

City Commission  
Susan Gottlieb, Mayor

Enbar Cohen  
Teri Holzberg  
Billy Joel  
Michael Stern  
Howard Weinberg  
Luz Urbáez Weinberg



City Manager  
Eric M. Soroka, ICMA-CM

City Clerk  
Teresa M. Soroka, MMC

City Attorney  
Weiss Serota Helfman  
Pastoriza Cole & Boniske

**JANUARY 7, 2014 6 PM**

Government Center  
19200 West Country Club Drive  
Aventura, Florida 33180

- 1. CALL TO ORDER/ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. AGENDA:** Request for Deletions/Emergency Additions
- 4. SPECIAL PRESENTATIONS:** Employee Service Awards
- 5. CONSENT AGENDA:** Matters included under the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be enacted by one motion. If discussion is desired by any member of the Commission, that item must be removed from the Consent Agenda and considered separately. If the public wishes to speak on a matter on the consent agenda they must inform the City Clerk prior to the start of the meeting. They will be recognized to speak prior to the approval of the consent agenda.
  - A. APPROVAL OF MINUTES:**  
November 5, 2013 Commission Meeting  
November 14, 2013 Workshop Meeting
  - B. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA DECLARING CERTAIN PROPERTY LISTED UNDER THE ASSETS OF THE CITY AS SURPLUS TO THE NEEDS OF THE CITY; DESCRIBING THE MANNER OF DISPOSAL; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**
  - C. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED CHANGE ORDER FOR BID NO. 13-04-05-02, BY AND BETWEEN THE CITY AND HORSEPOWER ELECTRIC, INC.; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

**D. MOTION AUTHORIZING THE APPROPRIATION OF UP TO \$186,000 FOR WEAPONS, FLEET EQUIPMENT AND SECURITY EQUIPMENT FROM THE POLICE FORFEITURE FUNDS IN ACCORDANCE WITH THE CITY MANAGER'S MEMORANDUM.**

**6. ZONING HEARINGS: QUASI-JUDICIAL PUBLIC HEARINGS** – Please be advised that the following items on the Commission's agenda are quasi-judicial in nature. If you wish to object or comment upon any of these items, please inform the Mayor when she requests public comments. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Commission to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Further details of the quasi-judicial procedures may be obtained from the Clerk.

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING APPROVAL OF A VARIANCE FROM SECTION 31-143(f)(3)b. OF THE CITY CODE TO ALLOW A BUILDING THAT CREATES A SHADOW ON ADJACENT PROPERTY, AND VARIANCE FROM SECTION 31-172(c) OF THE CITY CODE TO ALLOW DRIVEWAY SEPARATIONS OF LESS THAN 150 FEET OF LANDSCAPED FRONTAGE, AND VARIANCE FROM SECTION 31-221(i)(2) OF THE CITY CODE TO ALLOW A 0' WIDE PERIMETER LANDSCAPE BUFFER ON THE NORTH PROPERTY LIMIT, AND GRANTING APPROVAL TO MODIFY THE DECLARATION OF RESTRICTIONS IN LIEU OF UNITY OF TITLE TO ALLOW A MAXIMUM BUILDING HEIGHT OF 24 STORIES OR 241 FEET 7 INCHES, ALL FOR A PROPOSED 205 UNIT CONDOMINIUM BUILDING AT THE NORTHWEST CORNER OF NE 28 COURT AND NE 185 STREET, CITY OF AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.**

**7. ORDINANCES: FIRST READING--PUBLIC INPUT:**

**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.**

**8. ORDINANCES – SECOND READING – PUBLIC HEARING:**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2012-13 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2012/2013 FISCAL YEAR BY REVISING THE 2012/2013 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT “A” ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.**

**9. RESOLUTIONS – PUBLIC HEARING: None.**

**10. REPORTS**

**11. PUBLIC COMMENTS**

**12. OTHER BUSINESS: None.**

**13. ADJOURNMENT**

**FUTURE MEETINGS**

<b>COMMISSION WORKSHOP</b>	<b>JANUARY 16, 2014</b>	<b>9 AM</b>	<b>EXEC. CONFERENCE RM</b>
<b>COMMISSION MEETING</b>	<b>FEBRUARY 4, 2014</b>	<b>6 PM</b>	<b>COMMISSION CHAMBER</b>
<b>COMMISSION WORKSHOP</b>	<b>FEBRUARY 20, 2014</b>	<b>9 AM</b>	<b>EXEC. CONFERENCE RM</b>

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. One or more members of the City of Aventura Advisory Boards may be in attendance and may participate at the meeting. Anyone wishing to appeal any decision made by the Aventura City Commission 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 W. 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.



