoing proposed ordinance and thanked the Commission for allowing her the opportunity to speak. She provided a brief history as to the origins of the Initiative, noting the Initiative was a result of a grant awarded by the Grant makers in Aging (GLA) sponsored by the Pfizer Foundation. Ms. Rovira noted the goal of the Initiative was to "create a metropolitan area that fosters a physical and social environment for all ages but specifically for adults to stay active and healthy with dignity and enjoyment."

Ms. Rovira informed the Commission that the Initiative was led by a Steering Committee and acknowledged the presence of members of the Committee including Commissioner Levine Cava. She spoke of the importance of the Initiative and its role in the community, noting Miami-Dade County and the nation projected a 30 percent increase in the elderly population by 2030.

Chairman Sosa closed the public hearing after no one else appeared wishing to speak.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance, as presented.

Assistant County Attorney Collier requested clarification from the Clerk of the Board regarding whether the vote was for the foregoing proposed resolution or foregoing proposed ordinance.

Mr. Christopher Agrippa, Division Chief for Clerk of the Board, confirmed that the Commission voted with respect to the foregoing proposed ordinance.

Assistant County Attorney Collier advised that a motion and vote was needed for the foregoing proposed resolution as well and suggested that both the foregoing proposed resolution and foregoing proposed ordinance be moved and voted on simultaneously going forward.

Chairwoman Sosa noted for the record that Agenda Item 4G1, the foregoing proposed ordinance, was also moved by Commissioner Souto pursuant to the recommendation made by Assistant County Attorney Collier that both the foregoing proposed resolution and ordinance be considered simultaneously.

Commissioner Levine Cava requested to be added as a Co-Sponsor on both the resolution and ordinance.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed resolution, as presented.

The Board adopted Application No. 6, as recommended by the Department of Regulatory and Economic Resources and transmitted said application to the State Land Planning Agency.

4D1

142496

Ordinance

Rebeca Sosa,
Esterban L. Bovo, Jr.,
Daniella Levine Cava

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); PROVIDING DISPOSITION OF APPLICATION NO. 6, AMENDING THE TEXT OF THE LAND USE ELEMENT, TRANSPORTATION ELEMENT, AND COMMUNITY HEALTH AND DESIGN ELEMENT OF THE CDMP FILED IN MAY 2014 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

Adopted on first reading
Public Hearing: February 4, 2015
Mover: Sen. Javier D. Souto
Seconder: Xavier L. Suarez
Vote: 10- 0
Absent: Edmonson, Heyman,
Barreiro

Report: The foregoing proposed ordinance was adopted on first reading and set for a public hearing before the Board of County Commissioners on February 4, 2015 at 9.30 A.M.

FINAL OFFICIAL

4E

142497

Resolution

Rebeca Sosa,
Esteban L. Bovo, Jr.,
Jose "Pepe" Diaz,
Barbara J. Jordan,
Daniella Levine Cava,
Jean Monestime,
Dennis C. Moss,
Sen. Javier D. Souto,
Juan C. Zapata

RESOLUTION PERTAINING TO MAY 2014 CYCLE APPLICATIONS 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 APPLICATION NO. 7, AMENDING THE TEXT OF THE WATER, SEWER AND SOLID WASTE ELEMENT OF THE CDMP; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 7; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

Adopted
Resolution R-1024-14
Mover: Jose "Pepe" Diaz
Seconder: Xavier L. Suarez
Vote: 10- 0
Absent: Edmonson, Heyman,
Barreiro

Report: Mr. Mark Woerner, Assistant Director, Regulatory and Economic Resources (RER) Department, explained that this application was filed by the Miami-Dade Water and Sewer Department (WASD) to amend the Comprehensive Development Master Plan (CDMP) Water and Sewer sub-element to revise Policy WS-7A to reflect an update to the County's Water Supply Facilities Work Plan; to also revise Table One that lists the projects for the Alternative Water Supply projects from 2014 to 2033; and to reflect any other changes in the projects.

