

# The City of Aventura



Local Planning Agency  
Susan Gottlieb, Mayor

Zev Auerbach  
Bob Diamond  
Teri Holzberg  
Billy Joel  
Michael Stern  
Luz Urbacz Weinberg

City Manager  
Eric M. Soroka, ICMA-CM

City Clerk  
Teresa M. Soroka, MMC

City Attorney  
Weiss Serota Helfman  
Pastoriza Cole & Boniske

## LOCAL PLANNING AGENCY AGENDA JANUARY 3, 2012 - 6 PM

Aventura Government Center  
19200 West Country Club Drive  
Aventura, Florida 33180

1. CALL TO ORDER/ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF MINUTES: October 5, 2010
4. PUBLIC HEARING: MOTION RECOMMENDING ADOPTION OF THE FOLLOWING ORDINANCE:

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT PURSUANT TO CHAPTER 163, F.S., DATED SEPTEMBER 2, 2003, MADE BETWEEN MERCO GROUP AT AVENTURA LANDINGS I, II AND III, INC. AS DEVELOPER AND THE CITY OF AVENTURA, AS AMENDED OCTOBER 5, 2004 AND NOVEMBER 3, 2010, TO MODIFY EXHIBIT 'B' TO THE AGREEMENT AND TO EXTEND THE TERM OF THE AGREEMENT; RELATING TO THE PARCEL OF LAND ZONED RMF4, MULTIFAMILY HIGH DENSITY RESIDENTIAL DISTRICT, LOCATED ON NE 185 STREET AT NE 28 COURT, CITY OF AVENTURA; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

5. ADJOURNMENT

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Office of the City Clerk, 305-466-8901, not later than two days prior to such proceeding. Anyone wishing to appeal any decision made by the City of Aventura Local Planning Agency with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Agenda items may be viewed at the Office of the City Clerk, City of Aventura Government Center, 19200 West Country Club Drive, Aventura, Florida, 33180. Anyone wishing to obtain a copy of any agenda item should contact the City Clerk at 305-466-8901. One or more members of the City of Aventura Advisory Boards may also be in attendance.



**MINUTES  
LOCAL PLANNING AGENCY  
MEETING  
OCTOBER 5, 2010 6 PM**

Government Center  
19200 W. Country Club Drive  
Aventura, Florida 33180

- 1. CALL TO ORDER/ROLL CALL:** The meeting was called to order at 6:00 p.m. by Mayor Susan Gottlieb. Present were Commissioners Zev Auerbach, Bob Diamond, Teri Holzberg, Billy Joel, Luz Urbaez Weinberg, Vice Mayor Michael Stern, Mayor Gottlieb, City Manager Eric M. Soroka, City Clerk Teresa M. Soroka and City Attorney David M. Wolpin. As a quorum was determined to be present, the meeting commenced.
- 2. PLEDGE OF ALLEGIANCE:** Led by Police Chief Steven Steinberg.
- 3. APPROVAL OF MINUTES:** A motion to approve the minutes of the July 6, 2010 LPA Hearing was offered by Commissioner Joel, seconded by Vice Mayor Stern, and unanimously passed.
- 4. PUBLIC HEARING: MOTION RECOMMENDING ADOPTION OF THE FOLLOWING ORDINANCE:**

Mr. Wolpin read the following ordinance by title:

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE CITY OF AVENTURA COMPREHENSIVE PLAN BY AMENDING POLICY 4.19 OF OBJECTIVE 4 OF THE CAPITAL IMPROVEMENTS ELEMENT TO ADOPT BY REFERENCE THE CITY OF AVENTURA 2010/11- 2014/15 CAPITAL IMPROVEMENT PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

Community Development Director Joanne Carr addressed the Commission and entered the staff report into the record. Mayor Gottlieb opened the public hearing. There being no speakers, the public hearing was closed. A motion to recommend approval was offered by Commissioner Diamond and seconded by Commissioner Auerbach. The motion passed unanimously by roll call vote.

- 5. ADJOURNMENT:** There being no further business to come before the Local Planning Agency, the meeting adjourned at 6:05 p.m.

---

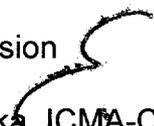
Teresa M. Soroka, MMC, City Clerk

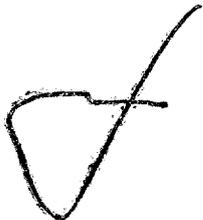
Approved by the LPA on \_\_\_\_\_.

**CITY OF AVENTURA**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**MEMORANDUM**

TO: City Commission 

FROM: Eric M. Soroka, ICMA-CM   
City Manager

BY: Joanne Carr, AICP   
Community Development Director

DATE: December 6, 2011

SUBJECT: Request to Modify Exhibit "B" and to Extend Term of  
Chapter 163 Development Agreement  
Lubavitch Center Aventura South, Inc.  
NE 185 Street at NE 28 Court, City of Aventura  
(01-DA-12)

---

January 3, 2012 Local Planning Agency Agenda Item 4  
January 3, 2012 City Commission Meeting Agenda Item 7  
February 7, 2012 City Commission Meeting Agenda Item       

**RECOMMENDATION**

It is recommended that the City Commission:

1. Approve an amendment to the Development Agreement made pursuant to Chapter 163, Florida Statutes, between the owner and the City to modify Exhibit "B" to the agreement detailing the development proposal for the "Lofts Parcel" and to extend the term of the agreement for a 2.5 year period from August 2, 2012 to February 2, 2015; and
2. Authorize the City Manager to execute such amendment to the Development Agreement on behalf of the City.

**THE REQUEST**

The applicant, Lubavitch Center Aventura South, Inc., is requesting an amendment to Exhibit "B" of the existing Development Agreement to reflect the current development

proposal for a synagogue and residential building on the "Lofts Parcel" and to extend the term of the agreement for a further 2.5 year term from August 2, 2012 to February 2, 2015. (See Exhibit #1 for Letters of Intent)

## **BACKGROUND**

**OWNER OF PROPERTY:** Lubavitch Center Aventura South Inc.  
Tract C 28-2203-000-0231 1.66 acres

**NAME OF APPLICANT** Brian S. Adler

**LOCATION OF PROPERTY** NE 28 Court at NE 185 Street  
See Exhibit #2 for Location Map

## **HISTORY**

In 2003, Merco Group at Aventura Landings received various development approvals relating to the four tracts of land on NE 185 Street at NE 28 Court; those being, the "Townhome Parcel", the "Condominium Parcel", the "Lofts Parcel" and the "Outparcel". The tracts are designated as Medium High Density Residential land use on the City's Future Land Use Map and are zoned RMF4, Multifamily High Density Residential District.

As part of the rezoning ordinance in 2003, the City Commission approved a Development Agreement under Chapter 163 of the Florida Statutes. That agreement provided that the owner dedicate land, design and build the extension of NE 185 Street as a necessary public facility and in turn, the agreement conferred to the owner the benefit of preservation of zoning and concurrency during the term of the agreement. The road extension was dedicated and constructed as agreed and is now in use.

Exhibit "B" of the Development Agreement detailed the approved development on each of the parcels. The original approved development consisted of a 62 unit townhome parcel south of NE 185 Street and west of NE 28 Court on the "Townhome Parcel", a 205 unit 19-story condominium parcel north of NE 185 Street and west of NE 28 Court on the "Condominium Parcel", and a 138 loft-style, 13-story apartment south of NE 185 Street and east of NE 28 Court on the "Lofts Parcel".