**MINUTES  
CITY COMMISSION  
NOVEMBER 5, 2013 6 p.m.**

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

1. **CALL TO ORDER/ROLL CALL:** The meeting was called to order by Mayor Susan Gottlieb at 6 p.m. Present were Commissioners Enbar Cohen, Teri Holzberg, Billy Joel, Howard Weinberg, Vice Mayor Michael Stern, Mayor Susan Gottlieb, City Manager Eric M. Soroka, City Clerk Teresa M. Soroka and City Attorney David Wolpin. Commissioner Luz Urbaz Weinberg was absent. As a quorum was determined to be present, the meeting commenced.
2. **PLEDGE OF ALLEGIANCE:** Led during previous LPA hearing.
3. **AGENDA: REQUESTS FOR DELETIONS/EMERGENCY ADDITIONS:** None.

Items 8 B and C taken at this time: Mr. Wolpin explained

**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.**

**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.**

A motion to continue item 8B to the January 7, 2014 meeting was offered by Commissioner Joel, seconded by Commissioner Cohen and unanimously passed by roll call vote.

A motion to continue item 8C to the January 7, 2014 meeting was offered by Commissioner Howard Weinberg, seconded by Vice Mayor Stern and unanimously passed by roll call vote.

**4. ELECTION OF VICE MAYOR:** After motion offered by Commissioner Cohen, seconded by Commissioner Holzberg and unanimously passed, Commissioner Howard Weinberg was elected Vice Mayor for the next 6-month period.

**5. SPECIAL PRESENTATIONS:** None.

**6. CONSENT AGENDA:** There were no requests from the public to address the Commission. A motion to approve the Consent Agenda was offered by Commissioner Joel, seconded by Commissioner Cohen, passed unanimously by roll call vote and the following action was taken:

**A.** The following minutes were approved:

October 1, 2013 Commission Meeting  
October 17, 2013 Workshop Meeting

**B.** **Resolution No. 2013-48** was adopted as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE AND APPLY FOR THE FEDERAL DRUG CONTROL AND SYSTEM IMPROVEMENT PROGRAM GRANT AVAILABLE THROUGH THE MIAMI-DADE COUNTY; TO APPLY FOR, RECEIVE, AND EXPEND \$3,948 IN FEDERAL FUNDS FOR THE SCHOOL RESOURCE OFFICER PROJECT; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

**C.** **Resolution No. 2013-49** was adopted as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND OTHERWISE ENTER INTO CHANGE ORDER NUMBER 4 FOR THE AVENTURA GOVERNMENT CENTER PARKING EXPANSION BY AND BETWEEN THE CITY AND MUNILLA CONSTRUCTION MANAGEMENT, LLC; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY AND EXPEDIENT ACTION TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR THE APPROPRIATION AND ALLOCATION OF FUNDS FOR SAID CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.**

- D. **Resolution No. 2013-50** was adopted as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA DECLARING CERTAIN PROPERTY LISTED UNDER THE ASSETS OF THE CITY AS SURPLUS TO THE NEEDS OF THE CITY; DESCRIBING THE MANNER OF DISPOSAL; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

- E. **Resolution No. 2013-51** was adopted as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE AND OTHERWISE ENTER INTO THAT AGREEMENT BETWEEN THE CITY OF AVENTURA AND THE STATE OF FLORIDA, OFFICE OF THE STATE ATTORNEY FOR THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA TO REIMBURSE THE STATE FOR THE COST OF STATE ATTORNEY PROSECUTION OF CERTAIN CRIMINAL VIOLATIONS OF THE CITY OF AVENTURA CODE; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

- F. **Resolution No. 2013-52** was adopted as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, EXPRESSING SUPPORT FOR THE WATER AND LAND CONSERVATION AMENDMENT WHICH WOULD DEDICATE FUNDS TO ACQUIRE AND RESTORE FLORIDA CONSERVATION AND RECREATION LANDS; AND PROVIDING AN EFFECTIVE DATE.**

