

The City of Aventura



Local Planning Agency
Susan Gottlieb, Mayor

Enbar Cohen
Teri Holzberg
Billy Joel
Michael Stern
Howard Weinberg
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 NOVEMBER 5, 2013 - 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: JULY 9, 2013
4. PUBLIC HEARING: MOTION RECOMMENDING ADOPTION OF THE FOLLOWING ORDINANCES:

A. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE COMPREHENSIVE MASTER PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR A 3.359 ACRE PARCEL OF LAND LOCATED ON NE 207 STREET AT NE 30 AVENUE, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" TO THIS ORDINANCE, FROM MEDIUM HIGH DENSITY RESIDENTIAL TO TOWN CENTER; AND AMENDING THE COMPREHENSIVE MASTER PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF A 4.032 ACRE PARCEL OF LAND LOCATED ON NE 207 STREET AT NE 30 AVENUE, MORE PARTICULARLY DESCRIBED IN EXHIBIT "B" TO THIS ORDINANCE, FROM BUSINESS AND OFFICE TO TOWN CENTER; PROVIDING FOR TRANSMITTAL TO THE AGENCIES AS REQUIRED UNDER CHAPTER 163, PART II, FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.

B. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AVENTURA BY AMENDING THE ZONING DESIGNATION FOR A 7.391 ACRE PARCEL OF LAND LOCATED ON NE 207 STREET AT NE 30 AVENUE AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, FROM B2, COMMUNITY BUSINESS DISTRICT TO TC3, TOWN CENTER NEIGHBORHOOD DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; 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
JULY 9, 2013 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 Enbar Cohen, Billy Joel, Howard Weinberg, Luz Urbaz Weinberg, Vice Mayor Michael Stern, Mayor Gottlieb, City Manager Eric M. Soroka, City Clerk Teresa M. Soroka and City Attorney David M. Wolpin. Commissioner Teri Holzberg was absent due to illness. 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 January 8, 2013 LPA Hearing was offered by Commissioner Joel, seconded by Vice Mayor Stern, and unanimously passed.

(The following presentations were scheduled for the Commission meeting and moved to this meeting): FIU Development Officer Dr. Jan Solomon presented the 2013-14 First Generation Scholarship Awards to Gabriel Padilla, Maya Weissman, Matias Carrion, Mitra Mollaire, Paula Suarez, Valentina Adarraga, Catalina Raymondi, Juan Osorio and Chantal Cisnero.

Mr. Soroka presented a Certificate of Appreciation for ten years of service to Malinda Daniels.

4. PUBLIC HEARING: MOTION RECOMMENDING ADOPTION OF THE FOLLOWING ORDINANCE:

A motion for approval was offered by Commissioner Howard Weinberg and seconded by Commissioner Joel. Mr. Wolpin announced that testimony given during this hearing would be introduced in the Commission meeting considering adoption of the subject ordinance on first reading. He then read the following ordinance by title:

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING SECTION 31-145 "TOWN CENTER ZONING DISTRICTS" OF THE CITY'S LAND DEVELOPMENT REGULATIONS BY ADDING "TOWN CENTER NEIGHBORHOOD (TC3) DISTRICT" TO THE SECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; 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. The following individual(s) addressed the Commission: Mickey Marrero,

Esq., and Jeffrey Bercow, Esq., representing the applicant. There being no further speakers, the public hearing was closed. The motion for approval passed by roll call vote 5-1 with Mayor Gottlieb voting no.

- 5. ADJOURNMENT:** There being no further business to come before the Local Planning Agency, the meeting adjourned at 6:33 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: October 28, 2013

SUBJECT: Small scale amendment to the City's Comprehensive Plan to change the land use designation of the westerly portion of the land on NE 207 Street at the corner of NE 30 Avenue totaling 4.032 acres from Business and Office to Town Center and to change the land use designation of the easterly portion of the land on NE 207 Street at the corner of NE 30 Avenue totaling 3.359 acres from Medium High Density Residential to Town Center (01-CPA-14 - Small Scale Amendment)

November 5, 2013 Local Planning Agency Agenda Item 4-A

November 5, 2013 City Commission Meeting Agenda Item 8B

January 7, 2014 City Commission Meeting Agenda Item _____

RECOMMENDATION

- It is recommended that the City Commission:
1. Approve the small scale Comprehensive Plan amendment to change the land use designation of land on NE 207 Street at the corner of NE 30 Avenue totaling 4.032 acres from Business and Office to Town Center; and
 2. Approve the small scale Comprehensive Plan amendment to change the land use designation of land on NE 207 Street at the corner of NE 30 Avenue totaling 3.359 acres from Medium-High Density Residential to Town Center; and

2. Approve the transmittal of the amendment to the Division of Community Planning of the Florida Department of Economic Opportunity pursuant to Chapter 163, Florida Statutes.

THE REQUEST

The applicant is requesting a small scale Comprehensive Plan amendment to change the land use designations of its landholdings on NE 207 Street at the corner of NE 30 Avenue to facilitate a rezoning of the parcel to Town Center Neighborhood (TC3) District. The current future land use designation westerly portion is Business and Office. The current future land use designation on the easterly portion is Medium High Density Residential (See Exhibit #1 for Letter of Intent)

BACKGROUND

OWNER OF PROPERTY	Aventura Land Ventures, LLC
NAME OF APPLICANT	Michael J. Marrero
LOCATION OF PROPERTY	NE 207 Street at NE 30 Avenue See Exhibit #2 for Location Map
SIZE OF PROPERTY	Approximately 3.359 acres subject of land use amendment request from Medium High Density Residential to Town Center Approximately 4.032 acres subject of land use amendment request from Business and Office to Town Center (total landholding is 7.391 acres including 1.459 acres of unopened rights of way abandoned by Resolution No. 2006-61)

DESCRIPTION /BACKGROUND

The site is vacant land owned by the applicant and is comprised of seventy-seven platted lots in Blocks 17 and 18 of the Hallandale Park No. 8 plat, Tract 1 on the plat of Lauranna and Tract 1 on a replat of Hallandale Park No. 8. The landholding referred to in this report also includes the unopened platted right of way of NE 206 Street, part of the unopened platted right of way of NE 207 Street and two 10 foot unopened platted alleyways.

On adoption of the City's Comprehensive Plan 1998 and the Land Development Regulations in 1999, this property was designated as Business and Office on the Future Land Use Map and was zoned Community Business (B2) District on the Zoning Map.

In 2006, the previous owner of the land applied to the City Commission for an amendment to the future land use map to change the easterly portion of the site comprising 3.359 acres from Business and Office to Medium High Density Residential. The amendment was approved by the City Commission through Ordinance No. 2006-14 . This future land use map change was requested to permit a proposed development of 36 townhomes and 68 loft style condominium units on this easterly portion. There was no change requested to the westerly portion of the property. It remained in the Business and Office land use designation. The 2006 development proposal for this westerly portion included a hotel, office, parking garage and retail uses.

The 2006 development did not proceed. The current owner wishes to develop a mixed-use project under the Town Center Neighborhood (TC3) district regulations. In order to do so, the owner has requested this amendment to the future land use map to designate the entire parcel as Town Center. This will facilitate a concurrent request for rezoning to Town Center Neighborhood (TC3) District.

Although no formal site plan has been submitted for review by the City, the applicant has presented its preliminary development proposal to the City Commission at the workshop meeting of May 16, 2013. The site plan application ultimately submitted must comply with the TC3 district zoning development criteria which includes provision of residential, non-residential, assisted living, hotel and indoor or outdoor recreational uses in the Town Center.

The current landholding of the applicant is 5.932 acres. The total development site area will be 7.391 acres once the applicant satisfies the conditions of Resolution No. 2006-61 which abandoned the unopened right of way of NE 206 Street, part of the unopened right of way of NE 207 Street and two 10 foot unopened alleyways reserved on the plat of Hallandale Park No. 8, consisting of a total of 1.459 acres of land.

ANALYSIS

Future Land Use Designation

Subject Property:	Business and Office and Medium High Density Residential
Properties to the North:	Business and Office
Properties to the South:	Business and Office
Properties to the East:	Medium High Density Residential
Properties to the West:	Business and Office

Zoning

Subject Property:	B2, Community Business District
Properties to the North:	OP, Office Park District
Properties to the South:	CF, Community Facilities District
Properties to the East:	RMF3, Multifamily Medium Density Residential District
Properties to the West:	B2, Community Business District

Existing Land Use

Subject property:	vacant
Properties to the North:	office
Properties to the South:	religious facility and school
Properties to the East:	residential
Properties to the West:	retail plaza

Access – The parcel is bounded by NE 207 Street to the north, NE 30 Avenue to the east and NE 29 Avenue to the west.

Conformity to City Comprehensive Plan – The amendment is consistent with the goals, objectives and policies of the City’s Comprehensive Plan. More specifically, the proposal is consistent with the following policies in the Future Land Use, Transportation, Parks and Recreation and Coastal and Conservation elements of the Plan:

Future Land Use Element

Policy 8.2 Applications to amend the City’s Future Land Use Plan map shall be evaluated to consider consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:

1. *Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the City;*

Recent census data shows that the City is continuing to grow, the median age is lower and the family size is larger. Demand for housing is therefore increasing. At the same time, there is an identified demand for senior living facilities in the City and an identified demand for recreational opportunities. The residential use, assisted living facility and recreational uses along with the non-residential uses required as a component of the development in the requested Town Center land use category will accommodate projected population and economic growth.

2. *Enhance or impede provision of services at adopted LOS Standards;*

Traffic - The traffic generation table provided later in this report shows an expected decrease in a.m. peak trips, an increase in p.m. peak trips and an overall increase in daily trips. Based on review of the applicant’s traffic generation report by the City’s Traffic Engineering Consultant, this increase in daily trips will not impede the provision of services at adopted LOS standards provided that the applicant submits, as part of the site plan review process, a detailed Traffic Study that proposes access, circulation, safety and transit improvements to mitigate the increased trips.

Water – The application will not impede provision of this service at adopted LOS standards.

Sewer – The application will not impede provision of this service at adopted LOS standards.

Mass Transit – A bus transit facility is located at Aventura Mall, approximately 1.5 miles from the subject properties. The proposed mixed-use development will be required to provide pedestrian linkage to County and City transit services that are safe and convenient to transit users.

Parks and Recreation – The City presently exceeds LOS standards for park space, therefore, provision of service at adopted level of service standard will not be impeded by this development.

Stormwater Drainage – The application will not impede provision of this service at adopted LOS standards.

Solid Waste – The application will not impede provision of this service at adopted LOS standards.

The applicant will be required, through the site plan review process, to provide evidence of compliance with all Level of Services Standards.

3. *Be compatible with abutting and nearby land uses and protect the character of established neighborhoods; and*

The proposed amendment is compatible with abutting and nearby land uses and will create a neighborhood town center easily accessible by existing adjacent residential and non-residential uses.

4. *Enhance or degrade environmental or historical resources, features or systems of significance.*

The proposed amendment will not degrade the environmental or historical resources, features or systems of significance.

Policy 8.3 The City shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial and cultural centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities.

The proposed amendment will meet this policy by accommodating residential development in a location adjacent to existing residential uses. The mix of uses provides close proximity and accessibility to employment and commercial centers, avoidance of natural resource degradation and maintenance of quality of life and creation of amenities.

Policy 10.1 Aventura shall facilitate redevelopment of substandard or underdeveloped areas, high intensity activity centers, mass transit supportive development and mixed use projects to promote energy conservation.

The proposed amendment will facilitate redevelopment of an underdeveloped area with a mixed use project.

Policy 12.1 All proposed Comprehensive Plan amendments that increase density (population) shall be required to submit, at the time of application, an analysis of the impacts of the proposed amendment upon the evacuation routes and evacuation times as included within the South Florida Regional Hurricane Evacuation Study, April, 1996, or as may be amended from time to time.

Policy 12.2 The City shall not approve any Comprehensive Plan amendment that increases density (population) and results in evacuation times exceeding 12 hours.

<i>Property Location</i>	<i>Lot Size</i>	<i>Increase in Density</i>	<i>Population Factor</i>	<i>Overall Increase in Population</i>
NE 207 Street at NE 30 Avenue	7.391 ac	20 du/ac (density limited by zone)	1.99	294 persons

Based on the South Florida Regional Planning Council evacuation model, it is determined that the increase of a maximum of 147 dwelling units resulting from the proposed amendment will increase the clearance time by 3.30 minutes. That additional time increases the present evacuation time of 11.65 hours (11 hours and 39.46 minutes) to 11.71 hours (11 hours and 42.76 minutes).

Transportation Element

Policy 1.5 The City will develop transportation management strategies, such as (but not limited to) traffic calming techniques and neighborhood design concepts to improve efficiency and enhance the safety of the pedestrian, bicycles and transit riders within the context of an integrated multi-modal transportation system.

The proposed amendment and associated subsequent site development will be required to provide linkages and design concepts to improve efficiency and

enhance the safety of the pedestrian, bicycles and transit riders within the context of an integrated multi-modal transportation system.

Policy 4.3 Transit service shall be linked to major trip attractors and generators and the transportation disadvantaged. Transit service shall be located such that they are safe and convenient to transit users.

This mixed-use development will be required to provide pedestrian linkage to transit service facilities that are safe and convenient to transit users.

Policy 4.7 Transit shelters, according to the City's approved design, shall be provided at the time of development by the property owner.

Transit shelters, according to the City's approved design, will be required to be provided by the owner at the time of development.

Parks and Recreation Element

Policy 4.1 The City adopts a level of service requiring 2.75 acres of net useable park land per 1,000 residents, implemented by the concurrency management system.

The estimated current population for the City of Aventura is 37,725. 147 additional dwelling units results in a population increase of 294 people as shown in the table above. The amount of park and recreation land required by this park standard is 104.55 acres. The existing available park and recreation land, using the calculations provided in the Level of Service Standards, is 116.95 acres. Therefore, no deficiency exists and the proposed amendment will not create a deficiency in this standard.

Conservation and Coastal Management Element

Policy 9.2 The City shall maintain the adopted levels of service on the local roadways based on the future land use plan to achieve a reasonable evacuation time.

The traffic generation table provided later in this report shows an expected decrease in a.m. peak trips, an increase in p.m. peak trips and an overall increase in daily trips. Based on review of the applicant's traffic generation report by the City's Traffic Engineering Consultant, this increase in daily trips will not impede the provision of services at adopted LOS standards provided that the applicant submits, as part of the site plan review process, a detailed Traffic Study that proposes access, circulation, safety and transit improvements to achieve a reasonable evacuation time.

Urban Design Element

Policy 1.7 The location of parking, curb cuts, walkways, bike lanes, signage, lighting and landscape treatments shall be co-ordinated to provide maximum user safety, while improving the comprehensive aesthetic appearance of Aventura.

The applicant will be required, through the site plan review process, to locate parking, curb cuts, walkways, bike lanes, signage, lighting and landscape treatments to maximize user safety and improve the aesthetics of the City.

Education Element

Policy 1.4 Miami-Dade County Public Schools' comments shall be sought and considered on comprehensive plan amendments and other land use and zoning decisions which will increase residential density, in order to be consistent with the terms of the state mandated Interlocal Agreement pursuant to Sections 1013.33, 163.3174 and 163.31777, Florida Statutes.

The application has been provided for comment to the Miami Dade County Public Schools in accordance with the Interlocal Agreement entered into between the City and the Board in February of 2003. Also in accordance with the Interlocal Agreement, the School Board has been invited as a non-voting member of the Local Planning Agency for this application.

The School's Preliminary Concurrency Analysis dated October 18, 2013 is attached as Exhibit #3. This analysis notes that, at this time, all three public school levels, that is, elementary, middle and senior high public schools, have sufficient capacity available for this proposal. Final determination of public school concurrency will be made by the School Board at the time of final site plan approval.

Traffic Generation – The applicant's traffic engineer has prepared traffic generation information relative to the previously approved development and the proposed amendment. The letter dated October 28, 2013 prepared by David Plummer & Associates is attached as Exhibit #4.

Applications Area (7.391 acres)	Land Use Category	Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Previously Approved Development	Business & Office and Medium High Density Residential	5,878	528	536
Proposed Development	Town Center	7,336	465	625

As can be seen from the table above, the proposed town center land use designation generates decreased a.m. peak hour trips, increased pm peak hour trips and increased daily trips. The applicant will be required, through the site plan review process, to provide a detailed Traffic Study and to propose access, circulation, safety and transit improvements to accommodate the increased trips.

Conformity to City Land Development Regulations – The proposed amendment will facilitate a proposed rezoning from B2, Community Business District to TC3, Town Center Neighborhood District.

Coastal High Hazard Location – The location of this site is not in a designated coastal high hazard area.



BERCOW RADELL & FERNANDEZ

ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: 305-377-6238
E-MAIL: mmarrero@brzoninglaw.com

VIA FACSIMILE AND E-MAIL

October 9, 2013

Ms. Joanne Carr
Community Development Director
City of Aventura
19200 West Country Club Drive, 4th Floor
Aventura, Florida 33180

Re: Amendment to the City's Future Land Use Map re Waterways Town Square

Dear Joanne:

This law firm represents Aventura Land Ventures, LLC (the "Applicant"), with regard to an application to amend the City of Aventura Zoning Map and Future Land Use Map for the assemblage of properties at the SW corner of NE 207 Street and 30th Avenue (the "Property") to be designated as Town Center in the Future Land Use Map and TC3 in the Zoning Map.

The Applicant recently acquired the Property, which was the subject of prior approvals for City Place at Aventura. The prior project included a mix of residential and commercial uses and remains zoned B2 and RMF3A. The Applicants seeks to develop a true mixed use project, with a focus on some uses that have been identified as desirable uses by the Aventura community. These include a high quality Assisted Living Facility and a commercial recreation, as well as a hotel, retail, office and some residential units. On October 1, 2013, the City Commission adopted an amendment to its Land Development Regulations to create the TC3 zoning district, which the Applicant seeks to rezone to.