The property was placed in receivership in October of 2008. The parcels were subsequently sold individually. The 62 unit townhome parcel and the outparcel were completed. A foundation was built on the condominium parcel with no further construction after that time. The applicant has purchased the "Lofts Parcel" and has received conditional use approval to construct a synagogue along with the 138 unit residential units. Its application for administrative site plan approval is in the staff review process. The synagogue is proposed as Phase I, with the residential component of the site planned for construction as a future Phase II.

The applicant's new development proposal necessitates an amendment to Exhibit "B" of the Development Agreement to reflect the current plan. No increase in density and no increase in height are requested. The proposed Third Modification to Development Agreement is attached as Exhibit #3.

The current description of the "Lofts Parcel" development is:

"Lofts Parcel. (South of NE 185<sup>th</sup> Street and east of current NE 28<sup>th</sup> Court). This parcel is 1.952 acres in size. Proposed development of this parcel is for 138 loft-style apartment units under the RMF4 zoning district regulations. Proposed maximum height is 13 stories or 206'10"."

The proposed amended description of the "Loft Parcel" development is:

"Lofts Parcel. (South of NE 185<sup>th</sup> Street and east of current NE 28<sup>th</sup> Court). This parcel is 1.952 acres in size. Proposed development of this parcel is for a religious facility and 138 residential units (including singularly or a combination of standard residential units, assisted living facilities and independent living facilities) under the RMF4 zoning district regulations. Proposed maximum height is 13 stories or 206' 10"."

Paragraph 11 of the Development Agreement provides for a term of five (5) years, with extension by mutual agreement in two 2.5 year increments, subject to public hearing approval, provided that the road construction is complete. The original five year term of the agreement expired on February 2, 2010. The road construction was completed within that time. The previous owner requested and was granted another 2.5 year term to August 2, 2012. The applicant is now requesting the remaining two and one half year extension originally contemplated by the agreement, from August 2, 2012 to February 2, 2015, to permit the development of both planned phases of the "Lofts Parcel".

**Exhibit #1**  
**01-DA-12**

**Brian S. Adler, Esq.**  
Tel 305.350.2351  
Fax 305.351.2206  
[badler@bilzin.com](mailto:badler@bilzin.com)

May 20, 2011

Joanne Carr, Community Development Director  
City of Aventura  
19200 W. Country Club Drive, 4<sup>th</sup> Floor  
Aventura, Florida 33180

Re: Lubavitch Center Aventura South, Inc.  
Property Located at 18449 N.E. 28th Court (the "Property")

Dear Ms. Carr:

This firm represents Lubavitch Center Aventura South, Inc. ("Lubavitch") as the owner of the Property, identified as Folio No. 28-2203-082-0670.

Lubavitch obtained conditional use approval for a religious facility through City of Aventura Resolution 2011-47. Lubavitch now has a pending application for administrative site plan approval for its permanent religious facility on the Property. As part of the religious facility approval, Lubavitch must amend the previously executed and currently governing Development Agreement. Therefore, please consider this our companion request to the administrative site plan application for City approval to amend the Development Agreement (as amended) currently governing the Property.

As the City is aware, the Property was part of an overall larger development which was approved and subsequently platted as the Merco Aventura Plat at Plat Book 166, Page 58 of the Public Records of Miami-Dade County, Florida. Lubavitch acquired the portion of the overall property known as Tract F.

As part of the original approval on the overall property, the property owners and the City of Aventura entered into a Development Agreement governing the development of the Property, along with the other properties in the overall development. A subsequent owner and the City modified the Development Agreement to extend development approval through August 2, 2012.

The purpose of our request is 1) to modify the permitted uses attached as Exhibit "B" to the Development Agreement as it relates to the Property (referenced on Exhibit "B" as the Lofts Parcel), to allow for the development of a religious facility and residential units, including singularly or a combination of standard residential units, assisted living facilities and independent living facilities, and 2) to further extend the term of the Agreement for the Lofts

MIAMI 2799600.2 7944535695  
12/7/11

Joanne Carr, Community Development Director  
May 20, 2011  
Page 2

Parcel for two and one half (2 ½) years to February 2, 2015 to allow first, for the development of the religious facility and, subsequently the development of the residential portion of the Property.

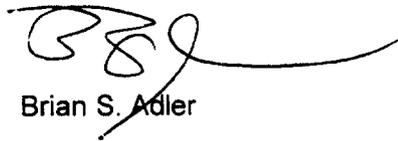
As the City can appreciate, the proposed construction on the Property is anticipated to occur through phases and the residential portion will not be developed until after the religious facility is constructed. Therefore, we are requesting the additional time to allow first, for the development of the religious facility and, second, the residential tower.

I have attached a proposed Third Modification to Development Agreement for your review and our discussion.

We appreciate the City's consideration of our application.

If you wish to discuss the above, please contact me at 305-350-2351.

Sincerely,

A handwritten signature in black ink, appearing to read "BSA", with a long horizontal flourish extending to the right.