- G. **Resolution No. 2013-53** was adopted as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING THE APPOINTMENT OF MEMBERS TO THE CITY OF AVENTURA ARTS IN PUBLIC PLACES ADVISORY BOARD; AND PROVIDING AN EFFECTIVE DATE.**

- H. **Resolution No. 2013-54** was adopted as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AUTHORIZING THE CITY MANAGER ON BEHALF OF THE CITY TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED MUTUAL AID AGREEMENT BETWEEN THE CITY OF AVENTURA AND THE CITY OF MIAMI FOR LAW ENFORCEMENT ACTIVITIES; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

- I. Resolution No. 2013-55 was adopted as follows:**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE AND OTHERWISE ENTER INTO THAT AGREEMENT BETWEEN THE CITY OF AVENTURA AND THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES TO PROVIDE LIFELONG LEARNING PROGRAMS TO AVENTURA RESIDENTS; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

- J. Resolution No. 2013-56 was adopted as follows:**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, ACTING IN ITS CAPACITY AS THE GOVERNING BOARD OF THE AVENTURA CITY OF EXCELLENCE SCHOOL, CONFIRMING THE UTILIZATION OF THE MIAMI-DADE COUNTY SCHOOL BOARD'S EVALUATION SYSTEM FOR INSTRUCTIONAL AND ADMINISTRATIVE PERSONNEL; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

- 7. ZONING HEARINGS: QUASI-JUDICIAL PUBLIC HEARINGS** — Please be advised that the following items on the Commission's agenda are quasi-judicial in nature. If you wish to object or comment upon any of these items, please inform the Mayor when she requests public comments. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Commission to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Further details of the quasi-judicial procedures may be obtained from the Clerk. **None.**

- 8. ORDINANCES: FIRST READING – PUBLIC INPUT:**

A. Mr. Wolpin read the following ordinance by title:

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2012-13 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2012/2013 FISCAL YEAR BY REVISING THE 2012/2013 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.**

A motion for approval was offered by Commissioner Holzberg and seconded by Commissioner Joel. Mayor Gottlieb opened the public hearing. There being no speakers, the public hearing was closed. The motion for approval passed unanimously by roll call vote.

Items 4B and 4C were addressed previously after item 3 above.

**9. ORDINANCES: SECOND READING/PUBLIC HEARING:** None.

**10. RESOLUTIONS – PUBLIC HEARING:** None.

**11. REPORTS:** As presented.

**12. PUBLIC COMMENTS:** Peter Murphy, Aventura Marina; Lisl Gershon, Peninsula; Deanna Remaly, 3330 NE 190 Street; Ron Kettles, 7000 Island Blvd.; Bob Burroughs; and Krop Senior High School student Trevor Nesse.

**13. OTHER BUSINESS:** None.

**14. ADJOURNMENT:** There being no further business to come before the Commission at this time, after motion made, seconded and unanimously passed, the meeting adjourned at 7:32 p.m.

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Teresa M. Soroka, MMC, City Clerk

Approved by the Commission on \_\_\_\_\_.

Anyone wishing to appeal any decision made by the City Commission with respect to any matter considered at a 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.



MINUTES  
CITY COMMISSION  
WORKSHOP MEETING  
November 14, 2013 9 am

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

**CALL TO ORDER/ROLL CALL:** The meeting was called to order at 9 a.m. by Mayor Susan Gottlieb. Present were Commissioners Enbar Cohen, Teri Holzberg, Billy Joel, Michael Stern, Luz Urbacz Weinberg, Vice Mayor Howard Weinberg, Mayor Gottlieb, City Manager Eric M. Soroka, City Clerk Teresa M. Soroka, and City Attorney David M. Wolpin. As a quorum was determined to be present, the meeting commenced. (Item 2 was heard first)

1. **FARMERS MARKET PROPOSAL:** (City Manager) Mr. Soroka advised the Commission of the interest for a farmer's market by the Community Services Advisory Board. The City was approached by Green Market Events to provide a farmer's market at Founder's Park South

**CITY MANAGER SUMMARY:** It was the consensus to proceed as outlined in the City Manager's memorandum dated November 6, 2013.