Assistant County Attorney Craig Collier read the foregoing proposed resolution and foregoing proposed ordinance into the record.

Mr. Woerner informed the Commission that the purpose of the amendment was to comply with a statutory requirement which specified that within 18 months of the South Florida Water Management District's adoption of its Lower East Coast Water Management/Water Supply Plan all local governments within the district must update their respective CDMP pertaining to their Alternative Water Supply Facilities Work Plan. He noted that this was one of the first updates to the table since 2005.

Mr. Woerner advised the Board that the Department, as well as, the Planning and Advisory Board recommended transmittal and adoption. Chairwoman Sosa noted the foregoing proposed resolution and foregoing proposed ordinance would add a requirement that the CDMP address the changing climate and sea level rise issues, as was previously voted upon by the Commission.

Discussions ensued between Chairwoman Sosa and Commission Diaz regarding co-sponsorship and specifics of the foregoing proposed resolution and the foregoing proposed ordinance.

Assistant County Attorney Collier reminded Chairwoman Sosa that the motion needed to be made for both the foregoing proposed resolution and foregoing proposed ordinance.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed resolution and foregoing proposed ordinance, as presented.

The Board adopted Application No. 7, as recommended by the Department of Regulatory and Economic Resources and transmitted said application to the State Land Planning Agency.

Ms. Laura Reynolds, 5530 Sunset Drive, Miami FL 33143, appeared on behalf of the Tropical Audubon Society. She thanked and commended Chairwoman Sosa for assuming a leadership role on the sea level rise issue and its efforts related to groundwater level maintenance. Ms. Reynolds urged the Board to consider the County's use of carbon and how it could be reduced when making future water related decisions.

Commissioners Bovo, Diaz, Jordan, Levine Cava, Monestime, Moss, Souto and Zapata requested to be added as co-sponsors of the resolution and ordinance.

4E1

142498

Ordinance

Rebeca Sosa,
Esteban L. Bovo, Jr.,
Jose "Pepe" Diaz,
Barbara J. Jordan,
Daniella Levine Cava,
Jean Monestime,
Dennis C. Moss,
Sen. Javier D. Souto,
Juan C. Zapata,
Audrey M. Edmonson

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP);
PROVIDING DISPOSITION OF APPLICATION NO. 7,
AMENDING THE TEXT OF THE WATER, SEWER AND
SOLID WASTE ELEMENT OF THE CDMP, FILED IN MAY
2014 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE
DEVELOPMENT MASTER PLAN; PROVIDING
SEVERABILITY, EXCLUSION FROM THE CODE, AND AN
EFFECTIVE DATE (Regulatory and Economic Resources)

Adopted on first reading
Public Hearing: February 4, 2015
Mover: Jose "Pepe" Diaz
Seconder: Xavier L. Suarez
Vote: 10- 0
Absent: Edmonson, Heyman,
Barreiro

Report: *The foregoing proposed ordinance was adopted on first reading and set for a public hearing before the Board of County Commissioners on February 4, 2015 at 9.30 A.M.*

4F

142499

Resolution

Rebeca Sosa,

**Barbara J. Jordan,
Daniella Levine Cava,
Dennis C. Moss**

RESOLUTION PERTAINING TO MAY 2014 CYCLE APPLICATIONS 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 APPLICATION NO. 8, AMENDING THE TEXT OF THE LAND USE ELEMENT OF THE CDMP; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 8; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Regulatory and Economic Resources)

Adopted

Resolution R-1025-14

Mover: Barbara J. Jordan

Seconder: Dennis C. Moss

Vote: 10- 0

*Absent: Edmonson, Heyman,
Barreiro*

Report: Mr. Mark Woerner, Assistant Director, Regulatory and Economic Resources (RER) Department, explained that the application was a text amendment filed by RER to amend the Comprehensive Development Master Plan (CDMP) text related to affordable/workforce housing density bonuses to further encourage the development of affordable/workforce housing, remove redundant provisions, and clarify implementation procedures. He noted both the Department and the Planning Advisory Board recommended transmittal and adoption.