Brian S. Adler

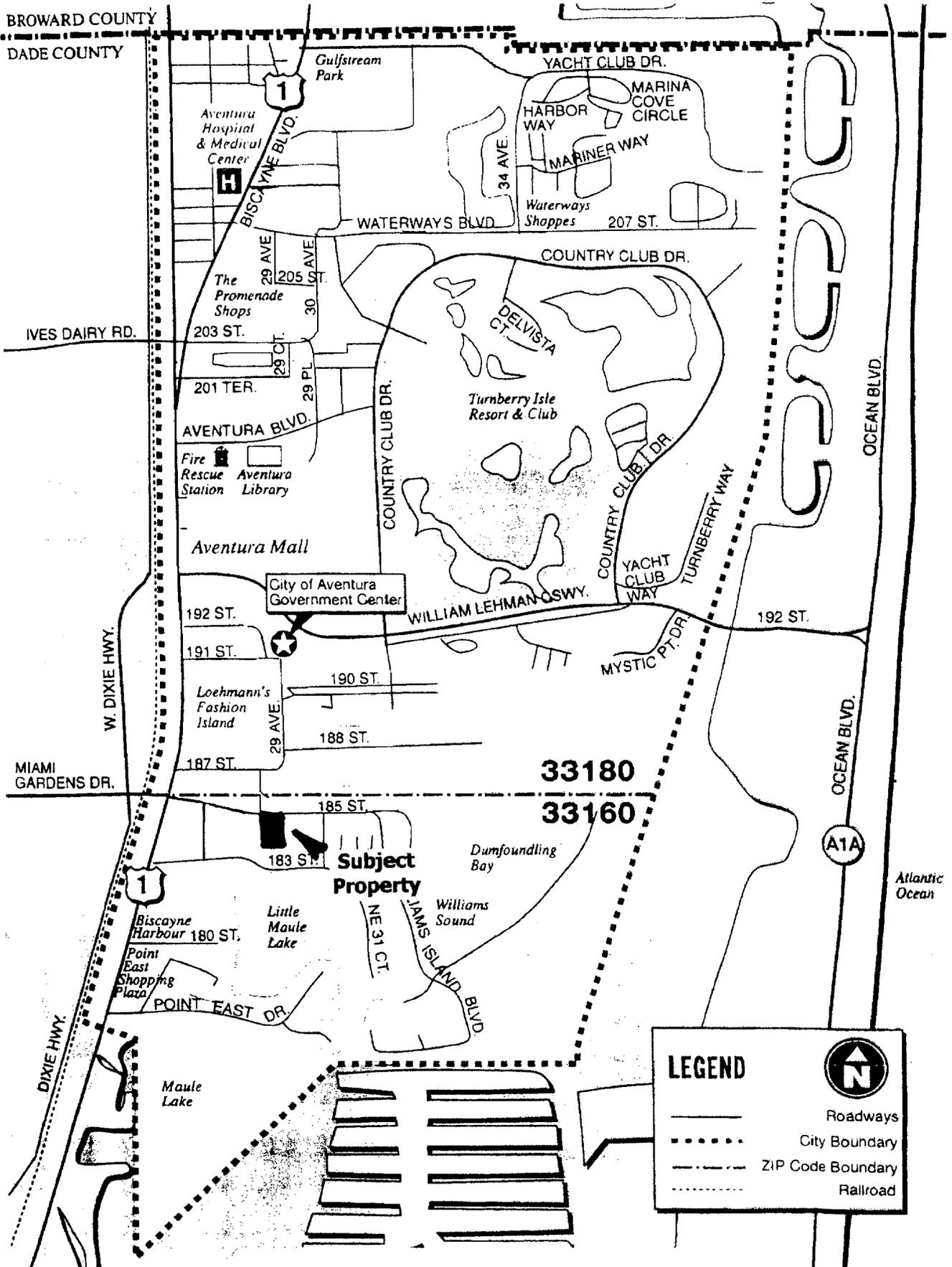
BSA/ee  
Attachment

cc: Morris Kaplan  
Rabbi Rosenfeld  
Stanley B. Price, Esquire

MIAMI 2799600.2 7944535695  
12/7/11



BROWARD COUNTY  
DADE COUNTY



**LEGEND**

- Roadways
- City Boundary
- ZIP Code Boundary
- Railroad

**Exhibit #2**  
**01-DA-12**

**Exhibit #3  
01-DA-12**

*After Recording Please Return to:  
Brian S. Adler, Esq.  
Bilzin Sumberg Baena Price & Axelrod LLP  
1450 Brickell Avenue, Suite 2300  
Miami, FL 33131*

**THIRD MODIFICATION TO DEVELOPMENT AGREEMENT**

THIS THIRD MODIFICATION TO DEVELOPMENT AGREEMENT ("Third Modification") is entered into the \_\_\_\_ day of \_\_\_\_\_, 2011, by and between THE CITY OF AVENTURA, a Florida municipal corporation (the "City") and LUBAVITCH CENTER AVENTURA SOUTH, INC., a Florida non-for-profit corporation ("Lubavitch"), as joined in by the owners of the remainder of the Entire Property as described in this Third Modification ("Owners").

**RECITALS:**

**WHEREAS**, Lubavitch owns the property, consisting of approximately 1.68+/- acres of land (the "Lubavitch Property"), the legal description of which is attached hereto as Schedule "A", which is a portion of the overall property ("Entire Property") attached as Schedule "B";

**WHEREAS**, the previous owners, MERCO GROUP AT AVENTURA LANDINGS, I INC.; MERCO GROUP AT AVENTURA LANDINGS II, INC. and MERCO GROUP AT AVENTURA LANDINGS III, INC. (collectively, "Original Owner") obtained development approvals relating to the Entire Property, including an application to amend the City of Aventura Comprehensive Plan, an application for rezoning, an application for site plan approval, an application for various variances required to develop the Project, and an application to close a portion of NE 28<sup>th</sup> Court (the "Applications"), through the City's Community Development Department;

**WHEREAS**, on September 2, 2003, Original Owner and the City entered into a development agreement ("Original Agreement"), pursuant to the Florida Local Government Development Agreement Act Sections 163.3220-163.3243, Florida Statutes;

**WHEREAS**, on October 5, 2004, the City and the then owner of the property subject to the Original Agreement, mutually agreed to amend Exhibit "B" to the Original Agreement to revise the number of stories in the "Condominium Parcel";

**WHEREAS**, since the date of execution of the Original Agreement, the Owner has fulfilled the conditions of paragraph 4 of the Original Agreement to provide the necessary public facility and had received necessary permits and constructed the 62 townhomes on the "town

home parcel" described in Exhibit "B" to the Original Agreement and has recorded a final plat dividing the parcels into development lots and tracts;

**WHEREAS**, MGAL REPH I, II, III, LLC and CHATEAU AVENTURA, LLC were the subsequent owners of the Entire Property (collectively, the "Subsequent Owner");

**WHEREAS**, paragraph 11 of the Original Agreement provides for a term of five (5) years from the effective date of February 2, 2005 and provides that the term may be extended by mutual agreement of the City and the Owner in 2.5-year increments up to an additional five (5) years from the termination date;

**WHEREAS**, on November 3, 2010, the Subsequent Owner and the City entered into a second modification to the Original Agreement entitled Modification to Development Agreement, recorded November 19, 2010, in Official Records Book 27496 at Page 251 of the Public Records of Miami-Dade County, Florida, modifying the Original Agreement to extend the term of the Original Agreement from February 2, 2010 to August 2, 2012 for the Subsequent Owner to market for sale while preserving the development approvals granted by the City, and requiring payment of the transportation mitigation impact fee prior to issuance of building permits for the condominium loft parcel;

**WHEREAS**, the City and Owner agree to a further modification of paragraph 11 of the Original Agreement to extend the term of the Original Agreement for a further 2.5 years from August 2, 2012 to February 2, 2015 as it relates to the Lubavitch Property in order for Lubavitch to develop the Lubavitch Property in accordance with the City's approval for the religious facility and to market the remainder of the Lubavitch Property and to continue with the development approval;

**WHEREAS**, Lubavitch is also seeking to modify the "Project Land Uses, Densities and Intensities" for the Lubavitch Property which is described as the Lofts Parcel described on Exhibit "B" to the Original Agreement as previously modified, which provided for the Lubavitch Property to be developed with 138 loft type apartment units and a maximum height of 13 stories or 206' 10";

**WHEREAS**, Lubavitch wishes to develop a religious facility (both on a temporary and permanent basis) along with residential units (including singularly or a combination of standard residential units, assisted living facilities and independent living facilities) ; and

**WHEREAS**, the construction of the religious facility is anticipated to span a period of approximately 24 months and the marketing and approval for the residential portion is anticipated to take an additional 24 to 30 months, thus necessitating an extension of the development agreement approval period;

**WHEREAS**, Lubavitch and the City agree to a modification of Exhibit "B" of the Original Agreement to amend the development of the Lofts Parcel and to amend paragraph 11 to extend the term for the Loft Parcel;

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements expressed herein, Lubavitch, Owners and the City agree as follows:

1. **Recitals**. The recitals set forth above are incorporated herein and form an integral part of this Second Modification.

2. **Exhibit Replaced**. Exhibit "B" to the Original Agreement is hereby substituted in its entirety with the attached Exhibit "B".

3. **Modification**. The Development Agreement dated September 2, 2003, amended by Modification to Agreement dated December 29, 2004, and amended by Modification to Development Agreement dated November 3, 2010 is hereby further amended to amend Exhibit "B" and by revising paragraph 11 to extend the termination date from August 2, 2012 to February 2, 2015.

4. **Agreement Status**. The terms and conditions of the Original Agreement and the previous modifications shall remain in full force and effect except as herein modified.