2. **EVALUATION AND APPRAISAL REPORT NOTIFICATION:** (City Manager) Community Development Department Director Joanne Carr advised the Commission that it is necessary to notify the state if the City will be making any changes to its Comprehensive Plan as a part of its review every seven years. Ms. Carr outlined administrative updates and text amendments that would be included in the review, as well as any others deemed necessary. Notification of pending changes must be submitted to the state by January 1, 2014. The review and update will be completed by January 2015.

**CITY MANAGER SUMMARY:** Consensus to proceed with notification to state of pending amendments.

3. **2014 MEETING SCHEDULE:** (City Manager) Mr. Soroka distributed a tentative schedule of Commission and Workshop meetings for 2014.

**CITY MANAGER SUMMARY:** Consensus to approve.

4. **ANNUAL SELECTION OF REPRESENTATIVE TO THE MIAMI-DADE COUNTY LEAGUE OF CITIES:** (City Manager)

**CITY MANAGER SUMMARY:** Consensus that Commissioner Luz Weinberg continue as the City's representative.

5. **ADJOURNMENT:** There being no further business to come before the Commission at this time, the meeting adjourned at 9:25 a.m.

6.

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

Approved by the Commission on \_\_\_\_\_.

Anyone wishing to appeal any decision made by the City Commission with respect to any matter considered at a 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.

**CITY OF AVENTURA**

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: City Commission

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

DATE: November 18, 2013

SUBJECT: **Resolution Declaring Equipment Surplus**

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January 7, 2014 Commission Meeting Agenda Item 5-B

**RECOMMENDATION**

It is recommended that the City Commission adopt the attached Resolution declaring certain equipment as surplus to the needs of the City.

**BACKGROUND**

Section 2-258 of the City Code of Ordinances provides that any property owned by the City which has become obsolete or which has outlived its usefulness may be disposed of in accordance with procedures established by the City Manager, so long as the property has been declared surplus by a resolution of the City Commission.

If you have any questions, please feel free to contact me.

EMS/act

Attachment

RESOLUTION NO. 2014-\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA DECLARING CERTAIN PROPERTY LISTED UNDER THE ASSETS OF THE CITY AS SURPLUS TO THE NEEDS OF THE CITY; DESCRIBING THE MANNER OF DISPOSAL; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Manager desires to declare certain property as surplus to the needs of the City; and

**WHEREAS**, Ordinance No. 2000-09 provides that all City-owned property that has been declared surplus cannot be disposed of prior to the preparation and formal approval of a resolution by the City Commission.

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

**Section 1. Recitals Adopted.** The above recitals are hereby confirmed and adopted herein.

**Section 2.** The property listed on Exhibit "A" has been declared surplus and is hereby approved for disposal.

**Section 3.** The City Manager is authorized to dispose of the property listed on Exhibit "A" through a public auction, sale, trade-in, transfer to other governmental agency or, if of no value, discarded.

**Section 4.** The City Manager is hereby authorized to do all things necessary to carry out the aims of this Resolution.

**Section 5.** This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The 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 Luz Urbáez Weinberg	_____
Vice Mayor Howard Weinberg	_____
Mayor Susan Gottlieb	_____

**PASSED AND ADOPTED** this 7<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
SUSAN GOTTLIEB, MAYOR

ATTEST:

\_\_\_\_\_  
TERESA M. SOROKA, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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

**CITY OF AVENTURA  
POLICE DEPARTMENT  
INTER OFFICE MEMORANDUM**

**TO:** Eric M. Soroka, City Manager

**FROM:** ~~Steven Steinberg, Chief of Police~~  
Steven Steinberg, Chief of Police

**DATE:** 18 November 2013

**SUBJECT:** Surplus Property

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I would like to have the attached listed items, owned by the City of Aventura, declared Surplus Property as per City of Aventura APDP, Chapter 6, Subsection 5, Page 1, as these items have become inadequate for public purposes:

Request the attached radio equipment be surplused by the Commission. This equipment is over 7 years old and part of our old EDACS radio system. This equipment is not compatible with our new radio system.