The City's Comprehensive Plan provides standards that staff and the City Commission shall consider when reviewing proposed amendments to City's Future Land Use Map. The Applicant's request addresses several of the standards as follows:

Exhibit #1
01-CPA-14

- (1) **TOWN CENTER: Town Centers are encouraged to become hubs for future urban development in Aventura, around which a more compact and efficient urban structure will evolve.**

The Applicant seeks to develop a compact, efficient and urban project which will include a mix of uses that will have a natural synergy and promote pedestrian and walkable activities.

- (2) **TOWN CENTER: Town Centers are intended to be design-unified areas, which will contain a mixture of different urban functions integrated both horizontally and vertically.**

The Applicant hopes to achieve exactly this. Expected uses within the project include a retail entertainment component, traditional retail, ALF, residential, office and hotel. These uses are expected to function in an integrated fashion and serve each other. The aggregated land owned by the Applicant presents this unique opportunity.

- (3) **OBJECTIVE 3: The Future Land Use Plan shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas.**

The Property has been vacant for some time. The Applicant hopes to create a well-designed community with a variety of uses as contemplated by the comprehensive plan. There are not many suitable areas in the City to achieve this type of development.

- (4) **POLICY 9.2: Applications to amend the City's Future Land Use Map shall be evaluated to consider consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:**

1. **Satisfy a deficiency in the Plan map to accommodate projected population or economic growth in the City:**

The approval of this application will address certain established demands of the City, including Assisted Living Facilities and Retail Entertainment uses. Additionally, some of the expected population growth will be addressed by the additional residential development within the project.

2. Enhance or impede provision of services at the adopted LOS Standards:

The approval of this application is not expected to impede the levels of service at the City and the Applicant will work to mitigate any impacts that are presented.

3. Be compatible with abutting and nearby land uses and protect the character of established neighborhoods:

The project is surrounded by commercial and residential development. Therefore a mixed use/town center project is ideal for this location, particularly because of the size of the site.

4. Enhance or degrade environmental or historical resources, features or systems of significance:

There are no significant environmental or historical resources or features expected to be impacted by the approval of this application.

5. Impact the City's ability to maintain hurricane evacuation clearance times of 12 hours or less:

Based on our calculations, the approval of this request will not increase

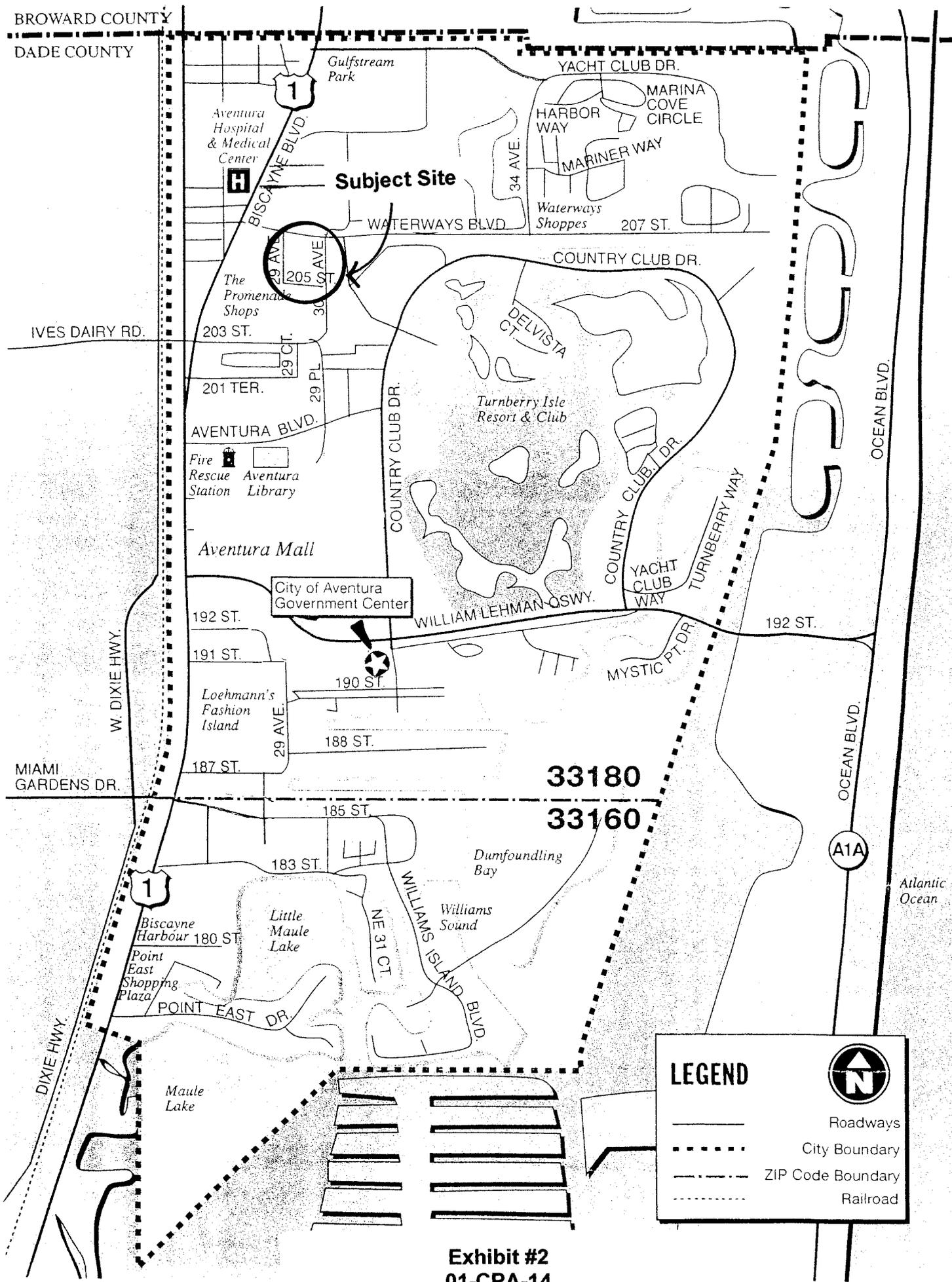
For all the foregoing reasons, the applicant respectfully requests your department's favorable review and recommendation of this application. Should you have any questions, comments, or require additional information, please do not hesitate to phone my direct line at (305) 377-6238.

Sincerely yours,

A handwritten signature in black ink, appearing to be 'MJM' with a large flourish extending to the right.

Michael J. Marrero

BROWARD COUNTY
DADE COUNTY



Subject Site

City of Aventura
Government Center

33180

33160

LEGEND



- Roadways
- - - City Boundary
- · - · ZIP Code Boundary
- - - - Railroad

**Exhibit #2
01-CPA-14**

DAVID PLUMMER & ASSOCIATES

TRANSPORTATION • CIVIL • STRUCTURAL • ENVIRONMENTAL

1750 PONCE DE LEON BOULEVARD, CORAL GABLES, FLORIDA 33134
305 447-0900 • FAX: 305 444-4986 • EMAIL: DPA@DPLUMMER.COM

October 28, 2013

Mr. Victor Ballestas
Integra Solutions
150 NE 2nd Avenue, Suite 701
Miami, FL 33133
Phone: 305-774-0110
Mobile: 305-773-5896
E-mail: vb@integrafl.com

RE: ParkSquare Aventura Traffic Engineering Services - #13114

Dear Mr. Ballestas,

The ParkSquare Aventura project is located on the south side of Waterways Boulevard between NE 29th and NE 30th Avenues in Aventura, Florida. Exhibit 1 shows the approved development program. The purpose of this letter is to conduct a trip generation comparison between the previously approved project for the site and the new development program.

**Exhibit 1
Approved Development Program**

Land Use	Size
Office	142,248 Square Feet
Bank	4,923 SF Square Feet
Specialty Retail	17,393 Square Feet
Hotel	198 Rooms
Coffee Shop	992 Square Feet
Bowling Alley	18 Lanes
Apartment	104 Dwelling Units

Currently, the applicant is seeking to change the development plan. The proposed development program is shown in Exhibit 2.

**Exhibit #3
01-CPA-14**



Exhibit 2
Proposed Development Program

Land Use	Size
Specialty Retail	34,429 Square Feet of Gross Floor Area
Quality Restaurant	21,516 SF GFA of Gross Floor Area
Office	151,601 Square Feet of Gross Floor Area
Hotel	230 Rooms
Apartment	145 Dwelling Units
Assisted Living Facility	199 Beds

A trip generation analysis was conducted to determine the trips generated by the previous development program compared to the proposed project. The trip generation analysis was based on rates and/or equations from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition, and obtained using the TripGen 2013 software. Worksheets are provided in *Attachment A*.

ITE recognizes that data obtained to establish trip generation rates and/or equations is collected at single-use, free-standing sites, and that mixed-use developments provide a potential for interaction of trips within the site, which must be accounted for separately. This will be a mixed-use project and the design will incorporate an internal road system to serve both automobiles and pedestrian and facilitate interaction of trips within the site, resulting in some satisfied on-site (*internal trips*). Internalization between the proposed uses was established based on the guidelines in ITE's *Trip Generation Manual User's Guide and Handbook*. Internalization worksheets are included in *Attachment A*.

Research shows that a percentage of retail trips to and from a site are "pass-by" trips. ITE describes *pass-by* as trips "attracted from traffic passing the site on an adjacent street". *Pass-by* trips are already using the existing roadway network. *Pass-by* trips were established based on the guidelines in the FDOT's *Site Impact Handbook*.

A review of transit availability in the vicinity of the project site indicates that several transit routes serve the area within 1 mile. A 5% deduction for mode split was used to consider other modes of transportation. Adjustments made to the trip generation estimates obtained using ITE trip generation rates

Mr. Victor Ballestas

RE: ParkSquare Aventura Traffic Engineering Services - #13114

Page 3

and/or equations are consistent with the adjustments used in the traffic study performed for the previously approved land uses. Exhibit 3 provides a summary the trip generation summary for the approved and proposed site plans. Trip generation/internalization worksheets are included in *Attachment A*.

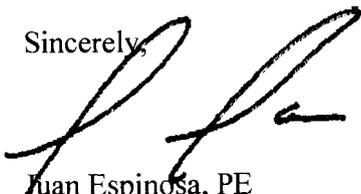
**Exhibit 3
Project Trip Generation Summary**

Scenario	Weekday AM Peak Hour Vehicle Trips	Weekday PM Peak Hour Vehicle Trips
Approved Uses	528	536
Proposed Uses	465	625
Trip Difference	-63	89
% Trips Reduction	-12%	16%

The results of the trip generation analysis show decreases in net new external vehicular traffic for the AM peak hours from the previously approved land use plan. An increase is anticipated on a daily basis and PM peak hour. Based on this, it can be concluded that the proposed uses will have no additional impact to the adjacent roadway network than those in the approved traffic study.

We stand ready to provide any support needed for this project. Should you have any questions or comments, please call me at (305) 447-0900.

Sincerely,



Juan Espinosa, PE
Vice-President – Transportation

Attachments

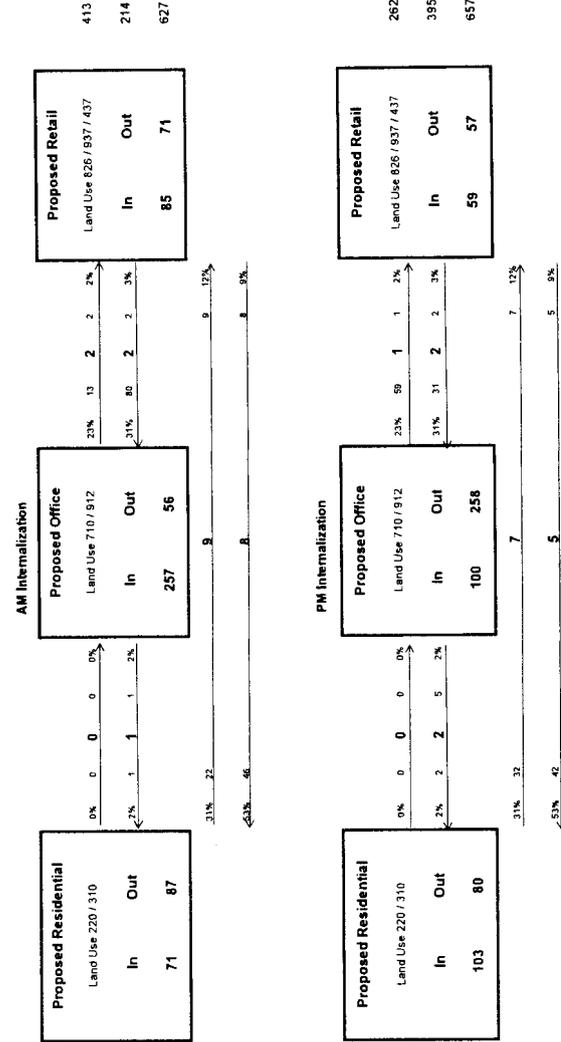
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ATTACHMENT A

City Place at Aventura Approved Trip Generation Net New Trips

Approved Land Use	Number of Units	Daily	AM Peak			PM Peak			Total
			In	Out	Total	In	Out	Total	
Office (Land Use 710)	142,248 GSF	1,716	223	31	254	40	196	238	
Bank (Land Use 812)	4,923 SF	729	34	25	59	60	60	120	
Retail (Land Use 826)	17,393 GLSF	771	0	0	0	21	26	47	
Coffee Shop (Land Use 937)	992 SF	812	51	49	100	21	21	42	
Bowling Alley (Land Use 437)	18 Lanes	600	34	22	56	17	10	27	
Hotel (Land Use 310)	198 Rooms	1,618	61	44	105	61	56	119	
Apartment (Land Use 220)	104 DUs	692	10	43	53	42	22	64	
ITE Trip Generation		6,938	413	214	627	262	395	657	
Internalization	Office (Land Use 710)	-102			-4			-3	
	Bank (Land Use 812)	-43			-1			-2	
	Retail (Land Use 826)	-46			0			-6	
	Coffee Shop (Land Use 937)	-48			-13			-5	
	Bowling Alley (Land Use 437)	-36			-7			-4	
	Hotel (Land Use 310)	-96			-11			-9	
	Apartment (Land Use 220)	-41			-6			-5	
External Trips		-412	-21	-21	-42	-17	-17	-34	
Pass-by Trips (Bank) ²	47%	3,222	18	-9	-27	-22	-34	-56	
Transit/Pedestrian Trips	5%	326	-20	-10	-30	-12	-19	-31	
Net New External Trips		5,878	354	174	528	211	325	536	



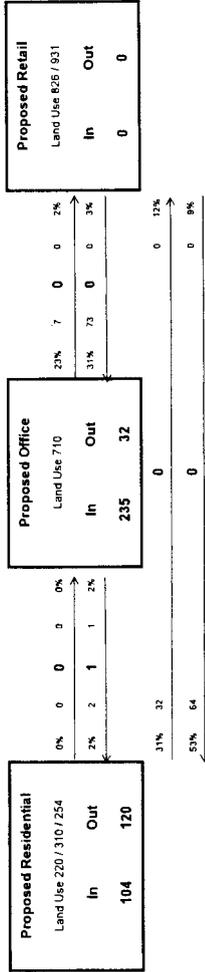
¹The Institute of Transportation Engineers (ITE) Trip Generation manual, Ninth Edition
²Trip Generation Handbook, published by ITE in March 2001.

ATTACHMENT A

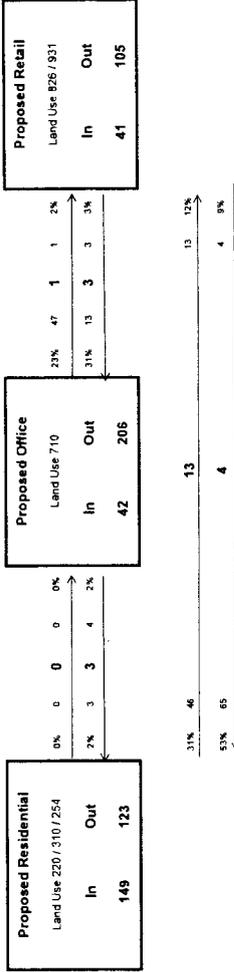
Waterways Town Center Proposed Trip Generation Net New Trips

Approved Land Use	Number of Units	Daily	AM Peak ¹			PM Peak ¹			Total
			In	Out	Total	In	Out	Total	
Retail (Land Use 826)	34,428 SF	1,526	0	0	0	41	52	83	
Quality Restaurant (Land Use 931)	21,516 SF	1,935	0	0	0	108	53	161	
Office (Land Use 710)	151,801 SF	1,801	235	32	267	42	206	248	
Hotel (Land Use 310)	230 Rooms	1,879	71	51	122	71	67	138	
Apartment (Land Use 220)	145 DUs	964	15	59	74	56	32	90	
Assisted Living Facility (Land Use 254)	199 Beds	529	18	10	28	20	24	44	
ITE Trip Generation		8,634	339	152	491	340	434	774	
Internalization	Retail (Land Use 826)	-3			0			-8	
	Quality Restaurant (Land Use 931)	-4			0			-13	
	Office (Land Use 710)	-4			-1			-7	
	Hotel (Land Use 310)	-4			-1			-10	
	Apartment (Land Use 220)	-2			0			-7	
	Assisted Living Facility (Land Use 254)	-1			0			-3	
External Trips		9,617	338	151	489	316	410	728	
Pass-by Trips (Restaurant) ²	44%	-850	0	0	0	-28	-37	-65	
Transit/Pedestrian Trips	5%	-431	-17	-8	-24	-16	-21	-36	
Net New External Trips		7,336	321	144	465	272	363	625	

AM Internalization



PM Internalization



¹The Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition
²ITE Generation Manual, User's Guide and Workbook, published by ITE.