**Signed, sealed, executed and acknowledged this \_\_\_\_ day of \_\_\_\_\_, 2011.**

**[Signature Pages to Follow]**

**CITY:**

CITY OF AVENTURA, FLORIDA

Attest:

By: \_\_\_\_\_  
Teresa Soroka, MMC  
City Clerk

By: \_\_\_\_\_  
Eric M. Soroka, ICMA-CM  
City Manager

**OWNER:**

Witnesses:

LUBAVITCH CENTER AVENTURA SOUTH,  
INC., a Florida non-for-profit corporation

\_\_\_\_\_  
Print Name: \_\_\_\_\_

By: \_\_\_\_\_  
Rabbi Menachem M. Rosenfeld  
President

\_\_\_\_\_  
Print Name: \_\_\_\_\_

STATE OF FLORIDA            )  
  )  
COUNTY OF MIAMI-DADE    )

The foregoing instrument was sworn to, subscribed and acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by Rabbi Menachem M. Rosenfeld, President of Lubavitch Center Aventura South, Inc., a Florida not-for-profit corporation, who is personally known to me or produced \_\_\_\_\_ as identification.

My Commission Expires:

By: \_\_\_\_\_  
Notary Public  
State of Florida at Large

(Notary Seal)

**SCHEDULE "A"**

**SCHEDULE "B"**

## **EXHIBIT "B"**

### **PROJECT LAND USES, DENSITIES AND INTENSITIES**

The Project includes the following described development, permitted on the Property as described in Exhibit "A" attached to the Agreement.

Townhome Parcel. (South of Proposed NE 185<sup>th</sup> Street and west of current NE 28<sup>th</sup> Court). This parcel is 4.482 acres gross, and 4.07 acres net. Proposed development of this parcel is for 62 townhomes under the RMF4 and RMF3A zoning district regulations. Proposed maximum height is 3 stories or 35 feet.

Condominium Parcel. (North of Proposed NE 185<sup>th</sup> Street and west of NE 28<sup>th</sup> Court). This parcel is 2.30 acres gross, and 1.89 acres net. Proposed development of this parcel is for 205 condominium units under the RMF4 zoning district regulations. Proposed maximum roof height is 19 stories or 186' – 6".

Lofts Parcel. (South of NE 185<sup>th</sup> Street and east of current NE 28<sup>th</sup> Court). This parcel is 1.952 acres in size. Proposed development of this parcel is for a religious facility and 138 residential units (including singularly or a combination of standard residential units, assisted living facilities and independent living facilities) under the RMF4 zoning district regulations. Proposed maximum height is 13 stories or 206' 10".

Outparcel. (South side of NE 185<sup>th</sup> Street, on northwest side of Townhome Parcel). The outparcel is .284 acres in size. Proposed development of the outparcel is for a swimming pool, clubhouse, entry feature and guest parking. No residential development is proposed for this parcel. Subject to approval by the City Commission, the Owner may install landscaping, a water feature, or other decorative elements on this parcel.



# APPLICANT REPRESENTATIVE AFFIDAVIT

Pursuant to Section 31-71(b)(2)(i) of the City of Aventura Land Development Code, this Applicant Representative Affidavit is hereby made and submitted. The undersigned authorized representative of the individual or entity applying for the Development Permit, which is identified in the accompanying application, and the owner of the property subject to the application (if different) hereby lists and identifies all persons representing the individual or entity applying for the Development Permit in connection with the application, as follows:

<i>Name</i>	<i>Relationship (i.e. Attorneys, Architects, Landscape Architects, Engineers, Lobbyists, Etc.)</i>
<u>Stanley B. Price, Esq.</u>	<u>Attorney</u>
<u>Brian S. Adler, Esq.</u>	<u>Attorney</u>
<u>Rabbi Menachem Rosenfeld</u>	<u>Owner Representative, President</u>
<u>Michael Tabacinic</u>	<u>Consultant</u>
<u>Morris Kaplan</u>	<u>Consultant</u>
<u>Jaime Schapiro</u>	<u>Architect</u>
<u>Michael A. Vazquez, P.E</u>	<u>Civil Engineer</u>

(Attach Additional Sheets if Necessary)

**NOTICE: ANY STATEMENT OR REPRESENTATION MADE BY ANY PERSON LISTED ON THE APPLICANT REPRESENTATIVE AFFIDAVIT SHALL BE BINDING UPON THE INDIVIDUAL OR ENTITY APPLYING FOR THE DEVELOPMENT PERMIT AND THE OWNER OF THE SUBJECT PROPERTY. APPLICANTS AND AFFIANTS ARE ADVISED TO TIMELY SUPPLEMENT THIS AFFIDAVIT PURSUANT TO SEC. 31-71(B)(2)(IV) OF THE CITY'S LAND DEVELOPMENT REGULATIONS IN THE CITY CODE, IN THE EVENT THAT PRIOR TO CONSIDERATION OF THE APPLICATION BY THE CITY BOARD OR COMMISSION, THE INFORMATION PROVIDED IN THE AFFIDAVIT BECOMES INCORRECT OR INCOMPLETE.**

WITNESS MY HAND THIS 14 DAY OF June, 2011.

AUTHORIZED REPRESENTATIVE OF APPLICANT:

OWNER

By: [Signature]

Rabbi Menachem Rosenfeld

Title: President

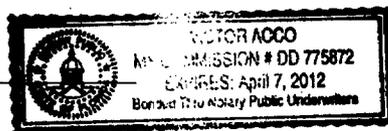
Address: 2941 N.E. 185 Street, #1301

Aventura, FL 33180

Before me the undersigned authority personally appeared Rabbi Menachem Rosenfeld as the owner, authorized representative and President of the Applicant of the property subject to the application, who being first by me duly sworn, did swear or affirm that they executed this Affidavit for the purposes stated therein and that it is true and correct.

SWORN TO AND SUBSCRIBED BEFORE ME this 14 day of June, 2011.

My commission expires: \_\_\_\_\_



Notary Public State of Florida At Large

Printed Name of Notary Victor Acco



# BUSINESS RELATIONSHIP AFFIDAVIT\*

This Affidavit is made pursuant to Section 31-71(b)(2)(ii) of the City of Aventura Land Development Code. The undersigned Affiant hereby discloses that: (mark with "x" applicable portions only)

- 1. Affiant does not have a Business Relationship with any member of the City Commission or any City Advisory Board to which the application will be presented.
- 2. Affiant hereby discloses that it does have a Business Relationship with a member of the City Commission or a City Advisory Board to which the application will be presented, as follows:

\_\_\_\_\_ (List name of Commissioner or Advisory Board Member) who serves on the  
 \_\_\_\_\_ (List City Commission or City Advisory Board upon which member serves).

The nature of the Business Relationship is as follows:

- i. Member of City Commission or Board holds an ownership interest in excess of 1% of total assets or capital stock of Applicant or Representative;
- ii. Member of City Commission or Board is a partner, co-shareholder (as to shares of a corporation which are not listed on any national or regional stock exchange) or joint venturer with the Applicant or Representative in any business venture;
- iii. The Applicant or Representative is a Client of a member of the City Commission or Board or a Client of another professional working from the same office or for the same employer as the member of the City Commission or Board;
- iv. A City Commissioner or Board member is a Client of the Applicant or Representative;
- v. The Applicant or Representative is a Customer of the member of the City Commission or Board (or of his or her employer) and transacts more than \$10,000.00 of the business of the member of the City Commission or Board (or his or her employer) in a given calendar year;
- vi. The member of the City Commission or Board is a Customer of the Applicant or Representative and transacts more than \$25,000.00 of the business of the Applicant or Representative in a given calendar year.

WITNESS MY HAND THIS 17 DAY OF May, 2011.