Mr. Woerner informed the Commission that the purpose of the staff amendment was to:

1. Clarify references to the 17 percent density bonus which was repeated twice in the report. He noted the first reference would be removed but the latter use in the body of the report would remain untouched;
2. Remove a redundancy related to the 25 percent workforce housing requirement. He pointed out that a workforce housing development ordinance already existed and addressed the public hearing component;
3. Modify the Board's requirement for the 30 percent and higher density bonus. He explained that Staff was requesting flexibility for the 30 percent and higher density bonus to be implemented through an "Unusual Use Process" or some other procedure, while keeping the public hearing requirement, instead of creating an entirely new "District Overlay" as was currently mandated.

Assistant County Attorney Craig Coller read the foregoing proposed resolution and foregoing proposed ordinance into the record.

Chairwoman Sosa opened the public hearing and called for persons wishing to appear before the Board in relation to the foregoing proposed resolution and foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

Chairwoman Sosa clarified that the intent of the foregoing proposed resolution and foregoing proposed ordinance was to provide additional support and help for affordable and workforce housing.

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed resolution and foregoing proposed ordinance, as presented.

The Board adopted Application No. 8, as recommended by the Department of Regulatory and Economic Resources and transmitted said application to the State Land Planning Agency.

Commissioners Jordan, Moss and Levine Cava requested to be added as co-prime sponsors of the resolution and ordinance.

FINAL OFFICIAL

4F1

142501

Ordinance

Rebeca Sosa,

Barbara J. Jordan,
Esteban L. Bovo, Jr.,
Daniella Levine Cava,
Dennis C. Moss,
Audrey M. Edmonson

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); PROVIDING DISPOSITION OF APPLICATION NO. 8, AMENDING THE TEXT OF THE LAND USE ELEMENT OF THE CDMP, FILED IN MAY 2014 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

*Adopted on first reading
Public Hearing: February 4, 2015
Mover: Barbara J. Jordan
Seconder: Dennis C. Moss
Vote: 10- 0
Absent: Edmonson, Heyman,
Barreiro*

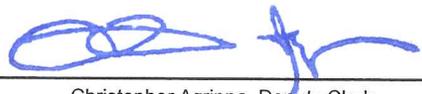
Report: *The foregoing proposed ordinance was adopted on first reading and set for a public hearing before the Board of County Commissioners on February 4, 2015 at 9.30 A.M.*

ADJOURNMENT



Rebeca Sosa, Chairwoman

ATTEST: HARVEY RUVIN, CLERK



By: Christopher Agrippa, Deputy Clerk



**Board of County Commissioners
Comprehensive Development Master Plan
(CDMP)
November 19, 2014**

Prepared by: Kerry Khunjar

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	11/18/14	-	MEMO RE: ABSENCE FROM 11/19/14 CDMP MEETING FROM COMMISSIONER BARREIRO DATED 11/18/2014
2	11/18/14	-	MEMO RE: ABSENCE FROM 11/19/14 CDMP MEETING FROM COMMISSIONER HEYMAN DATED 11/18/2014
3	11/19/14	-	MEMO RE: ABSENCE FROM 11/19/14 CDMP MEETING FROM COMMISSIONER EDMONSON DATED 11/19/2014
4	11/25/14	-	MEMO RE: ABSENCE FROM 12/4/14 CDMP MEETING (CONTINUATION OF 11/19/14 CDMP MEETING) FROM COMMISSIONER SOUTO DATED 12/25/2014
5	12/4/14	-	COPY OF EXHIBIT LIST PREPARED BY NELSON DIAZ OF EXHIBITS SUBMITTED TO RER/ZONING
6	11/19/14	-	SPEAKER'S CARDS



MEMORANDUM
BRUNO A. BARREIRO
Miami-Dade County Commissioner
District 5

TO: Honorable Chairperson Rebecca Sosa and
Members of the Board of County Commissioners

FROM: Commissioner Bruno A. Barreiro
District 5

Handwritten signature of Bruno A. Barreiro, District 5, with a "#5" next to it.