Summary of Multi-Use Trip Generation
Average Weekday Driveway Volumes (Unadjusted for Internal Trips)

Project: Park Square Aventura - Approved Project
Phase:

Open Date:
Analysis Date:

Description:

ITE:Land Use	24 Hour Two-Way Volume	AM Pk Hour		PM Pk Hour	
		Enter	Exit	Enter	Exit
710: General Office Building 142.248 Th.Sq.Ft. GFA [E]	1716	223	31	40	198
912: Drive-in Bank 4.923 Th.Sq.Ft. GFA [R]	729	34	25	60	60
826: Specialty Retail Center 17.393 Th.Sq.Ft. GFA [R]	771	0	0	21	26
310: Hotel 198 Rooms [R]	1618	61	44	61	58
937: Coffee/Donut Shop with Drive-Thru .992 Th.Sq.Ft. GFA [R]	812	51	49	21	21
437: Bowling Alley 18 Bowling Lanes [R]	600	34	22	17	10
220: Apartments 104 Dwelling Units [R]	692	10	43	42	22
<hr/>					
Total Driveway Volume	6938	413	214	262	395
Total Peak Hour Pass-By Trips		0	0	28	28
Total Peak Hour Vol. Added to Adjacent Streets		413	214	234	367

Note: A zero indicates no data available.
Source: Institute of Transportation Engineers
Trip Generation Manual, 9th Edition, 2012

TRIP GENERATION 2013, TRAFFICWARE, LLC

Summary of Multi-Use Trip Generation
Average Weekday Driveway Volumes (Unadjusted for Internal Trips)

Project: Park Square Aventura - Proposed Project
Phase:

Open Date:
Analysis Date:

Description:

ITE:Land Use	24 Hour Two-Way Volume	AM Pk Hour		PM Pk Hour	
		Enter	Exit	Enter	Exit
826: Specialty Retail Center 34.429 Th.Sq.Ft. GFA [R]	1526	0	0	41	52
931: Quality Restaurant 21.516 Th.Sq.Ft. GFA [R]	1935	0	0	108	53
710: General Office Building 151.601 Th.Sq.Ft. GFA [E]	1801	235	32	42	206
310: Hotel 230 Rooms [R]	1879	71	51	71	67
220: Apartments 145 Dwelling Units [R]	964	15	59	58	32
254: Assisted Living 199 Beds [R]	529	18	10	20	24
<hr/>					
Total Driveway Volume	8634	339	152	340	434
Total Peak Hour Pass-By Trips		0	0	48	23
Total Peak Hour Vol. Added to Adjacent Streets		339	152	292	411

Note: A zero indicates no data available.
Source: Institute of Transportation Engineers
Trip Generation Manual, 9th Edition, 2012

TRIP GENERATION 2013, TRAFFICWARE, LLC



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board

Perla Tabares Hantman, Chair
Dr. Martin Karp, Vice Chair
Dr. Dorothy Bendross-Mindingall
Susie V. Castillo
Carlos L. Curbelo
Dr. Lawrence S. Feldman
Dr. Wilbert "Tee" Holloway
Dr. Marta Pérez
Raquel A. Regalado

October 18, 2013

VIA ELECTRONIC MAIL

Mr. Michael J. Marrero, Esquire
Bercow Radell & Fernandez, P.A.
200 South Biscayne Boulevard, Suite 850
Miami, FL 33131

mmarrero@brzoninglaw.com

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS
WATERWAYS TOWN CENTER – No. 01-CPA-14
LOCATED AT NE 207 STREET AT NE 30 AVENUE, AVENTURA, FLORIDA
PH2813100400889 – FOLIO No.: 2812340064610**

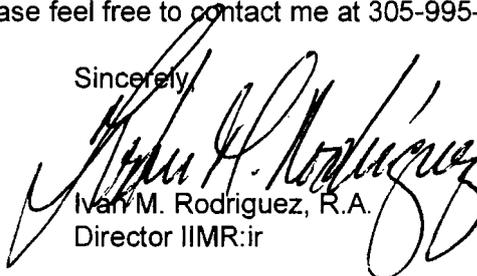
Dear Applicant:

Pursuant to State Statutes and the Interlocal Agreements for Public School Facility Planning in Miami-Dade County, the above-referenced application was reviewed for compliance with Public School Concurrency. Accordingly, enclosed please find the School District's Preliminary Concurrency Analysis (Schools Planning Level Review) for informational purposes only.

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the proposed development would yield a maximum residential density of 147 multi-family units, which generate 26 students; 12 elementary, 7 middle and 7 senior high students. At this time, all three school levels have sufficient capacity available to serve the application. However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. As such, this analysis does not constitute a Public School Concurrency approval.

Should you have any questions, please feel free to contact me at 305-995-4501.

Sincerely,



Ivan M. Rodriguez, R.A.
Director IIMR:ir

L-432

Enclosure

cc: Ms. Ana Rijo-Conde, AICP
Ms. Vivian G. Villaamil
City of Aventura
School Concurrency Master File

**Exhibit #4
01-CPA-14**

Facilities Planning, Design and Sustainability
Ana Rijo-Conde, AICP, Deputy Chief Facilities and Eco-Sustainability Officer
1450 N.E. 2nd Ave. • Suite 525 • Miami, FL 33132
305-995-7285 • 305-995-4760 (FAX) • arijo@dadeschools.net



Concurrency Management System (CMS)

Miami Dade County Public Schools

Miami-Dade County Public Schools

**Concurrency Management System
Preliminary Concurrency Analysis**

MDCPS Application Number: PH2813100400889 Local Government (LG): Aventura
 Date Application Received: 10/4/2013 3:27:27 PM LG Application Number: 01-CPA-14
 Type of Application: Public Hearing Sub Type: Land Use
 Applicant's Name: Waterways Town Center
 Address/Location: NE 207 Street at NE 30 Avenue, Aventura
 Master Folio Number: 2812340064610
 Additional Folio Number(s):

PROPOSED # OF UNITS 147
 SINGLE-FAMILY DETACHED UNITS: 0
 SINGLE-FAMILY ATTACHED UNITS: 0
 MULTIFAMILY UNITS: 147

CONCURRENCY SERVICE AREA SCHOOLS

CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
231	AVENTURA WATERWAYS K-8 CENTER (ELEM COMP)	-64	12	0	NO	Current CSA
231	AVENTURA WATERWAYS K-8 CENTER (ELEM COMP)	0	12	0	NO	Current CSA Five Year Plan
232	AVENTURA WATERWAYS K-8 CENTER (MID COMP)	-11	7	0	NO	Current CSA
232	AVENTURA WATERWAYS K-8 CENTER (MID COMP)	0	7	0	NO	Current CSA Five Year Plan
6241	HIGHLAND OAKS MIDDLE	-5	7	0	NO	Current CSA
6241	HIGHLAND OAKS MIDDLE	0	7	0	NO	Current CSA Five Year Plan
7141	DR MICHAEL M KROP SENIOR	-284	7	0	NO	Current CSA
7141	DR MICHAEL M KROP SENIOR	0	7	0	NO	Current CSA Five Year Plan

ADJACENT SERVICE AREA SCHOOLS

2441	VIRGINIA A BOONE HIGHLAND OAKS ELEMENTARY	35	12	12	YES	Adjacent CSA
6023	ANDOVER MIDDLE	140	7	7	YES	Adjacent CSA
7381	MIAMI NORLAND SENIOR	580	7	7	YES	Adjacent CSA

*An Impact reduction of 19.5% included for charter and magnet schools (Schools of Choice).

MDCPS has conducted a preliminary public school concurrency review of this application; please see results above. A final determination of public school concurrency and capacity reservation will be made at the time of approval of plat, site plan or functional equivalent. **THIS ANALYSIS DOES NOT CONSTITUTE PUBLIC SCHOOL CONCURRENCY APPROVAL.**

1450 NE 2 Avenue, Room 525, Miami, Florida 33132 / 305-995-7634 / 305-995-4760 fax / concurrency@dadeschools.net



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:

Name	Relationship (i.e. Attorneys, Architects, Landscape Architects, Engineers, Lobbyists, Etc.)
<u>Michael Marrero</u>	<u>Attorney</u>
<u>Jeff Bercow</u>	<u>Attorney</u>
<u>Dan Fortin, Jr.</u>	<u>Surveyor</u>
<u>Juan Espinosa</u>	<u>Traffic 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 24th DAY OF October 2013

AUTHORIZED REPRESENTATIVE OF APPLICANT:

OWNER

By:

Name:

Title:

Address:

(Signature) [Signature]
 (Print) Paulo Melo
 Title: Managing Member
 Address: 150 SE 2nd Street, #800
Miami, FL 33131

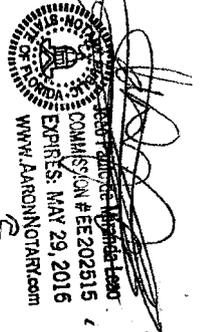
(Signature) [Signature]
 (Print) Paulo Melo
 Title: Managing Member
 Address: 150 SE 2nd Street, #800
Miami, FL 33131

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me the undersigned authority personally appeared Paulo Melo as the authorized representative of the Applicant and/or the owner of the property subject to the application, 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 24th day of October 2013 AFFIANT [Signature]

Notary Public State of Florida At Large
Printed Name of Notary José Paulo de Miranda G
My commission expires: May 29th 2016





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 24th DAY OF October, 2013

APPLICANT:

By: _____ (Signature)
 Name: Paulo Melo (Print)
 Title: Planning Member (Print)



WITNESS MY HAND THIS 24th DAY OF October, 2013

PROPERTY OWNER:

By: _____ (Signature)
 Name: Paulo Melo (Print)
 Title: Planning Member (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 October, 2023

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Michael Marrero (Print)

Title: Attorney (Print)

By: [Signature] (Signature)

Name: Jeff Berrow (Print)

Title: Attorney (Print)

By: _____ (Signature)

Name: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Name: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

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Title: _____ (Print)

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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.

WITNESS MY HAND THIS 24 DAY OF October, 2013

REPRESENTATIVE (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)
Name: Jon Espinosa (Print)
Title: V.P. (Print)

By: _____ (Signature)
Name: _____ (Print)
Title: _____ (Print)

By: _____ (Signature)
Name: _____ (Print)
Title: _____ (Print)

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NOTARIZATION PROVISION

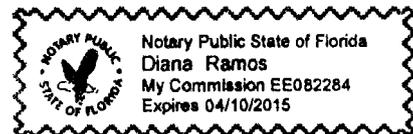
STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Michael Morro 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 24 day of October, 2013

[Signature]
Notary Public State of Florida At Large
Printed Name of Notary Diana Ramos
My commission expires: _____



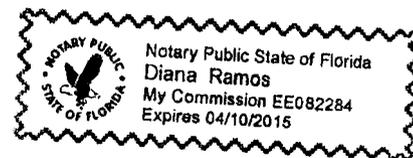
STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jeffrey Bercoun 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 24 day of October, 2013

[Signature]
Notary Public State of Florida At Large
Printed Name of Notary Diana Ramos
My commission expires: _____



STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Paulo Melo 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 24th day of October, 2013

[Signature]
Notary Public State of Florida At Large
Printed Name of Notary Jose Luis de Miranda Vas
My commission expires: May 29th 2016



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.

AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200_____

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

NOTARIZATION PROVISION

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Juan Espinosa 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: _____

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 24 DAY OF OCTOBER, 2013

APPLICANT
 By [Signature] (Signature)
 Name: DANIELSON JR (Print)
 Title: SURVEYOR (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 24 DAY OF October 2013

REPRESENTATIVE (Listed on Business Relationship Affidavit)

By [Signature] (Signature)
Name DANIEL C FORTIN JR (Print)
Title VICE PRESIDENT (Print)
FORTIN LEANY SKILES

By _____ (Signature)
Name _____ (Print)
Title _____ (Print)

By _____ (Signature)
Name _____ (Print)
Title _____ (Print)

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- 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

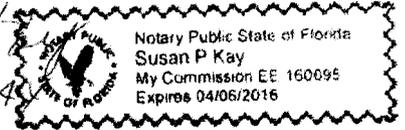
STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared **Dan Fortney Jr** 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.

[Handwritten signature of Dan Fortney Jr]
AFFIANT

SWORN TO AND SUBSCRIBED before me this 24 day of October 2013

[Handwritten signature of Susan P Kay]
Notary Public State of Florida At Large
SUSAN P. KAY
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.

the Affiant, who being first by me duly sworn, did swear or affirm that he/she

AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200__

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.

the Affiant, who being first by me duly sworn, did swear or affirm that he/she

AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200__

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.

the Affiant, who being first by me duly sworn, did swear or affirm that he/she

AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200__

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

ORDINANCE NO. 2014-__

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE COMPREHENSIVE MASTER PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR A 3.359 ACRE PARCEL OF LAND LOCATED ON NE 207 STREET AT NE 30 AVENUE, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" TO THIS ORDINANCE, FROM MEDIUM HIGH DENSITY RESIDENTIAL TO TOWN CENTER; AND AMENDING THE COMPREHENSIVE MASTER PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF A 4.032 ACRE PARCEL OF LAND LOCATED ON NE 207 STREET AT NE 30 AVENUE, MORE PARTICULARLY DESCRIBED IN EXHIBIT "B" TO THIS ORDINANCE, FROM BUSINESS AND OFFICE TO TOWN CENTER; PROVIDING FOR TRANSMITTAL TO THE AGENCIES AS REQUIRED UNDER CHAPTER 163, PART II, FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Division of Community Planning of the Florida Department of Economic Opportunity found in compliance the City of Aventura Comprehensive Plan (the "Plan") in March 2007; and

WHEREAS, the Future Land Use Map of the Plan designated the 3.359 acre parcel of land described in Exhibit "A" as Medium High Density Residential; and

WHEREAS, the Future Land Use Map of the Plan designated the 4.032 acre parcel of land described in Exhibit "B" as Business and Office; and

WHEREAS, the owner, through Application No. 01-CPA-14, has made application to the City to change the land use designation of the 3.359 acre parcel of land from Medium High Density Residential to Town Center and to change the land use designation of the 4.032 acre parcel of land from Business and Office to Town Center; and

WHEREAS, the Plan amendments will not result in impacts on any infrastructure system that will exceed established level of service standards and is otherwise consistent with the goals, objectives and policies of the Plan; and

WHEREAS, the City Commission believes that it is in the best interest of the public to amend the Future Land Use Map designations on the subject property from the Business and Office and Medium High Density Residential designations to the Town Center designation; and

WHEREAS, the proposed amendments to the Future Land Use Map designation were reviewed by the City Commission, sitting as the Local Planning Agency designated under Section 163.3174, Florida Statutes, following an advertised public hearing; and

WHEREAS, the City Commission finds that the amendments will maintain the unique aesthetic character of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AS FOLLOWS:

Section 1. The foregoing whereas clauses are hereby ratified and incorporated into this Ordinance.

Section 2. Purpose. This Ordinance is intended to preserve the unique aesthetic character of the City and ensure that adjacent land uses are compatible and to protect property values, create a better business climate, enhance the physical appearance of the community and preserve the natural beauty of the City.

Section 3. Amendment of Future Land Use Map Designation. The future land use map designation of the parcel of land situate on NE 207 Street at NE 30 Avenue more particularly described in Exhibit "A" to this ordinance, totaling 3.359 acres is hereby changed from Medium High Density Residential to Town Center.

Section 4. Amendment of Future Land Use Map Designation. The future land use map designation of the parcel of land situate on NE 207 Street at NE 30 Avenue more particularly described in Exhibit "B" to this ordinance, totaling 4.032 acres is hereby changed from Business and Office to Town Center.

Section 5. 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 6. Inclusion in the Comprehensive Plan. It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Comprehensive Plan of the City of Aventura and that the Future Land Use Map of the Comprehensive Plan shall be revised so as to accomplish such intentions.

Section 7. Transmittal. The City Clerk is directed to transmit the amendment to the Division of Community Planning of the Florida Department of Economic Opportunity as provided under Chapter 163, Part II of the Florida Statutes.

Section 8. Effective Date. This Ordinance shall be effective pursuant to Chapter 163 of the Florida Statutes.

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 Enbar Cohen	_____
Commissioner Teri Holzberg	_____
Commissioner Billy Joel	_____
Commissioner Michael Stern	_____
Commissioner Howard Weinberg	_____
Commissioner Luz Urbáez Weinberg	_____
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 Enbar Cohen	_____
Commissioner Teri Holzberg	_____
Commissioner Billy Joel	_____
Commissioner Michael Stern	_____
Commissioner Howard Weinberg	_____
Commissioner Luz Urbáez Weinberg	_____
Mayor Susan Gottlieb	_____

PASSED on first reading this 5th day of November, 2013.

PASSED AND ADOPTED on second reading this 7th day of January, 2014.