### APPLICANT REPRESENTATIVE:

By: [Signature] (Signature) MAY 18, 2011  
 Name: Stanley B. Price (Print)  
 Title: Attorney (Print)

By: [Signature] (Signature) MAY 18, 2011  
 Name: Brian S. Adler (Print)  
 Title: Attorney (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Michael Tabacnic (Print)  
 Title: Consultant (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Morris Kaplan (Print)  
 Title: Consultant (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Jaime Schapiro (Print)  
 Title: Architect (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Dan Fortin, Jr. (Print)  
 Title: Engineer (Print)

WITNESS MY HAND THIS 17 DAY OF May, 2011.

### PROPERTY OWNER:

By: [Signature] (Signature)  
 Name: Rabbi Menachem Rosenfeld (Print)  
 Title: Owner Representative, President (Print)

\*The terms "Business Relationship," "Client," "Customer," "Applicant," "Representative" and "Interested Person" are defined in Section 2-395 of the Aventura City Code.

WITNESS MY HAND THIS 17 DAY OF May, 2011

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

By: \_\_\_\_\_ (Signature)

Name: Rabbi Menachem Rosenfeld (Print)

Name: Morris Kaplan (Print)

Title: Owner/President (Print)

Title: Consultant (Print)

By: [Signature] (Signature) May 18, 2011

By: \_\_\_\_\_ (Signature)

Name: Stanley B. Price (Print)

Name: Jaime Schapiro (Print)

Title: Attorney (Print)

Title: Architect (Print)

By: [Signature] (Signature) May 18, 2011

By: \_\_\_\_\_ (Signature)

Name: Brian S. Adler (Print)

Name: Dan Fortin, Jr. (Print)

Title: Attorney (Print)

Title: Engineer (Print)

By: \_\_\_\_\_ (Signature)

By: \_\_\_\_\_ (Signature)

Title: Michael Tabacnic (Print)

Title: \_\_\_\_\_ (Print)

Title: Consultant (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

**NOTE: 1) Use duplicate sheets if disclosure information for Representative varies**

2) Applicants and Affiants are advised to timely supplement this Affidavit pursuant to Sec. 31-71(b)(2)(iv) of the City's Land Development Regulations in the City Code, in the event that prior to consideration of the application by the City Board or Commission, the information provided in the Affidavit becomes incorrect or incomplete.

**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Rabbi Menachem Rosenfeld, the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

[Signature]  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of May, 2011



[Signature]  
Notary Public State of Florida At Large  
Juan C Rivera  
Printed Name of Notary  
My commission expires: 2/19/2012

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Stanley B. Price, the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

[Signature]  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of May, 2011



**CHRISTINE A. BOWER**  
MY COMMISSION # DD 959346  
EXPIRES: February 20, 2014  
Bonded Thru Budget Notary Services

[Signature]  
Notary Public State of Florida At Large  
Christine A. Bower  
Printed Name of Notary  
My commission expires: 2/20/14

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

Before me, the undersigned authority, personally appeared Brian S. Adler, Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

[Signature]  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of May, 2011.



**CHRISTINE A. BOWER**  
MY COMMISSION # DD 959346  
EXPIRES: February 20, 2014  
Bonded Thru Budget Notary Services

[Signature]  
Notary Public State of Florida At Large  
Christine A. Bower  
Printed Name of Notary  
My commission expires: 2/20/14

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Michael Tabacnic, the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

\_\_\_\_\_  
AFFIANT

SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public State of Florida At Large  
\_\_\_\_\_  
Printed Name of Notary  
\_\_\_\_\_  
My commission expires: \_\_\_\_\_



# BUSINESS RELATIONSHIP AFFIDAVIT\*

This Affidavit is made pursuant to Section 31-71(b)(2)(ii) of the City of Aventura Land Development Code. The undersigned Affiant hereby discloses that: (mark with "x" applicable portions only)

- 1. Affiant does not have a Business Relationship with any member of the City Commission or any City Advisory Board to which the application will be presented.
- 2. Affiant hereby discloses that it does have a Business Relationship with a member of the City Commission or a City Advisory Board to which the application will be presented, as follows:

\_\_\_\_\_ (List name of Commissioner or Advisory Board Member) who serves on the  
 \_\_\_\_\_ (List City Commission or City Advisory Board upon which member serves).

The nature of the Business Relationship is as follows:

- i. Member of City Commission or Board holds an ownership interest in excess of 1% of total assets or capital stock of Applicant or Representative;
- ii. Member of City Commission or Board is a partner, co-shareholder (as to shares of a corporation which are not listed on any national or regional stock exchange) or joint venturer with the Applicant or Representative in any business venture;
- iii. The Applicant or Representative is a Client of a member of the City Commission or Board or a Client of another professional working from the same office or for the same employer as the member of the City Commission or Board;
- iv. A City Commissioner or Board member is a Client of the Applicant or Representative;
- v. The Applicant or Representative is a Customer of the member of the City Commission or Board (or of his or her employer) and transacts more than \$10,000.00 of the business of the member of the City Commission or Board (or his or her employer) in a given calendar year;
- vi. The member of the City Commission or Board is a Customer of the Applicant or Representative and transacts more than \$25,000.00 of the business of the Applicant or Representative in a given calendar year.

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2011.

### APPLICANT REPRESENTATIVE:

By: \_\_\_\_\_ (Signature)  
 Name: Stanley B. Price (Print)  
 Title: Attorney (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Brian S. Adler (Print)  
 Title: Attorney (Print)

By: Michael Tabacnic (Signature)  
 Name: Michael Tabacnic (Print)  
 Title: Consultant (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Morris Kaplan (Print)  
 Title: Consultant (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Jaime Schapiro (Print)  
 Title: Architect (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Dan Fortin, Jr. (Print)  
 Title: Engineer (Print)

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2011.

### PROPERTY OWNER:

By: \_\_\_\_\_ (Signature)  
 Name: Rabbi Menachem Rosenfeld (Print)  
 Title: Owner Representative, President (Print)

\*The terms "Business Relationship," "Client," "Customer," "Applicant," "Representative" and "Interested Person" are defined in Section 2-395 of the Aventura City Code.

WITNESS MY HAND THIS 12 DAY OF May, 2011

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: \_\_\_\_\_ (Signature)

Name: Rabbi Menachem Rosenfeld (Print)

Title: Owner/President (Print)

By: \_\_\_\_\_ (Signature)

Name: Morris Kaplan (Print)

Title: Consultant (Print)

By: \_\_\_\_\_ (Signature)

Name: Stanley B. Price (Print)

Title: Attorney (Print)

By: \_\_\_\_\_ (Signature)

Name: Jaime Schapiro (Print)

Title: Architect (Print)

By: \_\_\_\_\_ (Signature)

Name: Brian S. Adler (Print)

Title: Attorney (Print)

By: \_\_\_\_\_ (Signature)

Name: Dan Fortin, Jr. (Print)

Title: Engineer (Print)

By: h (Signature)

Title: Michael Tabacnic (Print)

Title: Consultant (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

**NOTE: 1) Use duplicate sheets if disclosure information for Representative varies**

2) Applicants and Affiants are advised to timely supplement this Affidavit pursuant to Sec. 31-71(b)(2)(iv) of the City's Land Development Regulations in the City Code, in the event that prior to consideration of the application by the City Board or Commission, the information provided in the Affidavit becomes incorrect or incomplete.