SUBJECT: Absence from CDMP Meeting – November 19, 2014

DATE: November 18, 2014

Please be advised that I will not be present at the Board of County Commissioner's CDMP Meeting on Wednesday, November 19, 2014. I apologize for any inconvenience this may cause.

Should you have any questions, please contact me at (305)643-8525.

CC: Christopher Agrippa, Division Chief, Clerk of the Board

BAB/ma



MEMORANDUM
BOARD OF COUNTY COMMISSIONERS
COMMISSIONER SALLY A. HEYMAN
DISTRICT 4

TO: The Honorable Rebeca Sosa,
Chairwoman and Members of the
Board of County Commissioners

DATE: November 18, 2014

FROM: Sally A. Heyman
Commissioner
District 4

SUBJECT: Absence from CDMP, November
19, 2014 and Zoning, November 20,
2014

A handwritten signature in blue ink, appearing to read "Sally A. Heyman", written over the printed name and title.

Please be advised that I will be attending the Florida Association of Counties Legislative Conference therefore, I will be absent from the CDMP and Zoning meetings on November 19 & November 20, 2014.

Thank you for your attention in this matter.

cc: R.A. Cuevas, Jr., County Attorney
Christopher Agrippa, Division Chief, Clerk of the Board



MEMORANDUM
BOARD OF COUNTY COMMISSIONERS
COMMISSIONER AUDREY M. EDMONSON
DISTRICT 3

Date: November 17, 2014
To: Honorable Rebeca Sosa, Chairwoman
and Members, Board of County Commissioners
From: Audrey M. Edmonson
Commissioner, District 3
Audrey M. Edmonson
Subject: November 19, 2014 CDMP meeting

Please be advised that I will not be attending the November 19, 2014 CDMP meeting because I will be attending a Florida Association of Counties Legislative Conference in Tampa. I apologize for any inconvenience this may cause.

Thank you for your attention to this matter.

c: Robert A. Cuevas, Jr., County Attorney
Christopher Agrippa, Division Chief, Clerk of the Board



SENATOR JAVIER SOUTO
COMMISSIONER

Board of County Commissioners
MIAMI-DADE COUNTY – FLORIDA
DISTRICT 10
111 N.W. FIRST STREET, SUITE 320
MIAMI, FLORIDA 33128-1963
(305) 375-4835
FAX (305) 375-4838

MEMORANDUM

To: Honorable Rebeca Sosa, Chairwoman and
Members of the Board of County Commissioners

Fr: Commissioner Javier Souto, District 10

Re: Absent from November 28 to December 16, 2014

Date: November 25, 2014

A handwritten signature in black ink, appearing to read "Javier Souto", is written over the "Fr:" line of the memorandum.

Please be advised that I will be out with my family on a personal trip from November 28 until December 16, 2014 therefore, I will be absent from the following meetings:

- December 2 BCC Meeting
- December 4 CDMP and Second Budget Hearing
- December 8 Health and Social Service Committee
- December 11 Economic Development and Port of Miami Committee
- December 16 BCC Meeting

CC: R.A. Cuevas, Jr., County Attorney
Christopher Agrippa, Division Chief, Clerk of the Board

The foregoing exhibits were submitted for the record on December 4, 2014 and transferred to the care, custody, and control of the Department of Regulatory and Economic Resources/Planning & Zoning on January 8, 2015.

ATTEST:



HARVEY RUVIN, Clerk of Courts
Clerk of Circuit and County Courts
Miami-Dade County, Florida

A handwritten signature in blue ink, appearing to read "Harvey Ruvin", written over a horizontal line.