SUSAN GOTTLIEB, MAYOR

ATTEST:

TERESA M. SOROKA, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

LEGAL DESCRIPTION:

All of Lots 7 through 13, 38 through 42 and a portion of Lots 14, 33 through 37, all of Block 18, HALLANDALE PARK No. 8, including the ten (10) foot alleys adjacent to said lots, lying within said Block 18, as recorded in Plat Book 20 at Page 49. All of Tract 1, LAURANNA, as recorded in Plat Book 76 at Page 31. All of Lots 1, 2, 6 through 13, 38 through 42 and a portion of Lots 14 and 37, all of Block 17, HALLANDALE PARK No. 8, including the ten (10) foot alleys adjacent to said lots in Block 17, as recorded in Plat Book 20 at Page 49. Tract 1, Block 17, REPLAT OF A PORTION OF HALLANDALE PARK No. 8, as recorded in Plat Book 40 at Page 97. That portion of the North One-half of N.E. 205th street abandoned by Resolution No. 2000-11 recorded in O.R.B. 19247 at Page 4677. That portion of N.E. 206th Street bounded on the North by Block 18 and bounded on the South by Block 17 and bounded on the East by the West right-of-way line of N.E. 30th Avenue (East Dixie Highway) all being as shown on HALLANDALE PARK No. 8, as recorded in Plat Book 20 at Page 49. A portion of land bounded by on the North by a line 81.00 feet South of and parallel or concentric with the North line of Waterways Boulevard as shown on AVENTURA CORPORATE CENTER, as recorded in Plat Book 158, Page 47, and bounded on the South by the North line of Block 18, HALLANDALE PARK NO. 8, as recorded in Plat Book 20 at Page 49, all the above plats being of the Public Records of Miami-Dade County, Florida, lying and being in the City of Aventura and being more particularly described as follows:

Commence at the intersection of the centerline of N.E. 205th Street and the centerline of N.E. 30th Avenue, both as shown on said PLAT OF HALLANDALE PARK NO. 8; thence North 89°53'41" West along said centerline of N.E. 205 Street for 35.01 feet to the Point of Beginning of the hereinafter described parcel of land; thence continue North 89°53'41" West along said centerline for 261.97 feet; thence North 00°00'00" East for 422.33 feet; thence North 90°00'00" West for 119.97 feet; thence North 00°00'00" East for 135.92 feet; thence South 76°00'36" East along a line 81.00 feet South of and parallel with North right-of-way line of Waterways Boulevard for 86.13 feet to a point of curvature; thence Southeasterly along a 1519.00 foot radius curve leading to the left through a central angle of 7°37'02" for an arc distance of 201.94 feet; thence South 00°52'30" East along a line 10.00 feet East of a 10.00 foot alley adjacent to said Lot 42, Block 18 of HALLANDALE PARK NO. 8 for 8.92 feet to the Northwest corner of said Tract 1 of LAURANNA; thence South 89°50'24" East along the North line of said Tract 1 for 70.42 feet to a point of curvature; thence Southeasterly along a 25.00 foot radius curve leading to the right through a central angle of 88°57'54" for an arc of 38.82 feet to a point of tangency; thence South 00°52'30" East along the East line of said Tract 1 for 122.65 feet to the Southeast corner thereof; thence South 89°51'49" East along the North line of said Lot 7, Block 18 HALLANDALE PARK NO. 8 for 5.00 feet to the Northeast corner thereof; thence South 00°52'30" East along the East line of said Lots 7 and 8, Block 18 and the Southerly extension thereof for 164.42 feet to the Southeast corner of said Lot 2, Block 17 of HALLANDALE PARK NO. 8; thence North 89°52'27" West along the South line of said Lot 2, Block 17 for 5.00 feet to the Northeast corner of said Tract 1 of REPLAT OF A PORTION OF HALLANDALE PARK NO. 8; thence South 00°52'30" East along the East line of said Tract 1 for 75.01 feet to the Southeast corner thereof; Thence South 89°53'04" East along the North line of said Lot 6, Block 17 for 5.00 feet to the northeast corner of said Lot 6; thence South 00°52'30" East along the East line of said Lots 6, 7 & 8, Block 17 for 56.77 feet to a point of curvature; thence Southwesterly along a 25.00 foot radius curve leading to the right through a central angle of 36°52'05" for an arc of 16.09 feet; thence South 00°52'30" East along a line 35.00 feet West of and parallel to the center line of said NE 30th Avenue for 35.35 feet to the Point of Beginning.

Exhibit "A"

LEGAL DESCRIPTION

All of Lots 15 through 32 and a portion of Lots 14 and 33, all in Block 18, HALLANDALE PARK NO. 8, including the ten (10) foot alleys adjacent to said lots, lying within said Block 18, as recorded in Plat Book 20 at Page 49. All of Lots 15 through 36 and a portion of Lots 14 and 37, all in Block 17, HALLANDALE PARK NO. 8, including the ten (10) foot alleys adjacent to said lots in Block 17, as recorded in Plat Book 20 at Page 49. That portion of the North One-half of N.E. 205th Street abandoned by Resolution No. 2000-11 recorded in O.R.B. 19247 at Page 4677. That portion of N.E. 206th Street bounded on the North by Block 18 and bounded on the South by Block 17 all being as shown on HALLANDALE PARK NO. 8, AS RECORDED IN Plat Book 20 at Page 49. A portion of land bounded by on the North by a line 81.00 feet South of and parallel or concentric with the North line of Waterways Boulevard as shown on AVENTURA CORPORATE CENTER, as recorded in Plat Book 158, Page 47, and bounded on the South by the North line of Block 18, HALLANDALE PARK NO. 8, as recorded in Plat Book 20 at Page 49, all the above plats being more particularly described as follows:

Commence at the intersection of the centerline of N.E. 205th Street and the centerline of N.E. 30th Avenue, both as shown on said PLAT OF HALLANDALE PARK NO. 8; thence North 89°53'41" West along said centerline of N.E. 205th Street for 296.98 feet to the Point of Beginning of the hereinafter described parcel of land; thence North 00°00'00" East for 422.33 feet; thence North 90°00'00" West for 119.97 feet; thence North 00°00'00" East for 135.92 feet; thence North 76°00'36" West along a line 81.00 feet South of and parallel with North right-of-way line of Waterways Boulevard for 204.27 feet to a point of curvature; thence Southwesterly along a 25.00 foot radius curve, leading to the left, through a central angle of 104°55'50" for an arc distance of 45.78 feet to a point of tangency; thence South 00°56'26" East along the West line of said Blocks 17 and 18 and the Northerly extension thereof for 533.59 feet to a point of curvature; thence Southeasterly along a 25.00 foot radius curve, leading to the left, through a central angle of 88°57'15" for an arc distance of 38.81 feet to a point of tangency; thence South 89°53'41" East along the South line of said Block 17 for 299.35 feet; thence South 00°56'20" East for 25.00 feet; thence South 89°53'41" East for 18.67 feet to the Point of Beginning.

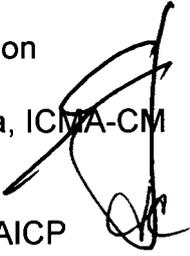
Exhibit "B"

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: October 28, 2013

SUBJECT: Amendment of the Official Zoning Map of the City of Aventura by amending the zoning designation for a parcel of land on NE 207 Street at NE 30 Avenue totaling 7.391 acres from B2, Community Business District, to TC3, Town Center Neighborhood District (01-REZ-14)

-
- November 5, 2013 Local Planning Agency Agenda Item 4-B
- November 5, 2013 City Commission Meeting Agenda Item 8C
- January 7, 2014 City Commission Meeting Agenda Item _____

RECOMMENDATION

It is recommended that the City Commission approve an amendment of the Official Zoning Map of the City of Aventura by amending the zoning designation for a parcel of land on NE 207 Street at NE 30 Avenue totaling 7.391 acres from B2, Community Business District to TC3, Town Center Neighborhood upon recordation of the applicant's proffered covenant to fulfill the conditions of Resolution No. 2006-61.

THE REQUEST

The applicant is requesting an amendment to the Official Zoning Map to change the zoning designation of a parcel of land on NE 207 Street at the corner of NE 30 Avenue totaling 7.391 acres from B2 (Community Business District) to TC3 (Town Center Neighborhood District). (See Exhibit #1 for Letter of Intent)

The current landholding of the applicant is 5.932 acres. The total development site

area will be 7.391 acres once the applicant fulfills the conditions of Resolution No. 2006-61 which abandons 1.459 acres of unopened right of way of NE 206 Street, part of the unopened right of way of NE 207 Street and two 10 foot unopened alleyways on the plats. A copy of Resolution No. 2006-61 is attached as Exhibit #2 to this report.

The TC3 zoning district is intended to provide suitable sites for the development of structures and sites with a minimum size of 5 acres, combining residential and commercial uses in a well-planned and compatible manner in existing neighborhoods on property that provides lot frontage on at least three public streets and does not front upon or access Biscayne Boulevard. Development in this district is required to provide for indoor and/or outdoor commercial recreation uses, a minimum of 20,000 square feet of assisted living facility use and hotels as part of its commercial uses. Residential densities cannot exceed 20 dwelling units per acre and non-residential densities cannot exceed 2.0 floor area ratio.

The subject property meets the lot size and road frontage criteria of the TC3 zoning district. Future development will be required to comply with the site development criteria of the zoning district.

BACKGROUND

OWNER OF PROPERTY	Aventura Land Ventures, LLC
NAME OF APPLICANT	Aventura Land Ventures, LLC
LOCATION OF PROPERTY	NE 207 Street at NE 30 Avenue See Exhibit #3 for Location Map
SIZE OF PROPERTY	Approximately 7.391 acres subject of rezoning request (total landholding is 7.391 acres including 1.459 acres of unopened rights of way abandoned by Resolution No. 2006-61)

DESCRIPTION /BACKGROUND

The site is vacant land owned by the applicant and is comprised of seventy-seven platted lots in Blocks 17 and 18 of the Hallandale Park No. 8 plat, Tract 1 on the plat of Lauranna and Tract 1 on a replat of Hallandale Park No. 8. The landholding referred to in this report also includes the unopened platted right of way of NE 206 Street, part of the unopened platted right of way of NE 207 Street and two 10 foot unopened platted alleyways.

On adoption of the City's Comprehensive Plan in 1998 and the Land Development Regulations in 1999, this property was designated as Business and Office on the Future Land Use Map and was zoned Community Business (B2) District on the Zoning Map.

In 2006, the previous owner of the land applied to the City Commission for an amendment to the future land use map and for amendment to the Official Zoning Map to change the easterly portion of the site comprising 3.359 acres from Business and Office to Medium High Density Residential and from B2, Community Business District to RMF3A, Multifamily Medium Density Residential District. The future land use map amendment was approved by the City Commission through Ordinance No. 2006-14. The zoning amendment was approved by the City Commission through Ordinance No. 2006-15. This zoning amendment was approved on the condition that the owner record a covenant restricting the residential density to no more than 31 dwelling units per acre.

The 2006 development did not proceed. The covenant required by Ordinance No. 2006-15 was not recorded. Therefore, the RMF3A zoning did not become effective and the entire parcel remains as B2, Community Business District.

The current owner wishes to develop a mixed-use project under the TC3, Town Center Neighborhood district regulations. In order to do so, the owner has requested a concurrent amendment to the future land use map to designate the parcel as Town Center to facilitate this request for rezoning to Town Center Neighborhood (TC3) District.

Although no formal site plan has been submitted for review by the City, the applicant has presented its preliminary development proposal to the City Commission at the workshop meeting of May 16, 2013. The site plan application ultimately submitted must comply with the TC3 district zoning development criteria which includes provision of residential, non-residential, assisted living use, hotel and indoor or outdoor recreational uses in the Town Center.

ANALYSIS

Future Land Use Designation

Subject Property:	Business and Office and Medium High Density Residential
Properties to the North:	Business and Office
Properties to the South:	Business and Office
Properties to the East:	Medium High Density Residential
Properties to the West:	Business and Office

Zoning

Subject Property:	B2, Community Business District
Properties to the North:	OP, Office Park District
Properties to the South:	CF, Community Facilities District
Properties to the East:	RMF3, Multifamily Medium Density Residential District

Properties to the West: B2, Community Business District

Existing Land Use

Subject property: vacant
Properties to the North: office
Properties to the South: religious facility and school
Properties to the East: residential
Properties to the West: retail plaza

Access – The parcel is bounded by NE 207 Street to the north, NE 30 Avenue to the east and NE 29 Avenue to the west.

Conformity to City Comprehensive Plan – The proposed zoning amendment will conform to the City Comprehensive Plan upon approval of the concurrent application to amend the future land use map designation on this parcel from Business and Office and Medium High Density Residential to Town Center.

The standards for reviewing proposed amendments to the Official Zoning Map, found in Section 31-77 of the Land Development Regulations, are:

1. *Whether or not the proposed amendment is consistent with goals, objectives and policies of the City's Comprehensive Plan.*

The proposed amendment will be consistent with goals, objectives and policies of the City's Comprehensive Plan provided the City Commission approves an amendment to the land use designation for this parcel from Business and Office and Medium High Density Residential to Town Center.

2. *Whether or not the proposed zoning district is compatible with the surrounding area's zoning designation(s) and existing uses.*

The proposed zoning district is compatible with the surrounding area's zoning designation(s) and existing uses, which are residential to the east and non-residential to the north, south and west.

3. *Whether or not the subject property is physically suitable for the uses permitted in the proposed district.*

The subject property is physically suitable for the uses permitted in the proposed district. The location and size of the property meets the criteria for development of a TC3 zoning district development.

4. *Whether or not there are sites available in other areas currently zoned for such use.*

There are no other sites available in other areas currently zoned for such use. The TC3 zoning district was adopted by the City Commission on October 1, 2013.

5. *If applicable, whether or not the proposed change will contribute to redevelopment of an area in accordance with an approved redevelopment plan.*

This standard is not applicable to this proposed amendment.

6. *Whether or not the proposed change would adversely affect traffic patterns or congestion.*

The traffic generation table provided later in this report shows an expected decrease in a.m. peak trips, an increase in p.m. peak trips and an overall increase in daily trips. Based on review of the applicant's traffic generation report by the City's Traffic Engineering Consultant, this increase in daily trips will not adversely affect traffic patterns or congestion provided that the applicant submits, as part of the site plan review process, a detailed Traffic Study that proposes access, circulation, safety and transit improvements to mitigate the expected increased trips.

7. *Whether or not the proposed change would adversely impact population density such that the demand for water, sewers, streets, recreational areas and facilities, and other public facilities and services would be adversely affected.*

A calculation of the impact on population density is shown in the table below.

<i>Property Location</i>	<i>Lot Size</i>	<i>Increase in Density</i>	<i>Population Factor</i>	<i>Overall Increase in Population</i>
NE 207 Street at NE 30 Avenue	7.391 ac	20 du/ac (density limited by zone)	1.99	294 persons

The proposed change would not adversely affect population density such that the demand for water, sewers, streets, and other public facilities and services would be adversely affected. The applicant will be required to demonstrate, as part of the site plan review process, that levels of service specified in the City's Land Development Regulations are met.

8. *Whether or not the proposed change would have an adverse environmental impact on the vicinity.*

The proposed change will not have an adverse environmental impact on the vicinity.

9. *Whether or not the proposed change would adversely affect the health, safety, and welfare of the neighborhood or the City as a whole.*

The proposed change will not adversely affect the health, safety, and welfare of the neighborhood or the City as a whole.

Traffic Generation – The applicant’s traffic engineer has prepared traffic generation information relative to the previously approved development and the proposed amendment. The letter dated October 28, 2013 prepared by David Plummer & Associates is attached as Exhibit #4.

Applications Area (7.391 acres)	Land Use Category	Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Previously Approved Development	Business & Office and Medium High Density Residential	5,878	528	536
Proposed Development	Town Center	7,336	465	625

As can be seen from the table above, the proposed town center land use designation generates decreased a.m. peak hour trips, increased pm peak hour trips and increased daily trips. The applicant will be required, through the site plan review process, to provide a detailed Traffic Study and to propose access, circulation, safety and transit improvements to accommodate the increased trips.

School Impacts - The application has been provided for comment to the Miami Dade County Public Schools in accordance with the Interlocal Agreement entered into between the City and the Schools in February of 2003. Also in accordance with the Interlocal Agreement, the Public Schools has been invited as a non-voting member of the Local Planning Agency for this application.

The School’s Preliminary Concurrency Analysis dated October 18, 2013 is attached as Exhibit #5. This analysis notes that, at this time, all three public school levels, that is, elementary, middle and senior high public school, have sufficient capacity available for this proposal. Final determination of public school concurrency will be made by the School Board at the time of final site plan approval.



BERCOW RADELL & FERNANDEZ
ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: 305-377-6238
E-MAIL: mmarrero@brzoninglaw.com

VIA FACSIMILE AND E-MAIL

October 9, 2013

Ms. Joanne Carr
Community Development Director
City of Aventura
19200 West Country Club Drive, 4th Floor
Aventura, Florida 33180

Re: Amendment to Official Zoning Map re Waterways Town Square

Dear Joanne:

This law firm represents Aventura Land Ventures, LLC (the "Applicant"), with regard to an application to amend the City of Aventura Zoning Map and Future Land Use Map for the assemblage of properties at the SW corner of NE 207 Street and 30th Avenue (the "Property") to be designated as Town Center in the Future Land Use Map and TC3 in the Zoning Map.

The Applicant recently acquired the Property, which was the subject of prior approvals for City Place at Aventura. The prior project included a mix of residential and commercial uses and remains zoned B2 and RMF3A. The Applicants seeks to develop a true mixed use project, with a focus on some uses that have been identified as desirable uses by the Aventura community. These include a high quality Assisted Living Facility and a commercial recreation, as well as a hotel, retail, office and some residential units. On October 1, 2013, the City Commission adopted an amendment to its Land Development Regulations to create the TC3 zoning district, which the Applicant seeks to rezone to.

Section 33-77(f) of the City Code provides standards that staff and the City Commission shall consider when reviewing proposed amendments to City's Official Zoning Map. The Applicant's request addresses each of the standards as follows:

Exhibit #1
01-REZ-14

- (1) **The proposed amendment is consistent with goals, objectives and policies of the City's Comprehensive Plan.**

Presently, the Property is designated as Business and Office and Medium-High Density Residential on the Future Land Use Map. Concurrent with the rezoning request, the Applicant also seeks a redesignation to Town Center in the Future Land Use Map. With that requested designation, the proposed amendment would be consistent with the City's Comprehensive Plan.

- (2) **The proposed zoning district is compatible with the surrounding area's zoning designation(s) and existing uses.**

The Property is generally surrounded by commercial uses to the south, north and west and with residential uses to the east. Therefore, a mixed use development would be compatible in the center of all of these uses.

- (3) **The subject property is physically suitable for the uses permitted in the proposed district.**

The location and size of the Property make it especially suitable for a mixed use development, such as is contemplated with the TC3 zoning district.

- (4) **There are sites available in other areas currently zoned for such use.**

The City does not really contain a current size with the available amount of aggregated parcels which would make a true mixed use development such as this feasible. More importantly, there are no areas in the City currently zoned for this use because the zoning district was just adopted on October 1, 2013.

- (5) **If applicable, the proposed change will contribute to redevelopment of an area in accordance with an approved redevelopment plan.**

Not applicable.

- (6) **The proposed change would adversely affect traffic patterns or congestion.**

Upon site plan approval, the Applicant will submit a traffic study, if required, to address any traffic impacts and would mitigate impacts as necessary.