**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

Before me, the undersigned authority, personally appeared Rabbi Menachem Rosenfeld, the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

\_\_\_\_\_  
AFFIANT

SWORN TO AND SUBSCRIBED before me this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public State of Florida At Large

\_\_\_\_\_  
Printed Name of Notary  
My commission expires: \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

Before me, the undersigned authority, personally appeared Stanley B. Price, the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

SWORN TO AND SUBSCRIBED before me this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public State of Florida At Large

\_\_\_\_\_  
Printed Name of Notary  
My commission expires: \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

Before me, the undersigned authority, personally appeared Brian S. Adler, Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

\_\_\_\_\_  
AFFIANT

SWORN TO AND SUBSCRIBED before me this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public State of

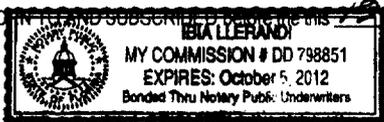
\_\_\_\_\_  
Printed Name of Notary  
My commission expires: \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

Before me, the undersigned authority, personally appeared Michael Tabacnic, the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

\_\_\_\_\_  
AFFIANT

SWORN TO AND SUBSCRIBED before me this \_\_\_\_ day of MAY, 2011.



*Brian Llerandi*  
\_\_\_\_\_  
Notary Public State of Florida At Large

\_\_\_\_\_  
Printed Name of Notary  
My commission expires: \_\_\_\_\_



# BUSINESS RELATIONSHIP AFFIDAVIT\*

This Affidavit is made pursuant to Section 31-71(b)(2)(ii) of the City of Aventura Land Development Code. The undersigned Affiant hereby discloses that: (mark with "x" applicable portions only)

- 1. Affiant does not have a Business Relationship with any member of the City Commission or any City Advisory Board to which the application will be presented.
- 2. Affiant hereby discloses that it does have a Business Relationship with a member of the City Commission or a City Advisory Board to which the application will be presented, as follows:

\_\_\_\_\_ (List name of Commissioner or Advisory Board Member) who serves on the  
 \_\_\_\_\_ (List City Commission or City Advisory Board upon which member serves).

The nature of the Business Relationship is as follows:

- i. Member of City Commission or Board holds an ownership interest in excess of 1% of total assets or capital stock of Applicant or Representative;
- ii. Member of City Commission or Board is a partner, co-shareholder (as to shares of a corporation which are not listed on any national or regional stock exchange) or joint venturer with the Applicant or Representative in any business venture;
- iii. The Applicant or Representative is a Client of a member of the City Commission or Board or a Client of another professional working from the same office or for the same employer as the member of the City Commission or Board;
- iv. A City Commissioner or Board member is a Client of the Applicant or Representative;
- v. The Applicant or Representative is a Customer of the member of the City Commission or Board (or of his or her employer) and transacts more than \$10,000.00 of the business of the member of the City Commission or Board (or his or her employer) in a given calendar year;
- vi. The member of the City Commission or Board is a Customer of the Applicant or Representative and transacts more than \$25,000.00 of the business of the Applicant or Representative in a given calendar year.

WITNESS MY HAND THIS 17<sup>th</sup> DAY OF May, 2011.

### APPLICANT REPRESENTATIVE:

By: \_\_\_\_\_ (Signature)  
 Name: Stanley B. Price (Print)  
 Title: Attorney (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Brian S. Adler (Print)  
 Title: Attorney (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Michael Tabacinic (Print)  
 Title: \* Consultant (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Morris Kaplan (Print)  
 Title: Consultant (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Jaime Schapiro (Print)  
 Title: Architect (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Dan Fortin, Jr. (Print)  
 Title: Engineer (Print)

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

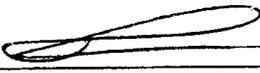
### PROPERTY OWNER:

By: \_\_\_\_\_ (Signature)  
 Name: Rabbi Menachem Rosenfeld (Print)  
 Title: Owner Representative, President (Print)

\*The terms "Business Relationship," "Client," "Customer," "Applicant," "Representative" and "Interested Person" are defined in Section 2-395 of the Aventura City Code.

WITNESS MY HAND THIS 17<sup>th</sup> DAY OF May, 2011

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

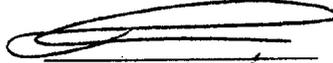
By: _____ (Signature)	By:  (Signature)
Name: <u>Rabbi Menachem Rosenfeld</u> (Print)	Name: <u>Morris Kaplan</u> (Print)
Title: <u>Owner/President</u> (Print)	Title: <u>Consultant</u> (Print)
By: _____ (Signature)	By: _____ (Signature)
Name: <u>Stanley B. Price</u> (Print)	Name: <u>Jaime Schapiro</u> (Print)
Title: <u>Attorney</u> (Print)	Title: <u>Architect</u> (Print)
By: _____ (Signature)	By: _____ (Signature)
Name: <u>Brian S. Adler</u> (Print)	Name: <u>Dan Fortin, Jr.</u> (Print)
Title: <u>Attorney</u> (Print)	Title: <u>Engineer</u> (Print)
By: _____ (Signature)	By: _____ (Signature)
Title: <u>Michael Tabacnic</u> (Print)	Title: _____ (Print)
Title: <u>Consultant</u> (Print)	Title: _____ (Print)
By: _____ (Signature)	By: _____ (Signature)
Title: _____ (Print)	Title: _____ (Print)
Title: _____ (Print)	Title: _____ (Print)
By: _____ (Signature)	By: _____ (Signature)
Title: _____ (Print)	Title: _____ (Print)
Title: _____ (Print)	Title: _____ (Print)

**NOTE:** 1) Use duplicate sheets if disclosure information for Representative varies

2) Applicants and Affiants are advised to timely supplement this Affidavit pursuant to Sec. 31-71(b)(2)(iv) of the City's Land Development Regulations in the City Code, in the event that prior to consideration of the application by the City Board or Commission, the information provided in the Affidavit becomes incorrect or incomplete.

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Morris Kaplan, the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of MAY, 2011.

 Fulton County, Georgia

Notary Public State of Florida At Large

Keith Marks

Printed Name of Notary

My commission expires: 2/10/2014

**Official Seal**  
**Keith Marks**  
**Notary Public, Fulton County, Georgia**  
**My Commission Expires February 10, 2014**



# BUSINESS RELATIONSHIP AFFIDAVIT\*

This Affidavit is made pursuant to Section 31-71(b)(2)(ii) of the City of Aventura Land Development Code. The undersigned Affiant hereby discloses that: (mark with "x" applicable portions only)

- 1. Affiant does not have a Business Relationship with any member of the City Commission or any City Advisory Board to which the application will be presented.
- 2. Affiant hereby discloses that it does have a Business Relationship with a member of the City Commission or a City Advisory Board to which the application will be presented, as follows:

\_\_\_\_\_ (List name of Commissioner or Advisory Board Member) who serves on the  
 \_\_\_\_\_ (List City Commission or City Advisory Board upon which member serves).

The nature of the Business Relationship is as follows:

- i. Member of City Commission or Board holds an ownership interest in excess of 1% of total assets or capital stock of Applicant or Representative;
- ii. Member of City Commission or Board is a partner, co-shareholder (as to shares of a corporation which are not listed on any national or regional stock exchange) or joint venturer with the Applicant or Representative in any business venture;
- iii. The Applicant or Representative is a Client of a member of the City Commission or Board or a Client of another professional working from the same office or for the same employer as the member of the City Commission or Board;
- iv. A City Commissioner or Board member is a Client of the Applicant or Representative;
- v. The Applicant or Representative is a Customer of the member of the City Commission or Board (or of his or her employer) and transacts more than \$10,000.00 of the business of the member of the City Commission or Board (or his or her employer) in a given calendar year;
- vi. The member of the City Commission or Board is a Customer of the Applicant or Representative and transacts more than \$25,000.00 of the business of the Applicant or Representative in a given calendar year.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_\_.