Deputy Clerk

RECEIVED BY:

A handwritten signature in blue ink, appearing to read "Abby Diaz", written over a horizontal line.
(SIGN)

Abby Diaz
(PRINT)

1/8/15

(DATE)

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 11/19/14 BCC Mtg. Date 11/19/14 Agenda Item # 4A (Application 3)

Subject: Ludlam Trail, CMP App. 3

Name: Celeste De Palma

Address: 5530 Sunset Dr, Miami, FL 33143

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: Tropical Audubon Society
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: No:

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 11/19/14 BCC Mtg. Date _____ Agenda Item # 4A/APP3

Subject: USE OF PROPERT

Name: Tom Derringer

Address: 3460 SW 75th AVE

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No:

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: _____ No:

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 11/19/14 BCC Mtg. Date 11/19/14 Agenda Item # 4A (Applications)

Subject: Luallom Trail, CMP App. 3

Name: Laura Reynolds

Address: 5530 Sunset Drive, Miami, FL 33143

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: Tropical Audubon Society /
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: No:

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 19 NOV 14 BCC Mtg. Date 19 NOV 14 Agenda Item # 4C

Subject: APPLICATION # 5

Name: LARRY VENTURA

Address: HOMESTEAD AIR RESERVE BASE

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: HOMESTEAD AIR RESERVE BASE
Organization Firm Client

Have your registered with the Clerk of the Board? Yes: No: N/A

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 11/19/14 BCC Mtg. Date 11/19/14 Agenda Item # App. # 3 4A

Subject: Ludlam Trail

Name: Brenda McClymonds

Address: 7900 Red Road, So. Miami, Fl. 33143

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: The Trust for Public Land
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: No:

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 11/19/2014 BCC Mtg. Date: _____ Agenda Item#: 4A/Application 3

Subject: LUDLAM TRAIL

Name: ROBERT H. SMITH

Address: 7643 SW 71st AVE., MIAMI, FL. 33143

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 11/19/2014 BCC Mtg. Date: _____ Agenda Item#: LUDLAM TRAIL-9A

Subject: APPLICATION NUMBER 3

Name: RICO, LESLIE

Address: 15306 SUNSET DR, 14, MIAMI, FL, 33193

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____

Organization

Firm

Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete?

Spanish/Español

Èske w bezwen yon Entèprèt?

Creole/Kreyol

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 11/19/14 BCC Mtg. Date: _____ Agenda Item#: 4-A/App 3

Subject: Flagler

Name: Gonzalo SANABRIA

Address: 7241 SW 63 AVE

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 11/19/14 BCC Mtg. Date: 11/19/14 Agenda Item#: 3 4A

Subject: _____

Name: GUS GIL

Address: 7300 SW 93 Ave #210 Miami FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 11/19 BCC Mtg. Date: 11/19 Agenda Item#: 4A1-Application

Subject: Ludlam Trail Corridor - Support Flagler's Plan 3

Name: Maggie Fernandez

Address: 3620 SW 21 Miami FL 33145

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 11/19/14 BCC Mtg. Date: _____ Agenda Item#: 4A

Subject: Ludland #3

Name: Jerome A Brown

Address: 2765 n.w. 60th Street

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 11/19/14 BCC Mtg. Date: 11/19/14 Agenda Item#: 4D / 4D1

Subject: CDMP Amendment Application #6

Name: Isabel Rovira

Address: _____

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: Miami-Dade Age-Friendly Initiative.
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 11/19/2014 BCC Mtg. Date: 11/19/2014 Agenda Item#: 4A1 (142490) / App 3

Subject: ORDINANCE - LUDLOW TRAIL

Name: PAUL A. EISENHART

Address: 7029 S.W. 68 COURT SOUTH MIAMI, FL. 33143

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card (For Public Hearing Items Only)

Application #
3

Today's Date: 11-19-14 BCC Mtg. Date: _____ Agenda Item#: 4A

Subject: Ludlam Trail

Name: ~~Trudy~~ Trudy Burton

Address: 111 NW 183rd St, #111, Miami Gardens FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: Builders Association of South Florida
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

NO

¿Necesita un intérprete?