- (7) **The proposed change would adversely impact population density such that the demand for water, sewers, streets, recreational areas and facilities, and other public facilities and services would be adversely affected.**

The Applicant does not anticipate any adverse impacts to the City's infrastructure as a result of its development of the Property. Nevertheless, these issues can be further reviewed upon site plan submittal.

- (8) **Whether the proposed change would have an adverse environmental impact on the vicinity.**

The Applicant does not anticipate any adverse environmental impact with the development of the Property. Further, the Applicant intends to incorporate some environmentally friendly elements to the project.

- (9) **Whether the proposed change would adversely affect the health, safety, and welfare of the neighborhood or the City as a whole.**

The development of this long-vacant parcel is only expected to enhance safety and welfare within the surrounding area.

For all the foregoing reasons, the applicant respectfully requests your department's favorable review and recommendation of this application. Should you have any questions, comments, or require additional information, please do not hesitate to phone my direct line at (305) 377-6238.

Sincerely yours,



Michael J. Marrero

RESOLUTION NO. 2006-61

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA ABANDONING THAT PORTION OF NE 206 STREET BETWEEN BLOCKS 17 AND 18 ON THE PLAT OF HALLANDALE PARK NO. 8, THE 10 FOOT WIDE ALLEYWAYS IN BLOCK 18 AND A PORTION OF THE 10 FOOT WIDE ALLEY ADJACENT TO LOTS 1 & 42 IN BLOCK 17 ON THE PLAT OF HALLANDALE PARK NO. 8 AND THAT PORTION OF NE 207 STREET LYING NORTH OF BLOCK 18 ON THE PLAT OF HALLANDALE PARK NO. 8 AND LYING 81 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF WATERWAYS BOULEVARD ON THE PLAT OF AVENTURA CORPORATE CENTER; PROVIDING FOR RECORDATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Applicant, Aventura Land Trust LLC and Aventura Land Trust 2 LLC, through Application No. 01-AR-06, has requested abandonment of that portion of NE 206 Street lying between Block 17 and 18 on the plat of Hallandale Park No. 8, the ten foot wide alley in Block 18 and adjacent to Lots 1 & 42 in Block 17 on the plat of Hallandale Park No. 8 and a portion of NE 207 Street lying north of Block 18 on the plat of Hallandale Park No. 8 and 81 feet south of and parallel with the north line of Waterways Boulevard on the plat of Aventura Corporate Center, containing a total of approximately 1.466 acres; and

WHEREAS the Applicant has proffered to the City the sum of \$750,000.00 as an impact offset to compensate the City for loss of potential landscape corridor resulting from the abandonment of such rights of way and alleyways and the City Commission has accepted such proffer; and

WHEREAS, following proper notice, the City Commission has held a public hearing as provided by law;

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

Section 1. Application No. 01-AR-06 for abandonment of that portion of NE 206 Street lying between Block 17 and 18 on the plat of Hallandale Park No. 8, the ten foot wide alley in Block 18 and adjacent to Lots 1 & 42 in Block 17 on the plat of Hallandale Park No. 8 and a portion of NE 207 Street lying north of Block 18 on the plat of Hallandale Park No. 8 and 81 feet south of and parallel with the north line of Waterways Boulevard on the plat of Aventura Corporate Center, containing a total of approximately 1.466 acres legally described in Exhibits "A", "B", "C" and "D" respectively to this Resolution, is hereby granted as in the public interest, subject to the following conditions precedent:

1. That the applicant record a Unity of Title or Declaration of Restrictions in lieu of Unity of Title in form satisfactory to the City Attorney to join the abandoned rights of way and alleys with the abutting land owned by the applicant, or, in the alternative, apply for and obtain a replat which combines the property and the abandoned rights of way and alleys as one parcel.
2. That the applicant record a covenant, in form satisfactory to the City Attorney, that the abandoned portion of right of way of NE 207 Street and the abandoned portion of right of way lying south of Waterways Boulevard be preserved as landscaped open space and maintained as such for perpetuity by the owner and that the only structures permitted on this portion of abandoned right of way be

public amenities such as paved walkways, benches, fountains, lighting fixtures and trash receptacles.

3. That the applicant dedicate an easement to the agencies having jurisdiction over the existing water and sewer lines in the abandoned portion of NE 207 Street.

4. That the applicant provide to the City the proffered funds as described in the recitals of this Resolution.

Section 2. The City Manager is authorized to indicate such approvals and conditions upon the records of the City.

Section 3. This Resolution shall be recorded in the Public Records of Miami-Dade County, Florida, with the petitioner to pay the costs thereof.

Section 4. This Resolution shall become effective immediately upon its adoption.

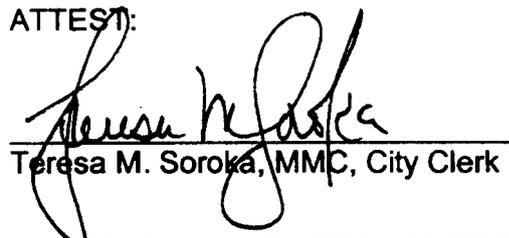
The foregoing Resolution was offered by Commissioner Joel, who moved its adoption. The motion was seconded by Vice Mayor Holzberg, and upon being put to a vote, the vote was as follows:

Commissioner Zev Auerbach	yes
Commissioner Billy Joel	yes
Commissioner Bob Diamond	yes
Commissioner Michael Stern	yes
Commissioner Harry Holzberg	yes
Commissioner Luz Urbaz Weinberg	yes
Mayor Susan Gottlieb	yes

PASSED AND ADOPTED this 3rd day of October, 2006.


Susan M. Gottlieb, Mayor

ATTEST:


Teresa M. Soroka, MMC, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY:


CITY ATTORNEY

This Resolution was filed in the Office of the City Clerk this 4th day of October, 2006.

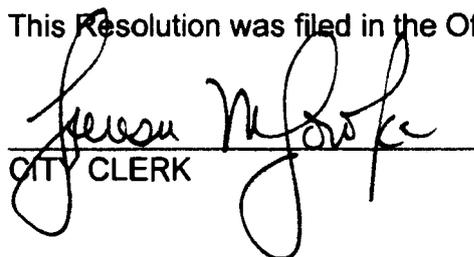

CITY CLERK

Exhibit A

LEGAL DESCRIPTION:

That portion of N.E. 206TH Street (Sunset Boulevard) being adjacent to Block 17 and Block 18 Hollandale Park No. 8 plat book 20, page 49 Public Records of Miami-Dade County, Florida, lying and being in Section 34, Township 51 South, Range 42 East City of Aventura, Miami-Dade County Florida and being more particularly described as follows:

Commence at the Southwest corner of Lot 26 of said Block 17; thence N00°56'26"W along the west line of said Block 17, also being the east right-of-way line of N.E. 29th Avenue (Harvard Avenue as shown on said plat book 20, page 49) for 76.88 feet to the POINT OF BEGINNING of the tract land hereinafter to be described; thence continue N00°56'26"W along said east right-of-way line of N.E. 29th Avenue (Harvard Avenue) for 100.02 feet to a point of cusp; the following three (3) courses being along the southerly line of said block 18, (1) thence southeasterly along a 25.00 foot radius curve leading to the left through a central angle of 88°55'37" for an arc of 38.80 feet to a point of tangency; (2) thence S89°52'03"E for 559.89 feet to a point of curvature; (3) thence northeasterly along a 25.00 foot radius curve leading to the left through a central angle of 91°00'27" for an arc of 39.71 feet to a point of cusp; thence S00°52'30"E along the southerly projection of the east line of said block 18, said line also being the west right-of-way of N.E. 30th Avenue (Dixie Highway as shown on said plat book 20, page 49) for 100.02 feet to a point of cusp; the following three (3) course leading along the northerly line of said block 18, (1) thence northwesterly along a 25.00 foot radius curve leading to the left through a central angle of 88°59'33" for an arc of 38.83 feet to a point of tangency; (2) thence N89°52'03"W for 559.77 feet to a point of curvature; (3) thence southwesterly along a 25.00 foot radius curve leading to the left through a central angle of 91°04'23" for an arc of 39.74 feet to the POINT OF BEGINNING.

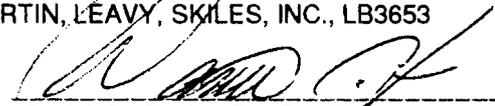
SURVEYOR'S NOTES:

- This site lies in Section 34, Township 51 South, Range 42 East, City of Aventura, Miami-Dade County, Florida.
- Bearings hereon are referred to an assumed value of S89°52'03"E for the north line of said Block 17.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of records.
- This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.
- Lands shown hereon containing 31,029 square feet, or 0.712 acres, more or less.
- Dimensions shown hereon are based on Fortin, Leavy, Skiles, Sketch #297D-153-1.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Sketch of Description" was made under my responsible charge on February 24, 2004, and meets the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

FORTIN, LEAVY, SKILES, INC., LB3653

By: 

Daniel C. Fortin, For The Firm
Surveyor and Mapper, LS2853
State of Florida.

Drawn By DWF

Cad. No. 000600

Ref. Dwg. 297D-153-1

Plotted: 2/24/04

DESCRIPTION, NOTES, & CERTIFICATION

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS AND MAPPERS
180 Northeast 168th. Street / North Miami Beach, Florida. 33162
Ph. 305-653-4493 / Fax 305-651-7152

Date 2/24/04

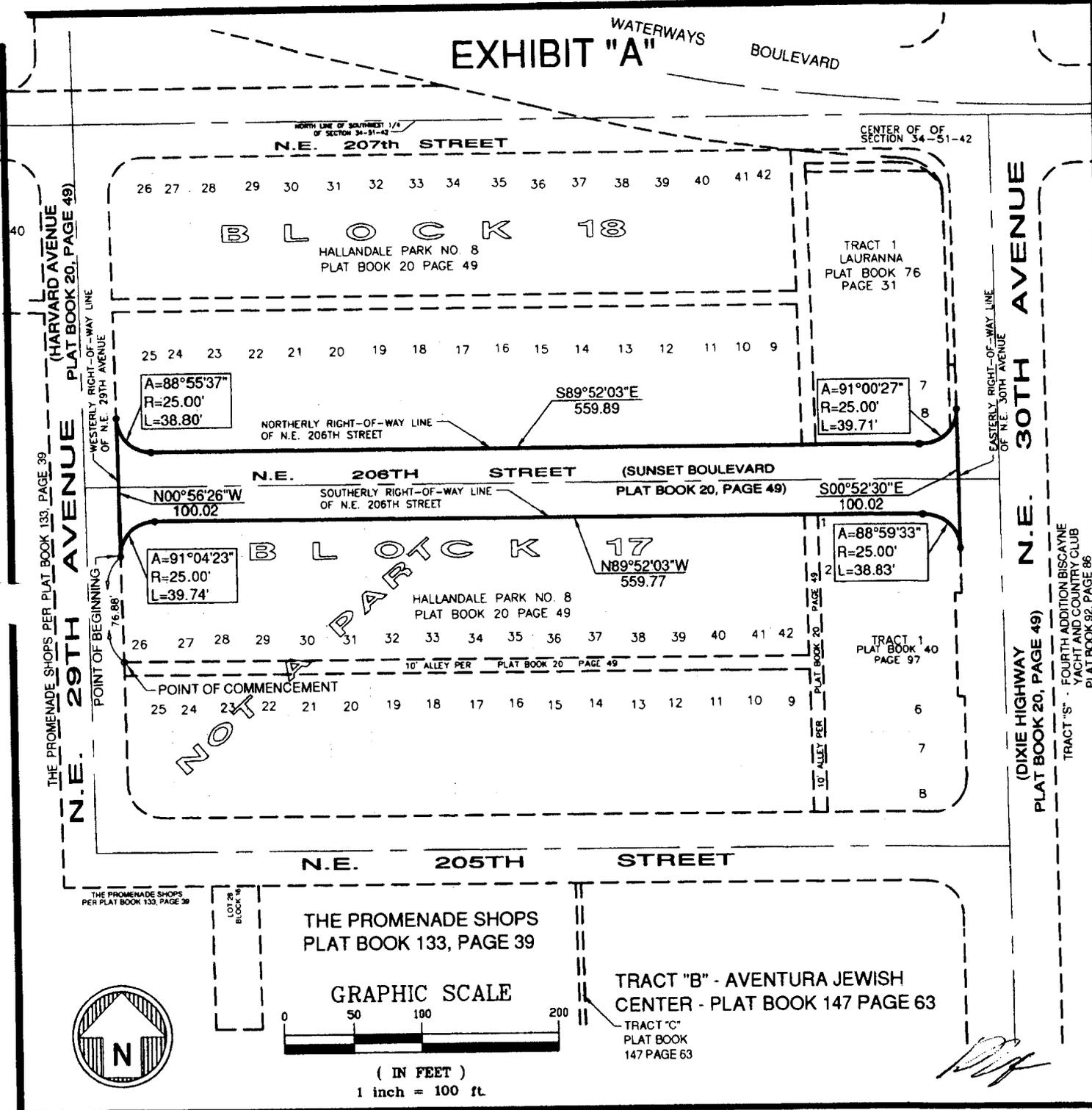
Scale NOT TO SCALE

Job. No. 040342

Dwg. No. 1000A-035-C

Sheet 1 of 2

EXHIBIT "A"



Drawn By	DWF
Cad. No.	000600
Ref. Dwg.	2970-153-1
Plotted:	2/24/04

SKETCH OF DESCRIPTION

FORTIN, LEAVY, SKILES, INC.
 CONSULTING ENGINEERS, SURVEYORS AND MAPPERS
 180 Northeast 188th. Street / North Miami Beach, Florida. 33162
 Ph. 305-653-4493 / Fax 305-651-7152

Date	2/24/04
Scale	1"=100'
Job. No.	040342
Dwg. No.	1000A-035-C
Sheet	2 of 2

Exhibit B

LEGAL DESCRIPTION:

10 foot alley within Block 18, HALLANDALE PARK NO. 8, according to the plat thereof, as recorded in Plat Book 20 at Page 49 of the Public Records of Miami-Dade County, Florida, lying and being in the City of Aventura and being more particularly described as follows:

Begin at the Southwest corner of Lot 26 of said Block 18; thence South 89°51'13" East along the South line of Lots 26 through 42 of said Block 18 for 500.02 feet to the Southeast corner of said Lot 42, Block 18; thence North 00°52'30" West along the East line of said Lot 42 for 102.23 feet to the Northwest corner of said Lot 42; thence South 89°50'24" East along the South right-of-way line of N.E. 207th Street as shown on said Plat Book 20 at Page 49 for 10.00 feet; thence South 00°52'30" East along the Westerly line of Lots 7 and 8 of said Block 18 and also along the West line of Tract 1 of LAURANNA according to the plat thereof as recorded in Plat Book 76 at Page 31 of said Public Records of Miami-Dade County, Florida, for 204.46 feet to the Southwest corner of said Lot 8; thence North 89°52'03" West along the North right-of-way line of N.E. 206th Street as shown on said Plat Book 20 at Page 49 for 10.00 feet to the Southeast corner of Lot 9 of said Block 18; thence North 00°52'30" West along the East line of said Lot 9, Block 18 for 102.23 feet to the Northeast corner of said Lot 9; thence North 89°51'13" West along Lots 9 through 25 of said Block 18 for 500.01 feet to the Northwest corner of said Lot 25; thence North 00°56'26" West along the East right-of-way line of N.E. 29th Avenue as shown on said Plat Book 20 at Page 49 for 10.00 feet to the Point of Beginning.

SURVEYOR'S NOTES:

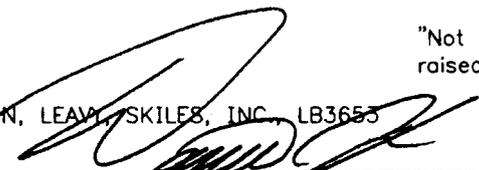
- This site lies in Section 34, Township 51 South, Range 42 East, City of Aventura, Miami-Dade County, Florida.
- Bearings hereon are referred to an assumed value of S89°52'03"E for the north right-of-way line of N.E. 206th Street.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of records.
- This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.
- Lands shown hereon containing 7,145 square feet, or 0.164 acres, more or less.
- Dimensions shown hereon are based on Fortin, Leavy, Skiles, sketch # 297D-153.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Sketch of Description" was made under my responsible charge on March 29, 2004, and meets the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper"

FORTIN, LEAVY, SKILES, INC. LB3655

By: 
Daniel C. Fortin, For The Firm
Surveyor and Mapper, LS2853
State of Florida.

