

# Memorandum



(Public Hearing 1-25-17)

**Date:** January 25, 2017

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

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

Agenda Item No. 4(A)

Resolution No. R-76-17

**Subject:** Resolution for Standard Application No. 5 in the May 2016 Cycle Applications to Amend the Comprehensive Development Master Plan

---

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

A handwritten signature in black ink, appearing to read "Jack Osterholt".  

---

Jack Osterholt  
Deputy Mayor



# MEMORANDUM

(Revised)

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

**DATE:** January 25, 2017

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 4(A)

Please note any items checked.

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

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 4(A)  
1-25-17

RESOLUTION NO. R-76-16

RESOLUTION PERTAINING TO MAY 2016 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 STANDARD APPLICATION NO. 5, LOCATED NORTH OF NW 178 STREET BETWEEN I-75 AND THE TURNPIKE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW STANDARD 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

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

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

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

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

**WHEREAS**, Application No. 5 was filed by a private party in the November 2015 Cycle of Applications to amend the CDMP and was transferred, at the request of the applicant, to the May 2016 Cycle of Applications to amend the CDMP ("May 2016 CDMP Amendment Cycle") and is contained in the document titled "May 2016 Applications to Amend the Comprehensive Development Master Plan," dated June 21, 2016, and kept on file with and available upon request from the Department; and

**WHEREAS**, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2016 Cycle standard applications in a report titled "Initial Recommendations May 2016 Standard Applications to Amend the Comprehensive Development Master Plan", dated September 2016, and kept on file with and available upon request from the Department; and

**WHEREAS**, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 5; and

**WHEREAS**, the Department may issue final recommendations addressing the May 2016 Cycle standard applications that are transmitted to the reviewing agencies; and

**WHEREAS**, this Board desires to further evaluate, without prejudice, Application No. 5 filed for review and action during the May 2016 CDMP Amendment Cycle, if hereby transmitted,

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

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

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

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
5	<p>International Atlantic, LLC /Miguel Diaz de la Portilla, Esq. &amp; Elinette Ruiz, Esq.</p> <p>North of NW 178 Street between I-75 and the Turnpike / (±174.827 gross acres/±150.12 net acres)</p> <p><u>Requested Amendment to the CDMP LUP Map and Text:</u></p> <ol style="list-style-type: none"> <li>1. Redesignate the application site on the Land Use Plan map:                  From: "Industrial and Office"                  To: "Business and Office"</li> <li>2. Delete the 0.45 FAR limitation on the portion of the Application area west of NW 97 Avenue;</li> <li>3. Release the Declaration of Restrictions, recorded in Official Records Book 24479 at Page 0689 of the Public Records of Miami-Dade County, Florida, as it applies to portions of land within the subject property;</li> <li>4. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board; and</li> <li>5. Amend the Transportation Element Figure 1 – Planned Year 2030 Roadway Network; Figure 2 – Roadway Classification 2012; and Figure 3 – Roadway Functional Classification 2030.</li> </ol> <p>Standard Amendment</p>	<p>Transmit and Adopt with Change and with the proffered Declaration of Restrictions, and with the Additional Change to amend the CDMP Intergovernmental Coordination Element to add the subject property to the list of Facilities of Countywide Significance</p>

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

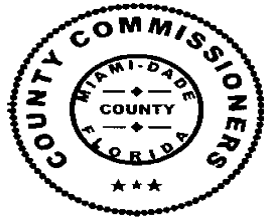
**Section 4.** The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board,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

**Section 5.** The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2017 to address the pending May 2016 Cycle standard applications.

The foregoing resolution was offered by Commissioner **José "Pepe" Diaz** who moved its adoption. The motion was seconded by Commissioner **Esteban L. Bovo, Jr.** and upon being put to a vote, the vote was as follows:

	Esteban L. Bovo, Jr., Chairman	<b>aye</b>	
	Audrey M. Edmonson, Vice Chairwoman	<b>absent</b>	
Bruno A. Barreiro	<b>aye</b>	Daniella Levine Cava	<b>nay</b>
Jose "Pepe" Diaz	<b>aye</b>	Sally A. Heyman	<b>aye</b>
Barbara J. Jordan	<b>aye</b>	Joe A. Martinez	<b>aye</b>
Jean Monestime	<b>absent</b>	Dennis C. Moss	<b>aye</b>
Rebeca Sosa	<b>aye</b>	Sen. Javier D. Souto	<b>aye</b>
Xavier L. Suarez	<b>aye</b>		

The Chairperson thereupon declared the resolution duly passed and adopted this 25<sup>th</sup> day of January, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.



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

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "DK", written over a horizontal line.

Dennis A. Kerbel