Spanish/Español

Èske w bezwen yon Entèprèt?

Creole/Kreyol

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 11/19/14 BCC Mtg. Date: 11/19/14 Agenda Item#: 4A, APPLICATION #3

Subject: LEONIA TRAIL

Name: RICHARD GOMEZ

Address: 10040 SW 33ST MIAMI, FL 33165

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

AGAINST

DONATING TIME
SPEAKER'S CARD

(For Appearance Before the Board of County Commissioners)

* For your convenience, this form is provided in a fillable format and can be completed on your computer

Today's Date 11/19 BCC Mtg. Date _____ Agenda Item # 4A/APP 3

Subject LUDLAM TRAIL

Name: LARRY KAPLAN

Address: 6800 SW 59th Miami

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.:")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have you registered with the Clerk of the Board: Yes: No:

AGAINST

SPEAKER'S CARD

application #3

(For Appearance Before the Board of County Commissioners)

* For your convenience, this form is provided in a fillable format and can be completed on your computer

Today's Date 11/19/14 BCC Mtg. Date _____ Agenda Item # 4A

Subject Ludlam Trail Corridor

Name: Eleanor Quigley

Address: 3470 SW 75 Ave

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.:)

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: Waterway Neighborhood Association,
Organization Firm Client

Have you registered with the Clerk of the Board: Yes: No:

AGAINST

* DONATING

MY TIME TO COMM. BOB WELSH *

SPEAKER'S CARD

(For Appearance Before the Board of County Commissioners)

APP-3

* For your convenience, this form is provided in a fillable format and can be completed on your computer

Today's Date 11/19/14 BCC Mtg. Date Agenda Item # 3/4A

Subject Ludlam Trail

Name: Andres Gomez (Donating my Time)

Address: 5620 SW 67 AVE / 8290 SW 58 ST / 6961 SW 62 ST

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.:")

Are you representing any person, group, or organization? Yes: [] No: [X]

If yes, please list name: Organization / Firm / Client

Have you registered with the Clerk of the Board: Yes: [] No: [X]

AGAINST

DONATING TIME

SPEAKER'S CARD

(For Appearance Before the Board of County Commissioners)

Application

* For your convenience, this form is provided in a fillable format and can be completed on your computer

Today's Date 11-19-14 BCC Mtg. Date _____ Agenda Item # 3 / 4A

Subject LUDLAM Trail

Name: Lisa Wake

Address: 6961 SW 62 ST

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.:")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have you registered with the Clerk of the Board: Yes: No:

AGAINST

SPEAKER'S CARD

3

(For Appearance Before the Board of County Commissioners)

* For your convenience, this form is provided in a fillable format and can be completed on your computer

Today's Date 11/19/14 BCC Mtg. Date _____ Agenda Item # 4A

Subject CAMP AMMENDMENT

Name: STEVE JOHNSON

Address: 5220 S.W. 69 AVENUE MIAMI FL 33155

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.:")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: FRIENDS OF LUDLAM TRAIL / _____
Organization Firm Client

Have you registered with the Clerk of the Board: Yes: No: no

AGAINST

SPEAKER'S CARD

(For Appearance Before the Board of County Commissioners)

* For your convenience, this form is provided in a fillable format and can be completed on your computer

Today's Date ~~11/19/2014~~ 11/19/2014 BCC Mtg. Date 11/19/2014 Agenda Item # 4A / application 3

Subject William Travel Application

Name: ~~Anthony Garcia~~ Anthony Garcia

Address: 6815 SW 57 Terrace

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.:)

Are you representing any person, group, or organization? Yes: No: ~~☒~~

If yes, please list name: Friends of the William Travel / _____ / _____
Organization Firm Client

Have you registered with the Clerk of the Board: Yes: No:

AGAINST

SPEAKER'S CARD

(For Appearance Before the Board of County Commissioners)

* For your convenience, this form is provided in a fillable format and can be completed on your computer