Drawn By	DWF
No.	040621
Ref. Dwg.	297D-153
Plotted:	9/14/06 10:50a

DESCRIPTION, NOTES & CERTIFICATION

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
 FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
 180 Northeast 168th. Street / North Miami Beach, Florida. 33162
 Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com

Date	3/29/04
Scale	NONE
Job. No.	040621
Dwg. No.	1004-048
Sheet	1 of 3

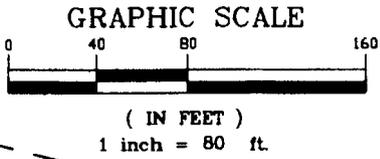
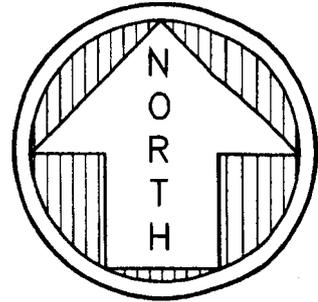


EXHIBIT "A"

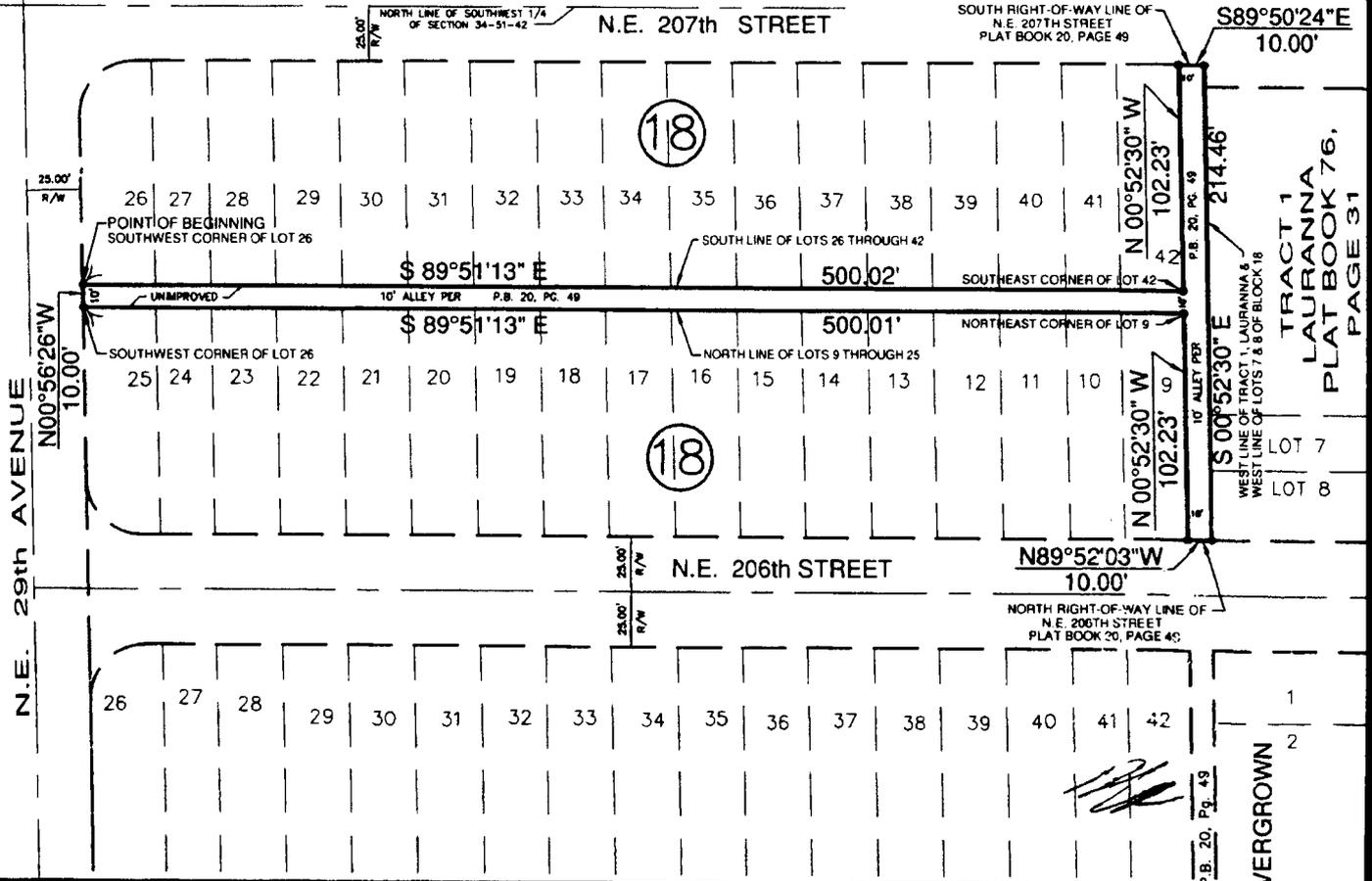


BISCAYNE WATERWAYS FIRST ADDITION
PER PLAT BOOK 126, PAGE 18

WATERWAYS

BOULEVARD

NORTHERLY RIGHT-OF-WAY
LINE OF NE 207 STREET



Drawn By	DWF
Cad. No.	040621
Ref. Dwg.	297D-153
Plotted:	4/1/04

SKETCH OF DESCRIPTION

FORTIN, LEAVY, SKILES, INC.
 CONSULTING ENGINEERS, SURVEYORS & MAPPERS
 FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
 180 Northeast 168th. Street / North Miami Beach, Florida. 33162
 Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

Date	3/29/04
Scale	1"=80'
Job. No.	040621
Dwg. No.	1004-048
Sheet	2 of 3

Exhibit C

LEGAL DESCRIPTION:

That portion of a 10 foot alley adjacent to Lot 1 & Lot 42, Block 17 Hallandale Park No. 8 plat book 20, page 49 Public Records of Miami-Dade County, Florida, lying and being in Section 34, Township 51 South, Range 42 East City of Aventura, Miami-Dade County Florida and being more particularly described as follows:

Begin at the northwest corner of said Lot 1; thence S00°52'30"E along the west line of said Lot 1 for 32.21 feet; thence N89°52'15"W along the westerly extension of the southerly line of said Lot 1 for 10.00 feet; thence N00°52'30"W along the easterly line of said Lot 42 for 32.22 feet to the northeast corner of said Lot 42; thence S89°52'03"E along the southerly right-of-way line of N.E. 206th street as shown on said plat of Hallandale Park No. 8 for 10.00 feet to the point of beginning.

SURVEYOR'S NOTES:

- This site lies in Section 34, Township 51 South, Range 42 East, City of Aventura, Miami-Dade County, Florida.
- Bearings hereon are referred to an assumed value of S89°52'03"E for the north line of Block 17.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of records.
- This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.
- Lands shown hereon containing 322 square feet, or 0.007 acres, more or less.
- Dimensions shown hereon are based on Fortin, Leavy, Skiles, Sketch #297D-153-1.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Sketch of Description" was made under my responsible charge on February 23, 2004, and meets the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

FORTIN, LEAVY, SKILES, INC., LB3653

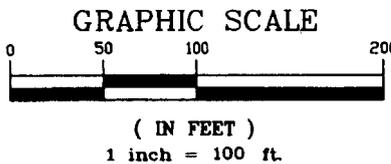
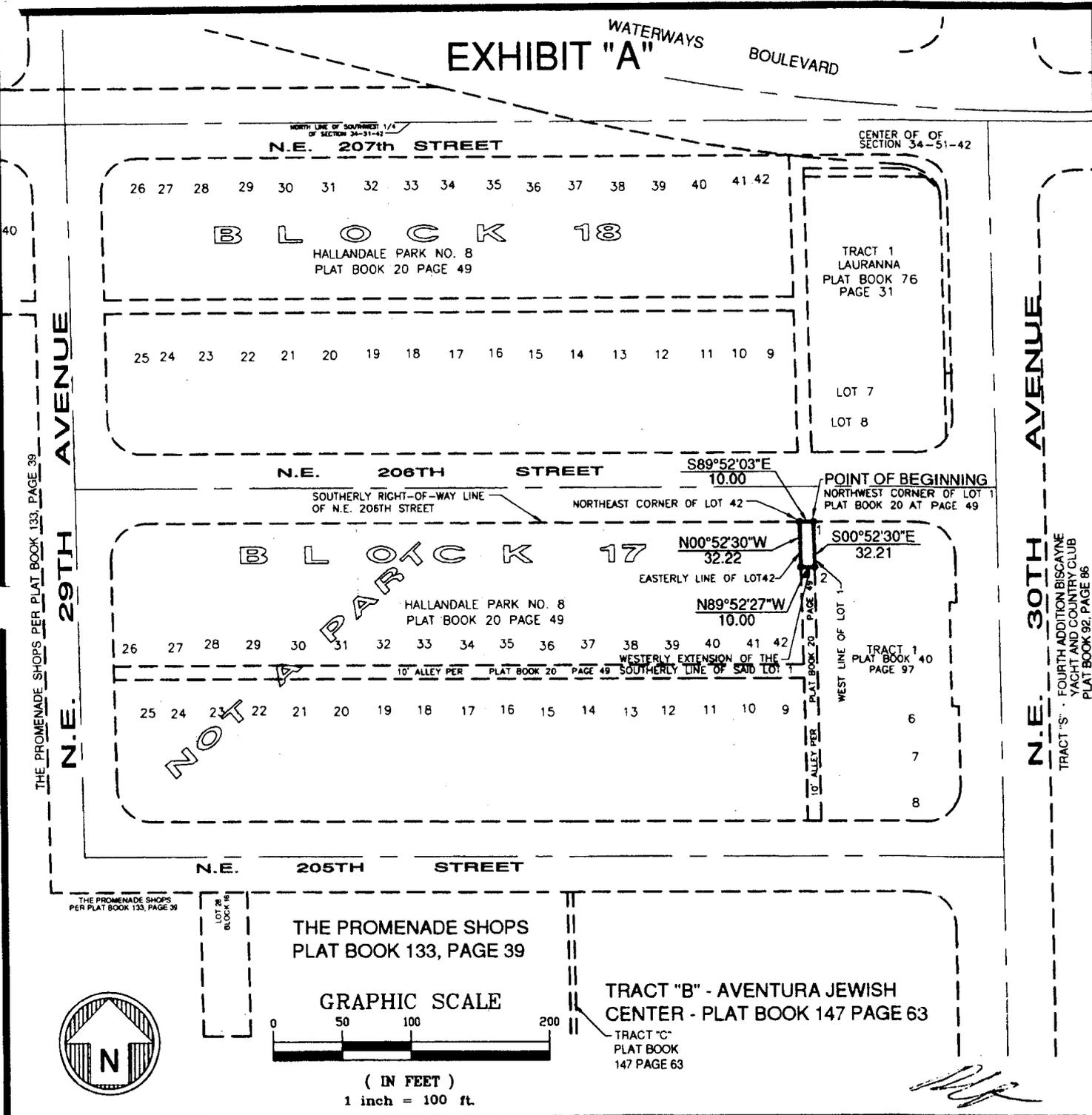
By: 

Daniel C. Fortin, For The Firm
Surveyor and Mapper, LS2853
State of Florida.

Drawn By DWF	DESCRIPTION, NOTES, & CERTIFICATION	Date 2/23/04
Cad. No. 000600		Scale NOT TO SCALE
Ref. Dwg. 297D-153-1		Job. No. 040319
Plotted: 2/23/04		Dwg. No. 1000A-035-B
FORTIN, LEAVY, SKILES, INC. CONSULTING ENGINEERS, SURVEYORS AND MAPPERS 180 Northeast 168th Street / North Miami Beach, Florida. 33162 Ph. 305-853-4493 / Fax 305-651-7152		Sheet 1 of 2

EXHIBIT "A"

WATERWAYS BOULEVARD



Drawn By	DWF
Cad. No.	000600
Ref. Dwg.	297D-153-1
Plotted:	2/23/04

SKETCH OF DESCRIPTION

FORTIN, LEAVY, SKILES, INC.
 CONSULTING ENGINEERS, SURVEYORS AND MAPPERS
 180 Northeast 188th. Street / North Miami Beach, Florida. 33162
 Ph. 305-653-4493 / Fax 305-651-7152

Date	2/23/04
Scale	1"=100'
Job. No.	040319
Dwg. No.	1000A-035-B
Sheet	2 of 2

Exhibit D

LEGAL DESCRIPTION:

A portion of land bounded by on the North by a line 81.00 feet South of and parallel or concentric with the North line of Waterways Boulevard as shown on AVENTURA CORPORATE CENTER, according to the plat thereof, as recorded in Plat Book 158, Page 47, and bounded on the South by the North line of Block 18, HALLANDALE PARK NO. 8, according to the plat thereof, as recorded in Plat Book 20 at Page 49, all being of the Public Records of Miami-Dade County, Florida, lying and being in the City of Aventura and being more particularly described as follows:

Commence at the Southwest corner of Lot 26, of said Block 18; thence N00°56'26"W along the East right of way line of N.E. 29th Avenue as shown on said Plat Book 20 at Page 49, also being the West line of said Block 18 for 76.87 feet to a point of curvature and the most Westerly Northwest corner of said Lot 26, also being the POINT OF BEGINNING of the hereinafter described parcel of land; thence Northeasterly along a 25.00 foot radius curve, leading to the right, through a central angle of 91°06'02" for an arc distance of 39.75 to a point of tangency; thence S 89°50'24" E along the North line of said Block 18 and the Easterly extension thereof for 474.99 feet to a point on a circular curve, concave to the Northeast and whose radius point bears N06°44'26"E, the following two courses being along a line 81.00 feet South of and parallel or concentric with said North line of Waterways Boulevard; (1) thence Northwesterly along a 1519.00 foot radius curve leading to the right, through a central angle of 07°14'58" for an arc distance of 192.20 feet to a point of tangency; (2) thence N76°00'36"W for 290.40 feet to a point of curvature, thence Southwesterly along a 25.00 foot radius curve, leading to the left, through a central angle of 104°55'50" for an arc distance 45.78 feet to a point of tangency; thence S00°56'26"E along the Northerly extension of the said East right of way line of N.E. 29th Avenue for 104.19 feet to the POINT OF BEGINNING.

SURVEYOR'S NOTES:

- This site lies in Section 34, Township 51 South, Range 42 East, City of Aventura, Miami-Dade County, Florida.
- Bearings hereon are referred to an assumed value of S89°50'24"E for the North line of said Block 18.
- This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.
- Lands shown hereon containing 25,382 square feet, or 0.583 acres, more or less.
- Dimensions shown hereon are based on Fortin, Leavy, Skiles, sketch # 297D-153.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Sketch of Description" was made under my responsible charge on May 26, 2004, and meets the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper"

FORTIN, LEAVY, SKILES, INC., LB3653

By: _____

Daniel C. Fortin, For The Firm
Surveyor and Mapper, LS2853
State of Florida.

LEGAL DESCRIPTION

Drawn By	ACS
Cad. No.	040621-1
Ref. Dwg.	297D-153
Plotted:	6/8/04 3:58p

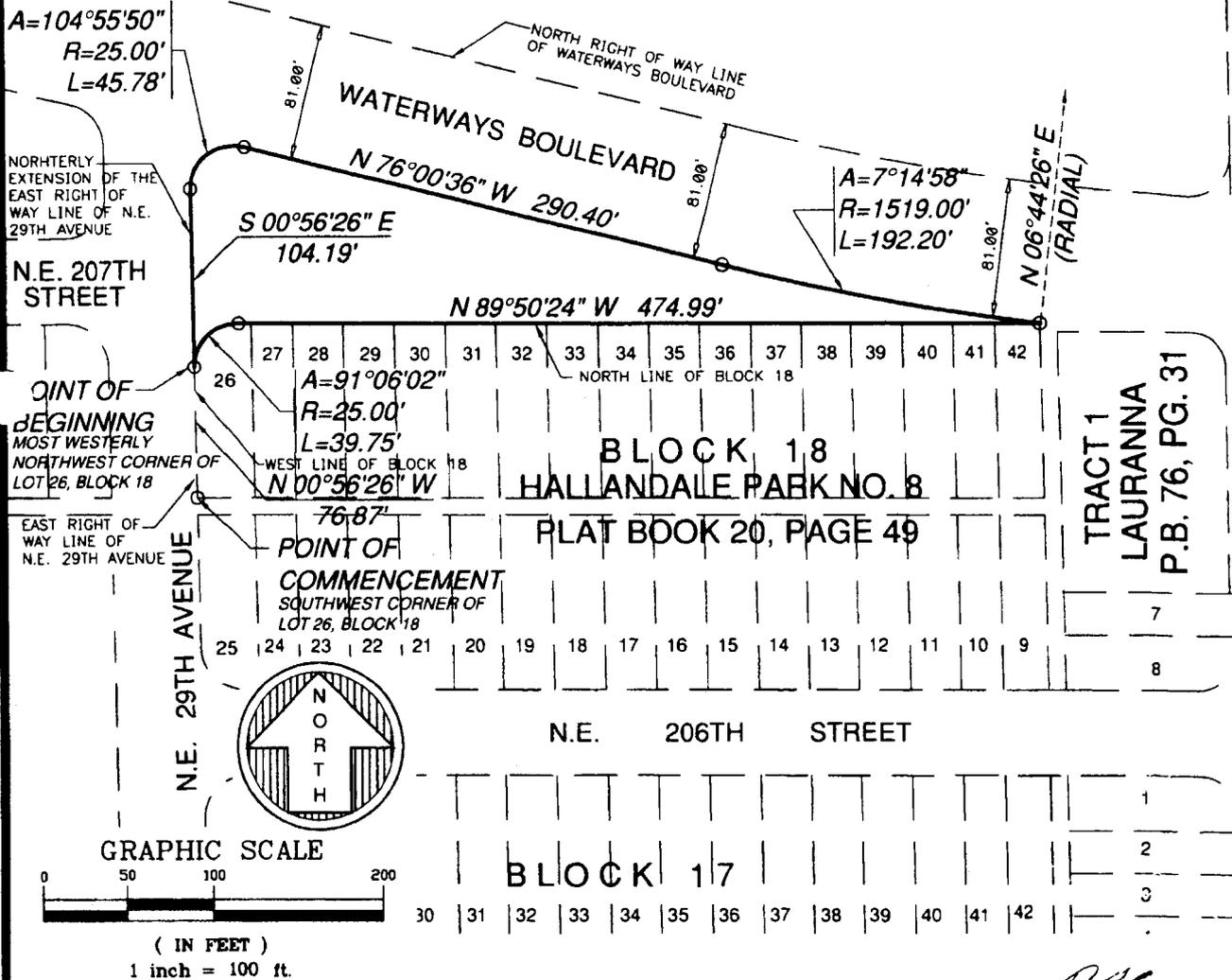
DESCRIPTION, NOTES, & CERTIFICATION

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th. Street / North Miami Beach, Florida. 33162
Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

Date	5/26/04
Scale	NO SCALE
Job. No.	040621
Dwg. No.	1004-069-1
Sheet	1 of 2

EXHIBIT "A"

AVENTURA CORPORATE CENTER
PLAT BOOK 158, PAGE 47



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

Drawn By	ACS
Cad. No.	040621-1
Ref. Dwg.	297-153
Plotted:	6/8/04 3:58p

SKETCH OF DESCRIPTION

FORTIN, LEAVY, SKILES, INC.
 CONSULTING ENGINEERS, SURVEYORS & MAPPERS
 FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
 180 Northeast 168th. Street / North Miami Beach, Florida. 33162
 Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