APPLICANT:

By: \_\_\_\_\_ (Signature)  
 Name: \_\_\_\_\_ (Print)  
 Title: \_\_\_\_\_ (Print)

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_\_.

PROPERTY OWNER:

By: \_\_\_\_\_ (Signature)  
 Name: \_\_\_\_\_ (Print)  
 Title: \_\_\_\_\_ (Print)

*\*The terms "Business Relationship," "Client," "Customer," "Applicant," "Representative" and "Interested Person" are defined in Section 2-395 of the Aventura City Code.*

WITNESS MY HAND THIS 7 DAY OF June, 2001.

REPRESENTATIVE (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: James Sample (Print)

Title: Architect (Print)

By: \_\_\_\_\_ (Signature)

Name: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Name: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Name: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Name: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Name: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

NOTE: 1) Use duplicate sheets if disclosure information for Representative varies

2) Applicants and Affiants are advised to timely supplement this Affidavit pursuant to Sec. 31-71(b)(2)(iv) of the City's Land Development Regulations in the City Code, in the event that prior to consideration of the application by the City Board or Commission, the information provided in the Affidavit becomes incorrect or incomplete.

**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

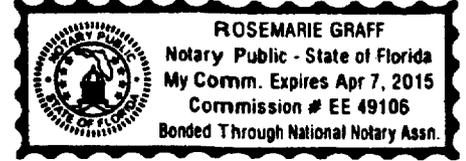
Before me, the undersigned authority, personally appeared James S. [Signature] the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

SWORN TO AND SUBSCRIBED before me this 2<sup>nd</sup> day of June, 2001

*FDL- 5160-420-39-256 0  
EX 7/13*

AFFIANT

[Signature]  
Notary Public State of Florida At Large  
Rosemarie Graff  
Printed Name of Notary  
My commission expires: \_\_\_\_\_



STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared \_\_\_\_\_ the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

AFFIANT

\_\_\_\_\_  
Notary Public State of Florida At Large  
\_\_\_\_\_  
Printed Name of Notary  
My commission expires: \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared \_\_\_\_\_ the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

AFFIANT

\_\_\_\_\_  
Notary Public State of Florida At Large  
\_\_\_\_\_  
Printed Name of Notary  
My commission expires: \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared \_\_\_\_\_ the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

AFFIANT

\_\_\_\_\_  
Notary Public State of Florida At Large  
\_\_\_\_\_  
Printed Name of Notary  
My commission expires: \_\_\_\_\_



# BUSINESS RELATIONSHIP AFFIDAVIT\*

This Affidavit is made pursuant to Section 31-71(b)(2)(ii) of the City of Aventura Land Development Code. The undersigned Affiant hereby discloses that: (mark with "x" applicable portions only)

- 1. Affiant does not have a Business Relationship with any member of the City Commission or any City Advisory Board to which the application will be presented.
- 2. Affiant hereby discloses that it does have a Business Relationship with a member of the City Commission or a City Advisory Board to which the application will be presented, as follows:

\_\_\_\_\_ (List name of Commissioner or Advisory Board Member) who serves on the  
 \_\_\_\_\_ (List City Commission or City Advisory Board upon which member serves).

The nature of the Business Relationship is as follows:

- i. Member of City Commission or Board holds an ownership interest in excess of 1% of total assets or capital stock of Applicant or Representative;
- ii. Member of City Commission or Board is a partner, co-shareholder (as to shares of a corporation which are not listed on any national or regional stock exchange) or joint venturer with the Applicant or Representative in any business venture;
- iii. The Applicant or Representative is a Client of a member of the City Commission or Board or a Client of another professional working from the same office or for the same employer as the member of the City Commission or Board;
- iv. A City Commissioner or Board member is a Client of the Applicant or Representative;
- v. The Applicant or Representative is a Customer of the member of the City Commission or Board (or of his or her employer) and transacts more than \$10,000.00 of the business of the member of the City Commission or Board (or his or her employer) in a given calendar year;
- vi. The member of the City Commission or Board is a Customer of the Applicant or Representative and transacts more than \$25,000.00 of the business of the Applicant or Representative in a given calendar year.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

### APPLICANT REPRESENTATIVE:

By: \_\_\_\_\_ (Signature)  
 Name: Stanley B. Price (Print)  
 Title: Attorney (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Brian S. Adler (Print)  
 Title: Attorney (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Michael Tabacinic (Print)  
 Title: Consultant (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Morris Kaplan (Print)  
 Title: Consultant (Print)

By: \_\_\_\_\_ (Signature)  
 Name: Jaime Schapiro (Print)  
 Title: Architect (Print)

By: [Signature] (Signature)  
 Name: Michael A. Vazquez, P.E. (Print)  
 Title: Civil Engineer (Print)

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

### PROPERTY OWNER:

By: \_\_\_\_\_ (Signature)  
 Name: Rabbi Menachem Rosenfeld (Print)  
 Title: Owner Representative, President (Print)

\*The terms "Business Relationship," "Client," "Customer," "Applicant," "Representative" and "Interested Person" are defined in Section 2-395 of the Aventura City Code.

WITNESS MY HAND THIS 24 DAY OF May, 2011

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: \_\_\_\_\_ (Signature)

Name: Rabbi Menachem Rosenfeld (Print)

Title: Owner/President (Print)

By: \_\_\_\_\_ (Signature)

Name: Morris Kaplan (Print)

Title: Consultant (Print)

By: \_\_\_\_\_ (Signature)

Name: Stanley B. Price (Print)

Title: Attorney (Print)

By: \_\_\_\_\_ (Signature)

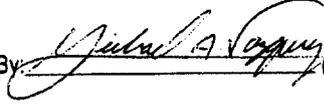
Name: Jaime Schapiro (Print)

Title: Architect (Print)

By: \_\_\_\_\_ (Signature)

Name: Brian S. Adler (Print)

Title: Attorney (Print)

By:  (Signature)

Name: Michael A. Vazquez, P.E. (Print)

Title: Civil Engineer (Print)

By: \_\_\_\_\_ (Signature)

Title: Michael Tabacnic (Print)

Title: Consultant (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

Title: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

**NOTE: 1) Use duplicate sheets if disclosure information for Representative varies**

2) Applicants and Affiants are advised to timely supplement this Affidavit pursuant to Sec. 31-71(b)(2)(iv) of the City's Land Development Regulations in the City Code, in the event that prior to consideration of the application by the City Board or Commission, the information provided in the Affidavit becomes incorrect or incomplete.

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jaime Schapiro, the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

\_\_\_\_\_  
AFFIANT

SWORN TO AND SUBSCRIBED before me this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public State of Florida At Large

\_\_\_\_\_  
Printed Name of Notary

My commission expires: \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Michael A. Vazquez, the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

*Michael A. Vazquez*  
\_\_\_\_\_  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 24<sup>th</sup> day of May, 2011.