Today's Date 11/19/14 BCC Mtg. Date _____ Agenda Item # 4A / App 3

Subject Ludlow Trail

Name: Jorge Sanchez

Address: 133 NE 2nd Ave #802 Miami FL 33132

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.:")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have you registered with the Clerk of the Board: Yes: No:

AGAINST

SPEAKER'S CARD

(For Appearance Before the Board of County Commissioners)

* For your convenience, this form is provided in a fillable format and can be completed on your computer

Today's Date 12/4/14 BCC Mtg. Date _____ Agenda Item # 4A

Subject LUDLAM TRAIL

Name: VICTOR DOVER

Address: 6227 SW 57 ST, SO. MIAMI FL 33143

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.:)

Are you representing any person, group, or organization? Yes: No: AS MEMBER, NOT LOBBYIST

If yes, please list name: FRIENDS OF LUDLAM, TRAIL / _____
Organization Firm Client

Have you registered with the Clerk of the Board: Yes: No:

AGAINST

SPEAKER'S CARD

(For Appearance Before the Board of County Commissioners)

* For your convenience, this form is provided in a fillable format and can be completed on your computer

Today's Date 12-4-2014 BCC Mtg. Date _____ Agenda Item # _____

Subject Fec transmittal

Name: Lenora Bach

Address: 7600 SW 69 Ave. Miami FL 33143

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.:)

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: Ludlam Trail Neighborhood Association
Organization Firm Client

Have you registered with the Clerk of the Board: Yes: No:

AGAINST

Time donated by: George Green

SPEAKER'S CARD

6820 SW 71st Ct.
33143

(For Appearance Before the Board of County Commissioners)

* For your convenience, this form is provided in a fillable format and can be completed on your computer

Today's Date 3 Dec 2014 BCC Mtg. Date 4 Dec 2014 Agenda Item # 4-A

Subject Ludlam Trail

Name: Dana Krempels, Ph.D.

Address: 6960 SW 60th Terrace

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.')

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: Ludlam Trail Neighborhood Assn. / _____ / _____
Organization Firm Client

Have you registered with the Clerk of the Board: Yes: No:

AGAINST

SPEAKER'S CARD

4A
4A1

(For Appearance Before the Board of County Commissioners)

* For your convenience, this form is provided in a fillable format and can be completed on your computer

Today's Date Dec. 04. 2014 BCC Mtg. Date _____ Agenda Item # 3

Subject Ludlam Trail

Name: Norma I. Moran

Address: 7520 SW 69th Ct

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.:")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: Ludlam Trail Neighborhood Association
Organization Firm Client

Have you registered with the Clerk of the Board: Yes: No:

AGAINST

SPEAKER'S CARD

(For Appearance Before the Board of County Commissioners)

* For your convenience, this form is provided in a fillable format and can be completed on your computer

Today's Date 12-4-14 BCC Mtg. Date _____ Agenda Item # 3

4A
4A2

Subject Ludlam FEC

Name: Lisa Vale

Address: 6961 SW 62 ST

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.:")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: Ludlam, Trail Neighborhood AS:
Organization Firm Client

Have you registered with the Clerk of the Board: Yes: No:

AGAINST

SPEAKER'S CARD

(For Appearance Before the Board of County Commissioners)

* For your convenience, this form is provided in a fillable format and can be completed on your computer

Today's Date 2014/12/04 BCC Mtg. Date TODAY Agenda Item # OF COURSE

Subject MASTER DEVELOPMENT PLAN

"FACTS AND OPINIONS" WITHOUT RETORICS

Name: DR. E. HARTI JR. P.E. (PROJECT ENGINEER)

Address: 1550 N. MIAMI ~~BLVD~~ AVE, MIAMI - PADE 33136

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.')

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: M.P.I. / BEACON COUNCIL / E. H. JR.
Organization Firm Client OWNER

Have you registered with the Clerk of the Board: Yes: No:

SEE → BERTILA SOTO / C. J.