Date	5/26/04
Scale	1" = 100'
Job. No.	040621
Dwg. No.	1004-069-1
Sheet	2 of 2

BROWARD COUNTY
DADE COUNTY

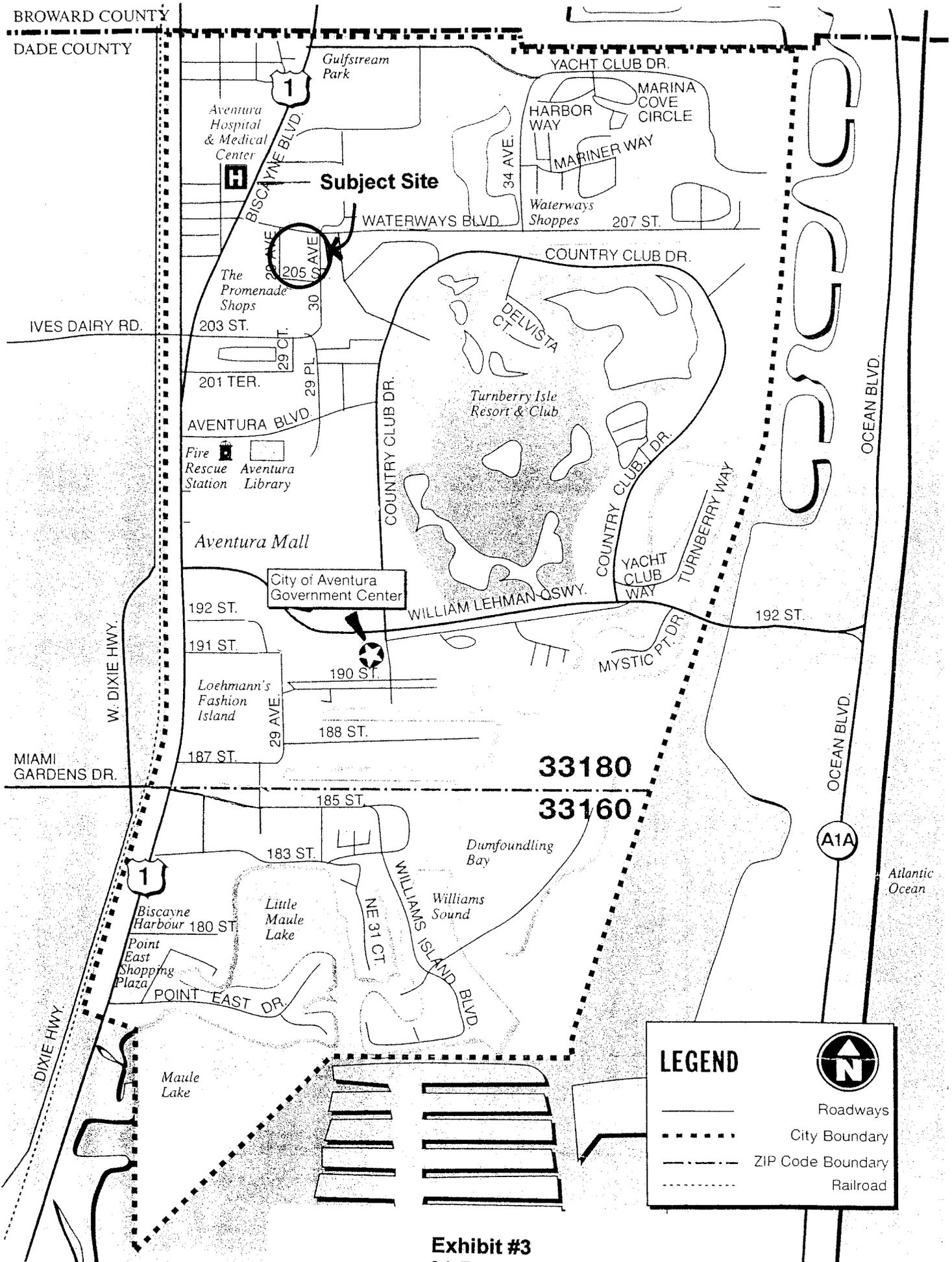


Exhibit #3
01-REZ-14

DAVID PLUMMER & ASSOCIATES

TRANSPORTATION • CIVIL • STRUCTURAL • ENVIRONMENTAL

1750 PONCE DE LEON BOULEVARD, CORAL GABLES, FLORIDA 33134
305 447-0900 • FAX: 305 444-4986 • EMAIL: DPA@DPLUMMER.COM

October 28, 2013

Mr. Victor Ballestas
Integra Solutions
150 NE 2nd Avenue, Suite 701
Miami, FL 33133
Phone: 305-774-0110
Mobile: 305-773-5896
E-mail: vb@integrafl.com

RE: ParkSquare Aventura Traffic Engineering Services - #13114

Dear Mr. Ballestas,

The ParkSquare Aventura project is located on the south side of Waterways Boulevard between NE 29th and NE 30th Avenues in Aventura, Florida. Exhibit 1 shows the approved development program. The purpose of this letter is to conduct a trip generation comparison between the previously approved project for the site and the new development program.

Exhibit 1 Approved Development Program

Land Use	Size
Office	142,248 Square Feet
Bank	4,923 SF Square Feet
Specialty Retail	17,393 Square Feet
Hotel	198 Rooms
Coffee Shop	992 Square Feet
Bowling Alley	18 Lanes
Apartment	104 Dwelling Units

Currently, the applicant is seeking to change the development plan. The proposed development program is shown in Exhibit 2.

**Exhibit #4
01-REZ-14**



**Exhibit 2
Proposed Development Program**

Land Use	Size
Specialty Retail	34,429 Square Feet of Gross Floor Area
Quality Restaurant	21,516 SF GFA of Gross Floor Area
Office	151,601 Square Feet of Gross Floor Area
Hotel	230 Rooms
Apartment	145 Dwelling Units
Assisted Living Facility	199 Beds

A trip generation analysis was conducted to determine the trips generated by the previous development program compared to the proposed project. The trip generation analysis was based on rates and/or equations from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition, and obtained using the TripGen 2013 software. Worksheets are provided in *Attachment A*.

ITE recognizes that data obtained to establish trip generation rates and/or equations is collected at single-use, free-standing sites, and that mixed-use developments provide a potential for interaction of trips within the site, which must be accounted for separately. This will be a mixed-use project and the design will incorporate an internal road system to serve both automobiles and pedestrian and facilitate interaction of trips within the site, resulting in some satisfied on-site (*internal trips*). Internalization between the proposed uses was established based on the guidelines in ITE's *Trip Generation Manual User's Guide and Handbook*. Internalization worksheets are included in *Attachment A*.

Research shows that a percentage of retail trips to and from a site are "pass-by" trips. ITE describes *pass-by* as trips "attracted from traffic passing the site on an adjacent street". *Pass-by* trips are already using the existing roadway network. *Pass-by* trips were established based on the guidelines in the FDOT's *Site Impact Handbook*.

A review of transit availability in the vicinity of the project site indicates that several transit routes serve the area within 1 mile. A 5% deduction for mode split was used to consider other modes of transportation. Adjustments made to the trip generation estimates obtained using ITE trip generation rates



Mr. Victor Ballestas

RE: ParkSquare Aventura Traffic Engineering Services - #13114

Page 3

and/or equations are consistent with the adjustments used in the traffic study performed for the previously approved land uses. Exhibit 3 provides a summary the trip generation summary for the approved and proposed site plans. Trip generation/internalization worksheets are included in *Attachment A*.

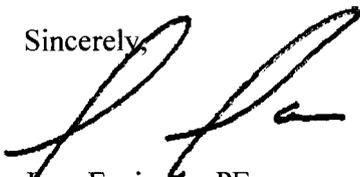
**Exhibit 3
Project Trip Generation Summary**

Scenario	Weekday AM Peak Hour Vehicle Trips	Weekday PM Peak Hour Vehicle Trips
Approved Uses	528	536
Proposed Uses	465	625
Trip Difference	-63	89
% Trips Reduction	-12%	16%

The results of the trip generation analysis show decreases in net new external vehicular traffic for the AM peak hours from the previously approved land use plan. An increase is anticipated on a daily basis and PM peak hour. Based on this, it can be concluded that the proposed uses will have no additional impact to the adjacent roadway network than those in the approved traffic study.

We stand ready to provide any support needed for this project. Should you have any questions or comments, please call me at (305) 447-0900.

Sincerely,



Juan Espinosa, PE
Vice-President – Transportation

Attachments

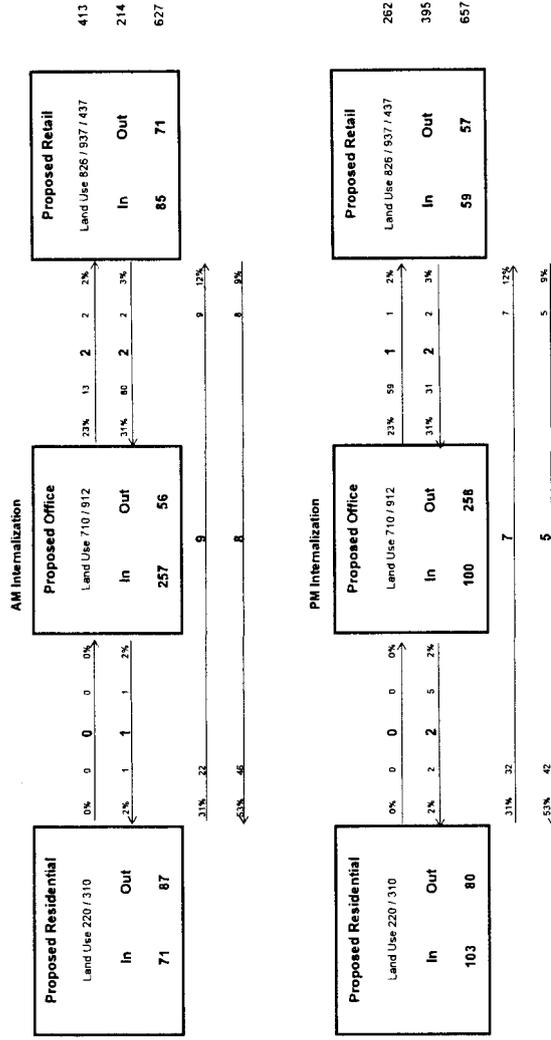
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ATTACHMENT A

City Place at Aventura Approved Trip Generation Net New Trips

Approved Land Use	Number of Units	Daily	AM Peak ¹			PM Peak ¹			Total
			In	Out	Total	In	Out	Total	
Office (Land Use 710)	142,248 GSF	1,716	223	31	254	40	198	238	
Bank (Land Use 912)	4,923 SF	729	34	25	59	60	60	120	
Retail (Land Use 926)	17,393 GLSF	771	0	0	0	21	26	47	
Coffee Shop (Land Use 937)	992 SF	812	51	49	100	21	21	42	
Bowling Alley (Land Use 437)	18 Lanes	600	34	22	56	17	10	27	
Hotel (Land Use 310)	198 Rooms	1,618	61	44	105	61	58	119	
Apartment (Land Use 220)	104 DUs	692	10	43	53	42	22	64	
ITE Trip Generation		6,938	413	214	627	262	395	657	
Internalization	Office (Land Use 710)	-102			-4			-3	
	Bank (Land Use 912)	-43			-1			-2	
	Retail (Land Use 926)	-46			0			-6	
	Coffee Shop (Land Use 937)	-48			-13			-5	
	Bowling Alley (Land Use 437)	-36			-7			-4	
	Hotel (Land Use 310)	-96			-11			-9	
	Apartment (Land Use 220)	-41			-6			-5	
		-6%	-412	-21	-21	-42	-17	-17	-34
	External Trips		6,526	392	193	585	245	378	623
	Pass-by Trips (Bank) ²	47%	-322	-18	-9	-27	-22	-34	-56
Transit/Pedestrian Trips	5%	-326	-20	-10	-30	-12	-19	-31	
Net New External Trips		6,878	354	174	528	211	325	638	

¹The Institute of Transportation Engineers (ITE), Trip Generation manual, Ninth Edition
²The Generalized Land Use, published by ITE in March 2001.



ATTACHMENT A

Waterways Town Center Proposed Trip Generation Net New Trips

Approved Land Use	Number of Units	Daily	AM Peak ¹			PM Peak ¹			Total
			In	Out	Total	In	Out	Total	
Retail (Land Use 826)	34,429 SF	1,526	0	0	0	41	52	93	
Quality Restaurant (Land Use 931)	21,516 SF	1,935	0	0	0	108	53	161	
Office (Land Use 710)	151,601 SF	1,801	235	32	267	42	206	248	
Hotel (Land Use 310)	230 Rooms	1,879	71	51	122	71	67	138	
Apartment (Land Use 220)	145 DUs	964	15	59	74	58	32	90	
Assisted Living Facility (Land Use 255)	199 Beds	529	18	10	28	20	24	44	
ITE Trip Generation		8,624	339	152	491	340	434	774	
Internalization	Retail (Land Use 826)	-3			0			-8	
	Quality Restaurant (Land Use 931)	-4			0			-13	
	Office (Land Use 710)	-4			-1			-7	
	Hotel (Land Use 310)	-4			-1			-10	
	Apartment (Land Use 220)	-2			0			-7	
	Assisted Living Facility (Land Use 255)	-1			0			-3	
	-3%	-17	-1	-1	-2	-24	-24	-48	
External Trips		8,617	338	161	488	316	410	726	
Pass-by Trips (Restaurant) ²	44%	-850	0	0	0	-28	-37	-65	
Transit/Pedestrian Trips	5%	-431	-17	-8	-24	-16	-21	-36	
Net New External Trips		7,336	321	144	465	272	353	625	

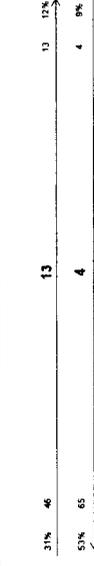
AM Internalization

Proposed Residential Land Use 220 / 310 / 254	Proposed Office Land Use 710	Proposed Retail Land Use 826 / 931
In: 104	In: 235	In: 0
Out: 120	Out: 32	Out: 0



PM Internalization

Proposed Residential Land Use 220 / 310 / 254	Proposed Office Land Use 710	Proposed Retail Land Use 826 / 931
In: 149	In: 42	In: 41
Out: 123	Out: 206	Out: 105



¹The Institute of Transportation Engineers (ITE) Trip Generation Manual, 8th Edition
² ITE Generation Manual, User's Guide and Handbook, published by ITE

Summary of Multi-Use Trip Generation
Average Weekday Driveway Volumes (Unadjusted for Internal Trips)

Project: Park Square Aventura - Approved Project
Phase:

Open Date:
Analysis Date:

Description:

ITE:Land Use	24 Hour Two-Way Volume	AM Pk Hour		PM Pk Hour	
		Enter	Exit	Enter	Exit
710: General Office Building 142.248 Th.Sq.Ft. GFA [E]	1716	223	31	40	198
912: Drive-in Bank 4.923 Th.Sq.Ft. GFA [R]	729	34	25	60	60
826: Specialty Retail Center 17.393 Th.Sq.Ft. GFA [R]	771	0	0	21	26
310: Hotel 198 Rooms [R]	1618	61	44	61	58
937: Coffee/Donut Shop with Drive-Thru .992 Th.Sq.Ft. GFA [R]	812	51	49	21	21
437: Bowling Alley 18 Bowling Lanes [R]	600	34	22	17	10
220: Apartments 104 Dwelling Units [R]	692	10	43	42	22
Total Driveway Volume	6938	413	214	262	395
Total Peak Hour Pass-By Trips		0	0	28	28
Total Peak Hour Vol. Added to Adjacent Streets		413	214	234	367

Note: A zero indicates no data available.
Source: Institute of Transportation Engineers
Trip Generation Manual, 9th Edition, 2012

Summary of Multi-Use Trip Generation
Average Weekday Driveway Volumes (Unadjusted for Internal Trips)

Project: Park Square Aventura - Proposed Project
Phase:

Open Date:
Analysis Date:

Description:

ITE:Land Use	24 Hour Two-Way Volume	AM Pk Hour		PM Pk Hour	
		Enter	Exit	Enter	Exit
826: Specialty Retail Center 34.429 Th.Sq.Ft. GFA [R]	1526	0	0	41	52
931: Quality Restaurant 21.516 Th.Sq.Ft. GFA [R]	1935	0	0	108	53
710: General Office Building 151.601 Th.Sq.Ft. GFA [E]	1801	235	32	42	206
310: Hotel 230 Rooms [R]	1879	71	51	71	67
220: Apartments 145 Dwelling Units [R]	964	15	59	58	32
254: Assisted Living 199 Beds [R]	529	18	10	20	24
<hr/>					
Total Driveway Volume	8634	339	152	340	434
Total Peak Hour Pass-By Trips		0	0	48	23
Total Peak Hour Vol. Added to Adjacent Streets		339	152	292	411

Note: A zero indicates no data available.
Source: Institute of Transportation Engineers
Trip Generation Manual, 9th Edition, 2012



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board
Perla Tabares Hantman, Chair
Dr. Martin Karp, Vice Chair
Dr. Dorothy Bendross-Mindingall
Susie V. Castillo
Carlos L. Curbelo
Dr. Lawrence S. Feldman
Dr. Wilbert "Tee" Holloway
Dr. Marta Pérez
Raquel A. Regalado

October 18, 2013

VIA ELECTRONIC MAIL

Mr. Michael J. Marrero, Esquire
Bercow Radell & Fernandez, P.A.
200 South Biscayne Boulevard, Suite 850
Miami, FL 33131
mmarrero@brzoninglaw.com

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS
WATERWAYS TOWN CENTER – No. 01-CPA-14
LOCATED AT NE 207 STREET AT NE 30 AVENUE, AVENTURA, FLORIDA
PH2813100400889 – FOLIO No.: 2812340064610**

Dear Applicant:

Pursuant to State Statutes and the Interlocal Agreements for Public School Facility Planning in Miami-Dade County, the above-referenced application was reviewed for compliance with Public School Concurrency. Accordingly, enclosed please find the School District's Preliminary Concurrency Analysis (Schools Planning Level Review) for informational purposes only.