*Renee Baccari*  
\_\_\_\_\_  
Notary Public State of Florida At Large -

*Renee Baccari*  
\_\_\_\_\_  
Printed Name of Notary

My commission expires: 09/07/2014



**ORDINANCE NO. 2010- \_\_\_\_**

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT PURSUANT TO CHAPTER 163, F.S., DATED SEPTEMBER 2, 2003, MADE BETWEEN MERCO GROUP AT AVENTURA LANDINGS I, II AND III, INC. AS DEVELOPER AND THE CITY OF AVENTURA, AS AMENDED OCTOBER 5, 2004 AND NOVEMBER 3, 2010, TO MODIFY EXHIBIT 'B' TO THE AGREEMENT AND TO EXTEND THE TERM OF THE AGREEMENT; RELATING TO THE PARCEL OF LAND ZONED RMF4, MULTIFAMILY HIGH DENSITY RESIDENTIAL DISTRICT, LOCATED ON NE 185 STREET AT NE 28 COURT, CITY OF AVENTURA; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the applicant, Lubavitch Center Aventura South, Inc., through Application No. 01-DA-12, has applied to modify Exhibit "B" to the agreement and to extend the term of the Development Agreement dated September 2, 2003, made between Merco Group at Aventura Landings I, II and III, Inc., as owner, and the City of Aventura, as amended on October 5, 2004 and on November 3, 2010; and

**WHEREAS**, Exhibit "B" to the Development Agreement proposes 138 loft-style apartment units with a proposed maximum height of 13 stories or 206'10" on the "Lofts Parcel"; and

**WHEREAS**, the applicant has received conditional use approval through Resolution No. 2011-47 to construct a religious facility on the "Lofts Parcel"; and

**WHEREAS**, pursuant to the terms of Paragraph 11. of the Development Agreement, as amended, the termination date of the Agreement is August 2, 2012; and

**WHEREAS**, Paragraph 11(B) of the Development Agreement provides that the term of the Agreement may be extended in 2.5 year increments for up to 5 additional years from the termination date of February 2, 2010, upon mutual agreement of both the City and the owner/applicant; and

**WHEREAS**, the owner/applicant has requested a modification to Exhibit "B" to the Development Agreement to detail the current development proposal of a religious facility along with the 138 residential units on the "Lofts Parcel" and has further requested an extension of the termination date of the Development Agreement to February 2, 2015 in order to allow construction of the religious facility and residential units in two phases; and

**WHEREAS**, the City Commission has held the required public hearings, duly noticed in accordance with law; and

**WHEREAS**, the City Commission has reviewed the application and has considered the testimony of all interested parties at the public hearings, and has determined that the amendment to development agreement requested by the applicant is appropriate.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, THAT:**

**Section 1.** That the Modification to Development Agreement attached as Exhibit "A" to this Ordinance, amending Exhibit "B", "Lofts Parcel" development proposal and extending the termination date of the Agreement from August 2, 2012 to February 2, 2015 is hereby approved, for property legally described in Exhibit "A" to this Ordinance.

**Section 2.** The City Manager is hereby authorized to execute the agreement on behalf of the City.

**Section 3. Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 4. Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

The foregoing Ordinance was offered by Commissioner \_\_\_\_\_, who moved its adoption on first reading. This motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Commissioner Zev Auerbach	_____
Commissioner Michael Stern	_____
Commissioner Bob Diamond	_____
Commissioner Teri Holzberg	_____
Commissioner Luz Urbaz Weinberg	_____
Vice Mayor Billy Joel	_____
Mayor Susan Gottlieb	_____

The foregoing Ordinance was offered by Commissioner \_\_\_\_\_, who moved its adoption on second reading. This motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Commissioner Zev Auerbach	_____
Commissioner Michael Stern	_____
Commissioner Bob Diamond	_____
Commissioner Teri Holzberg	_____
Commissioner Luz Urbaz Weinberg	_____
Vice Mayor Billy Joel	_____
Mayor Susan Gottlieb	_____

**PASSED** on first reading this 3<sup>rd</sup> day of January, 2012.

**PASSED AND ADOPTED** on second reading this 7<sup>th</sup> day of February, 2012.

\_\_\_\_\_  
Susan Gottlieb, Mayor

ATTEST:

\_\_\_\_\_  
Teresa M. Soroka, MMC  
City Clerk

APPROVED AS TO LEGAL SUFFICIENCY:

\_\_\_\_\_  
CITY ATTORNEY

This Ordinance was filed in the Office of the City Clerk this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
CITY CLERK

EXHIBIT "A"

LEGAL DESCRIPTION OF LAND

All of Tract F, Merco at Aventura, according to the plat thereof recorded in Plat Book 166, Page 58 of the Public Records of Miami-Dade County, City of Aventura



## **CITY OF AVENTURA PUBLIC NOTICE**

Public Notice is hereby given that the City of Aventura Local Planning Agency will meet in a public hearing on **Tuesday, January 3, 2012 at 6:00 p.m.** to make a recommendation regarding the adoption of the following Ordinance:

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT PURSUANT TO CHAPTER 163, F.S., DATED SEPTEMBER 2, 2003, MADE BETWEEN MERCO GROUP AT AVENTURA LANDINGS I, II AND III, INC. AS DEVELOPER AND THE CITY OF AVENTURA, AS AMENDED OCTOBER 5, 2004 AND NOVEMBER 3, 2010, TO MODIFY EXHIBIT 'B' TO THE AGREEMENT AND TO EXTEND THE TERM OF THE AGREEMENT; RELATING TO THE PARCEL OF LAND ZONED RMF4, MULTIFAMILY HIGH DENSITY RESIDENTIAL DISTRICT, LOCATED ON NE 185 STREET AT NE 28 COURT, CITY OF AVENTURA; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

Immediately following the Local Planning Agency meeting, the City Commission of the City of Aventura, as the governing body, will consider, at a public hearing, first reading of the Ordinance and will again consider the above described Ordinance for adoption after second reading on **Tuesday, February 7, 2012 at 6:00 p.m.**

The Public Hearings will be held in the **City Commission Chamber at City of Aventura Government Center, 19200 West Country Club Drive, Aventura, Florida, 33180.** The proposed Ordinance may be inspected by the public at the Office of the City Clerk at the above address. Interested parties may appear at the Public Hearings and be heard with respect to the proposed Ordinance.

In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this proceeding because of that disability should contact the Office of the City Clerk, (305) 466-8901, not later than two business days prior to such proceedings.

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at a meeting or hearing, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Teresa M. Soroka, MMC, City Clerk

# MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

## STATE OF FLORIDA COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared  
V. PEREZ, who on oath says that he or she is the  
LEGAL CLERK, Legal Notices of the Miami Daily Business  
Review f/k/a Miami Review, a daily (except Saturday, Sunday  
and Legal Holidays) newspaper, published at Miami in Miami-Dade  
County, Florida; that the attached copy of advertisement,  
being a Legal Advertisement of Notice in the matter of

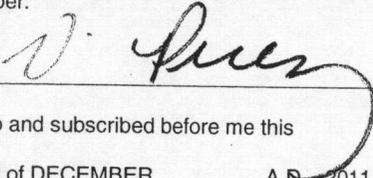
CITY OF AVENTURA LOCAL PLANNING AGENCY  
PUBLIC HEARING - JANUARY 3, 2012

in the XXXX Court,  
was published in said newspaper in the issues of

12/20/2011

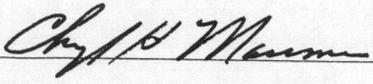
SEE ATTACHED

Affiant further says that the said Miami Daily Business  
Review is a newspaper published at Miami in said Miami-Dade  
County, Florida and that the said newspaper has  
heretofore been continuously published in said Miami-Dade County,  
Florida, each day (except Saturday, Sunday and Legal Holidays)  
and has been entered as second class mail matter at the post  
office in Miami in said Miami-Dade County, Florida, for a  
period of one year next preceding the first publication of the  
attached copy of advertisement; and affiant further says that he or  
she has neither paid nor promised any person, firm or corporation  
any discount, rebate, commission or refund for the purpose  
of securing this advertisement for publication in the said  
newspaper.



Sworn to and subscribed before me this

20 day of DECEMBER, A.D. 2011



(SEAL)

V. PEREZ personally known to me