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the proposed development would yield a maximum residential density of 147 multi-family units, which generate 26 students; 12 elementary, 7 middle and 7 senior high students. At this time, all three school levels have sufficient capacity available to serve the application. However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. As such, this analysis does not constitute a Public School Concurrency approval.

Should you have any questions, please feel free to contact me at 305-995-4501.

Sincerely,

Iván M. Rodríguez, R.A.
Director IIMR:ir

L-432
Enclosure

cc: Ms. Ana Rijo-Conde, AICP
Ms. Vivian G. Villaamil
City of Aventura
School Concurrency Master File

**Exhibit #5
01-REZ-14**

Facilities Planning, Design and Sustainability
Ana Rijo-Conde, AICP, Deputy Chief Facilities and Eco-Sustainability Officer
1450 N.E. 2nd Ave. • Suite 525 • Miami, FL 33132
305-995-7285 • 305-995-4760 (FAX) • arijo@dadeschools.net



Concurrency Management System (CMS)

Miami Dade County Public Schools

Miami-Dade County Public Schools

**Concurrency Management System
Preliminary Concurrency Analysis**

MDCPS Application Number: PH2813100400889 Local Government (LG): Aventura
 Date Application Received: 10/4/2013 3:27:27 PM LG Application Number: 01-CPA-14
 Type of Application: Public Hearing Sub Type: Land Use
 Applicant's Name: Waterways Town Center
 Address/Location: NE 207 Street at NE 30 Avenue, Aventura
 Master Folio Number: 2812340064610
 Additional Folio Number(s):

PROPOSED # OF UNITS 147
 SINGLE-FAMILY DETACHED UNITS: 0
 SINGLE-FAMILY ATTACHED UNITS: 0
 MULTIFAMILY UNITS: 147

CONCURRENCY SERVICE AREA SCHOOLS						
CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
231	AVENTURA WATERWAYS K-8 CENTER (ELEM COMP)	-64	12	0	NO	Current CSA
231	AVENTURA WATERWAYS K-8 CENTER (ELEM COMP)	0	12	0	NO	Current CSA Five Year Plan
232	AVENTURA WATERWAYS K-8 CENTER (MID COMP)	-11	7	0	NO	Current CSA
232	AVENTURA WATERWAYS K-8 CENTER (MID COMP)	0	7	0	NO	Current CSA Five Year Plan
6241	HIGHLAND OAKS MIDDLE	-5	7	0	NO	Current CSA
6241	HIGHLAND OAKS MIDDLE	0	7	0	NO	Current CSA Five Year Plan
7141	DR MICHAEL M KROP SENIOR	-284	7	0	NO	Current CSA
7141	DR MICHAEL M KROP SENIOR	0	7	0	NO	Current CSA Five Year Plan
ADJACENT SERVICE AREA SCHOOLS						
2441	VIRGINIA A BOONE HIGHLAND OAKS ELEMENTARY	35	12	12	YES	Adjacent CSA
6023	ANDOVER MIDDLE	140	7	7	YES	Adjacent CSA
7381	MIAMI NORLAND SENIOR	580	7	7	YES	Adjacent CSA

*An Impact reduction of 19.5% included for charter and magnet schools (Schools of Choice).

MDCPS has conducted a preliminary public school concurrency review of this application; please see results above. A final determination of public school concurrency and capacity reservation will be made at the time of approval of plat, site plan or functional equivalent. **THIS ANALYSIS DOES NOT CONSTITUTE PUBLIC SCHOOL CONCURRENCY APPROVAL.**

1450 NE 2 Avenue, Room 525, Miami, Florida 33132 / 305-995-7634 / 305-995-4760 fax / concurrency@dadeschools.net



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:

Name	Relationship (i.e. Attorneys, Architects, Landscape Architects, Engineers, Lobbyists, Etc.)
Michael Marrero	Attorney
Jeff Berlow	Attorney
Dan Fortin, Jr.	Surveyor
Juan Espinosa	Traffic Engineer

(Attach Additional Sheets If Necessary)

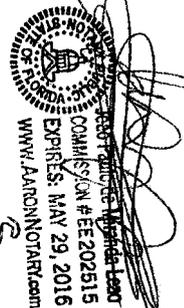
NOTICE: ANY STATEMENT OR REPRESENTATION MADE BY ANY PERSON LISTED ON THE APPLICANT REPRESENTATIVE AFFIDAVIT SHALL BE BINDING UPON THE INDIVIDUAL OR ENTITY APPLYING FOR THE DEVELOPMENT PERMIT AND THE OWNER OF THE SUBJECT PROPERTY. APPLICANTS AND AFFIANTS ARE ADVISED TO TIMELY SUPPLEMENT THIS AFFIDAVIT 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 24th DAY OF October, 2013

AUTHORIZED REPRESENTATIVE OF APPLICANT:

(Signature) [Signature]
 (Print) Paulo Melo
 Title: Managing Member
 Address: 150 SE 2nd Street, #800
Miami, FL 33131

OWNER
 By: [Signature]
 Name: Paulo Melo
 (Print)
 Title: Managing Member
 Address: 150 SE 2nd Street, #800
Miami, FL 33131



STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me the undersigned authority personally appeared Paulo Melo as the authorized representative of the Applicant and/or the owner of the property subject to the application, 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 24th day of October, 2013

Notary Public State of Florida At Large
Printed Name of Notary Jos Paulo de Miranda G
My commission expires: May 29th 2016





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 24th DAY OF October 2013

APPLICANT

By: _____ (Signature)
 Name: Paulo Melo (Print)
 Title: Managing Member (Print)



WITNESS MY HAND THIS 24th DAY OF October 2013

PROPERTY OWNER:

By: _____ (Signature)
 Name: Paulo Melo (Print)
 Title: Managing Member (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 October, 2013

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Michael Morreo (Print)

Title: Attorney (Print)

By: [Signature] (Signature)

Name: Jeff Berrow (Print)

Title: Attorney (Print)

By: _____ (Signature)

Name: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Name: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

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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

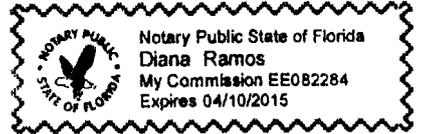
STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Michael Morriso 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 24 day of October, 2013

[Signature]
Notary Public State of Florida At Large
Diana Ramos
Printed Name of Notary
My commission expires: _____



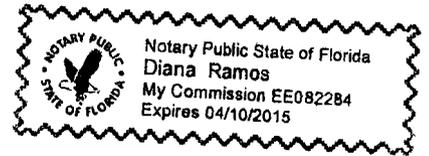
STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jeffrey Bercoun 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 24 day of October, 2013

[Signature]
Notary Public State of Florida At Large
Diana Ramos
Printed Name of Notary
My commission expires: _____



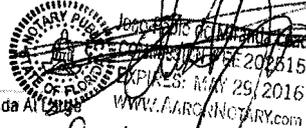
STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Paulo Melo 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 24th day of October, 2013

[Signature]
Notary Public State of Florida At Large
Printed Name of Notary Juan Pablo de Miranda Cas
My commission expires: May 29th 2016



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.

_____ AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200_____

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)

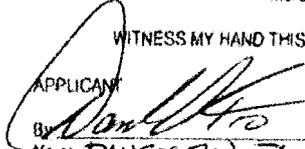
- 1 Affiant does not have a Business Relationship with any member of the City Commission or any City Advisory Board to which the application will be presented
- 2 Affiant hereby discloses that it does have a Business Relationship with a member of the City Commission or a City Advisory Board to which 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 24 DAY OF OCTOBER, 2013

APPLICANT

 By: _____ (Signature)
 Name: DAN FORTIN JR (Print)
 Title: SURVEYOR (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.

NOTARIZATION PROVISION

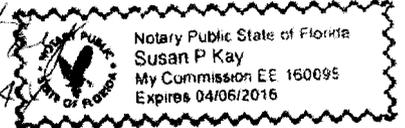
STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Don Fortney Jr 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.

Don Fortney Jr
AFFIANT

SWORN TO AND SUBSCRIBED before me this 24 day of October 2013

Susan P Kay
Notary Public State of Florida At Large
Printed Name of Notary SUSAN P. KAY
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.

the Affiant, who being first by me duly sworn, did swear or affirm that he/she

AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200__

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.

the Affiant, who being first by me duly sworn, did swear or affirm that he/she

AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200__

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.

the Affiant, who being first by me duly sworn, did swear or affirm that he/she

AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200__

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

WITNESS MY HAND THIS 24 DAY OF OCTOBER 200 2013

REPRESENTATIVE (Listed on Business Relationship Affidavit)

By [Signature] (Signature)

Name DANIEL C FORTN, JR (Print)

Title VICE PRESIDENT (Print)
FORTN LEANY SKILES

By _____ (Signature)

Name _____ (Print)

Title _____ (Print)

By _____ (Signature)

Name _____ (Print)

Title _____ (Print)

By _____ (Signature)

Title _____ (Print)

Title _____ (Print)

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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.

WITNESS MY HAND THIS 24 DAY OF October, 2013

REPRESENTATIVE (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)
Name: Juan Espinosa (Print)
Title: V.P. (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)

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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 Juan Espinosa 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
[Signature]
Notary Public State of Florida At Large

SWORN TO AND SUBSCRIBED before me this

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.

AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200__.

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.

AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200__.

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.

AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200__.

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

ORDINANCE NO. 2014- _____

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AVENTURA BY AMENDING THE ZONING DESIGNATION FOR A 7.391 ACRE PARCEL OF LAND LOCATED ON NE 207 STREET AT NE 30 AVENUE AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, FROM B2, COMMUNITY BUSINESS DISTRICT TO TC3, TOWN CENTER NEIGHBORHOOD DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Aventura Land Ventures, LLC, through Application No. 01-REZ-14, has applied to amend the Official Zoning Map of the City of Aventura by amending the zoning designation for a parcel of land (the "Property") on NE 207 Street at NE 30 Avenue, as legally described in Exhibit "A" attached hereto, from B2, Community Business District to TC3, Town Center Neighborhood District; and

WHEREAS Ordinance No. 2006-15, adopted on October 3, 2006, had rezoned the easterly 3.359 acre portion of the parcel from B2, Community Business District to RMF3A, Multifamily Medium Density Residential District, with a condition precedent which was not fulfilled and therefore that rezoning was not effective; and

WHEREAS, due to the non-effectiveness of Ordinance No. 2006-15, the zoning designation of the entire parcel remains B2, Community Business District; and

WHEREAS, part of the 7.391 acre parcel subject to the rezoning request contains unopened public rights of way abandoned by Resolution No. 2006-61; and

WHEREAS, Resolution No. 2006-61 abandoning said unopened public rights of way was adopted with conditions precedent which have not been fulfilled to date; and

WHEREAS, the applicant has proffered to record a covenant acknowledging that it will fulfill the conditions of Resolution No. 2006-61; and

WHEREAS, the City Commission concurrently with this rezoning application has considered small scale Comprehensive Plan amendments to change the future land use designation of the easterly 3.359 acre portion of the Property from Medium High Density Residential to Town Center and to change the future land use designation of the westerly 4.032 acre portion of the Property from Business and Office to Town Center (01-CPA-14); and

WHEREAS, the City Commission has been designated as the local planning agency for the City pursuant to Section 163.3174, Florida Statutes, and as the local planning agency has determined that the rezoning is consistent with the applicable provisions of the City Comprehensive Plan as proposed to be amended; 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 for rezoning and has considered the testimony of all interested parties at the public hearings, and has determined that the rezoning action set forth in this Ordinance is consistent with the Comprehensive Plan, as proposed to be amended, and furthers the health, safety and welfare of the City.

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

Section 1. Recitals. The foregoing whereas clauses are hereby ratified and incorporated within this Ordinance.

Section 2. Official Zoning Map Amended. That the Official Zoning Map of the City of Aventura is hereby amended by amending the zoning designation for the 7.391 acre parcel of land located on NE 207 Street at NE 30 Avenue with legal description described in Exhibit "A" to this Ordinance, from B2, Community Business District, to TC3, Town Center Neighborhood District.

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 the completion of both of the following: (1) the effective date of the small scale

amendments to the Comprehensive Plan (01-CPA-14) for the property subject to this application; and (2) upon recordation by the applicant of the proffered covenant regarding fulfillment of the conditions of Resolution No. 2006-61.

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 Enbar Cohen _____
- Commissioner Teri Holzberg _____
- Commissioner Billy Joel _____
- Commissioner Michael Stern _____
- Commissioner Howard Weinberg _____
- Commissioner Luz Urbáez Weinberg _____
- 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 Enbar Cohen _____
- Commissioner Teri Holzberg _____
- Commissioner Billy Joel _____
- Commissioner Michael Stern _____
- Commissioner Howard Weinberg _____
- Commissioner Luz Urbáez Weinberg _____
- Mayor Susan Gottlieb _____

PASSED on first reading this 5th day of November, 2013.

PASSED AND ADOPTED on second reading this 7th day of January, 2014.

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 January, 2014.

CITY CLERK

LEGAL DESCRIPTION:

Lots 7 through 42, Block 18, HALLANDALE PARK No. 8, including the ten (10) foot alleys that are South of a line 81.00 feet South of and parallel/concentric with the North right-of-way line of Waterways Boulevard, lying within said Block 18, according to the Plat thereof, as recorded in Plat Book 20 at Page 49 of the Public Records of Miami-Dade County, Florida,

AND

Tract 1, LAURANNA, according to the Plat thereof, as recorded in Plat Book 76 at Page 31 of the Public Records of Miami-Dade County, Florida.

AND

A portion of land bounded by on the North by a line 81.00 feet South of and parallel or concentric with the North line of Waterways Boulevard as shown on AVENTURA CORPORATE CENTER, according to the plat thereof, as recorded in Plat Book 158, Page 47, and bounded on the South by the North line of Block 18, HALLANDALE PARK NO. 8, according to the plat thereof, as recorded in Plat Book 20 at Page 49, all being of the Public Records of Miami-Dade County, Florida, lying and being in the City of Aventura and being more particularly described as follows:

Commence at the Southwest corner of Lot 26, of said Block 18; thence $N00^{\circ}56'26''W$ along the East right of way line of N.E. 29th Avenue as shown on said Plat Book 20 at Page 49, also being the West line of said Block 18 for 76.87 feet to a point of curvature and the most Westerly Northwest corner of said Lot 26, also being the POINT OF BEGINNING of the hereinafter decribed parcel of land; thence Northeasterly along a 25.00 foot radius curve, leading to the right, through a central angle of $91^{\circ}06'02''$ for an arc distance of 39.75 to a point of tangency; thence $S 89^{\circ}50'24'' E$ along the North line of said Block 18 and the Easterly extension thereof for 474.99 feet to a point on a circular curve, concave to the Northeast and whose radius point bears $N06^{\circ}44'26''E$, the following two courses being along a line 81.00 feet South of and parallel or concentric with said North line of Waterways Boulevard; (1) thence Northwesterly along a 1519.00 foot radius curve leading to the right, through a central angle of $07^{\circ}14'58''$ for an arc distance of 192.20 feet to a point of tangency; (2) thence $N76^{\circ}00'36''W$ for 290.40 feet to a point of curvature; thence Southwesterly along a 25.00 foot radius curve, leading to the left, through a central angle of $104^{\circ}55'50''$ for an arc distance 45.78 feet to a point of tangency; thence $S00^{\circ}56'26''E$ along the Northerly extension of the said East right of way line of N.E. 29th Avenue for 104.19 feet to the POINT OF BEGINNING.

AND

That portion of N.E. 206th Street bounded on the North by Block 18 and bounded on the South by the center line of N.E. 206th Street and bounded on the East by the West right-of-way line of N.E. 30th Avenue (East Dixie Highway) and bounded on the West by the East right-of-way line of N.E. 29th Avenue (Harvard Avenue), all being as shown on HALLANDALE PARK No. 8, according to the Plat thereof, as recorded in Plat Book 20 at Page 49 of the Public Records of Miami-Dade County, Florida.

LEGAL DESCRIPTION (Continuation):

Lots 1, 2, 6, 7, 8, 9, 11, 24, 25, 26 and 27, Block 17, HALLANDALE PARK No. 8, according to the Plat thereof, as recorded in Plat Book 20, Page 49, Public Records of Miami-Dade County, Florida.

TOGETHER WITH those portions of adjacent vacated alleys and NE 205th Street, to the centerlines thereof, vacated per Resolution recorded August 21, 2000 in Official Records Book 19247, Page 4677, Public Records of Miami-Dade County, Florida. ALSO TOGETHER WITH the South $\frac{1}{2}$ of the adjacent portion of vacated N.E. 206th Street on North, and a portion of a 10.00 foot alley, as vacated and abandoned by that certain Resolution recorded November 14, 2006 in Official Records Book 25093, Page 478, Public Records Miami-Dade County, Florida.

AND

Tract 1, of Block 17, of REPLAT OF A PORTION OF HALLANDALE PARK No. 8, according to the Plat thereof, as recorded in Plat Book 40, Page 97, Public Records of Miami-Dade County, Florida. TOGETHER WITH adjacent portion of vacated alley to the centerline thereof as vacated by Resolution recorded August 21, 2000 in Official Records Book 19247, Page 4677, Public Records of Miami-Dade County, Florida.

AND

Lots 10, 12 through 23, inclusive, and Lots 28 through 42, inclusive, Block 17, HALLANDALE PARK No. 8, according to the Plat thereof, as recorded in Plat Book 20, Page 49, Public Records of Miami-Dade County, Florida.

TOGETHER WITH those portions of adjacent vacated alleys and NE 205th Street, to the centerlines thereof, vacated per resolution recorded August 21, 2000 in Official Records Book 19247, Page 4677, Public Records of Miami-Dade County, Florida. ALSO TOGETHER WITH the South $\frac{1}{2}$ of the adjacent portion of vacated N.E. 206th Street on North, and a portion of a 10.00 foot alley, as vacated and abandoned by that certain Resolution recorded November 14, 2006 in Official Records Book 25093, Page 478, Public Records Miami-Dade County, Florida.