①

**CITY OF AVENTURA**

**POLICE DEPARTMENT**

**MEMORANDUM**

**TO: Commander Fogelgren**

**FROM: Captain Labombarda**

**SUBJECT: Request for Surplus**

**Date: November 15, 2013**

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**Commander please request the following equipment to be declared surplus property so that it can be sold or otherwise discarded and removed from City inventory.**

- 1) Communications System Cabinet and Pro Voice Components.**
- 2) Communications System Cabinet – Empty SCAT Rack.**

**CITY OF AVENTURA  
POLICE DEPARTMENT  
INTER OFFICE MEMORANDUM**

**TO:** Eric M. Soroka, City Manager  
**FROM:** ~~Steven Steinberg, Chief of Police~~  
**DATE:** 13 December 2013  
**SUBJECT:** Surplus Property

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I would like to have the attached listed items, owned by the City of Aventura, declared Surplus Property as per City of Aventura APDP, Chapter 6, Subsection 5, Page 1, as these items have become inadequate for public purposes:

2007	2D4GV47V67H845310	Dodge Magnum
2007	2D4GV47V87H845311	Dodge Magnum
2007	2D4GV47VX7H845309	Dodge Magnum
2008	2FAFP71V58X140735	Ford Crown Victoria

**CITY OF AVENTURA**

**INFORMATION TECHNOLOGY DEPARTMENT**

**MEMORANDUM**

TO: Eric M. Soroka, City Manager  
FROM: Karen J. Lanke, Information Technology Director  
DATE: December 17, 2013  
SUBJECT: Surplus Computer Equipment

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I am requesting that the computer equipment listed on the attached spreadsheet be declared surplus property as the equipment no longer meets the needs of the City.

Please let me know if you have any questions regarding this request.

Attachment

City of Aventura  
Computer Equipment Inventory

Exhibit A

Asset Tag	Brand	Model	Qty	Serial Number	Type
	APC	Back-UPS 650	1	pb0231223740	UPS
	APC	Back-UPS 800	1	3b0928x28449	UPS
	APC	Back-UPS 800	1	5b0750u09686	UPS
	APC	Back-UPS 800	1	3b0928x28445	UPS
	APC	Back-UPS LS 500	1	PB0441133546	UPS
	APC	Back-UPS LS 500	1	PB0346122590	UPS
	APC	Back-UPS RS 700	1	3b0950x36532	UPS
	APC	Back-UPS RS 700	1	3b1032x52729	UPS
	APC	Back-UPS RS 700	1	3b0945x05639	UPS
	APC	SUA1000rm2u	1	as0740321938	UPS
	APC	SUA1500rm2u	1	as1008242455	UPS
	Dell	1704FPTt	1	cn0y4299716185ckcc71	Monitor
	Dell	1704FPTt	1	cn0y42997161855ibk11	Monitor
	Dell	1707FPf	1	cn0cj1677287266e115u	Monitor
	Dell	1707FPt	1	cn0yg6137161867sadc8	Monitor
	Dell	1707FPt	1	cn0yg6137161867sacae	Monitor
	Dell	1707FPt	1	cn0yg6137161867sacwf	Monitor
	Dell	1707FPt	1	cn0yg6137161867sacut	Monitor
	Dell	1707FPt	1	cn0yg6137161867sacvt	Monitor
	Dell	1707FPt	1	cn0yg6137161867sacw3	Monitor
	Dell	1707FPt	1	cn0yg6137161867sacdd	Monitor
	Dell	1707FPt	1	cn0yg6137161867sacwb	Monitor
	Dell	1708FPt	1	cn0gt7807161878eb136	Monitor
	Dell	1708FPt	1	cn0gt7807161878eb022	Monitor
	Dell	1708FPt	1	cn0yg6137161867sacw6	Monitor
	Dell	1708FPt	1	cn0gt7807161878eb016	Monitor
	Dell	1708FPt	1	cn0gt7807161878eb039	Monitor
	Dell	1708FPt	1	cn0gt7807161878eb001	Monitor
	Dell	1708FPt	1	cn0gt7807161878eb011	Monitor
	Dell	1708FPt	1	cn0gt7807161878eb135	Monitor
	Dell	1708FPt	1	cn0gt7807161878eb072	Monitor
	Dell	1708FPt	1	cn0gt7807161878eb178	Monitor
	Dell	1708FPt	1	cn0gt7807161878eb056	Monitor
	Dell	All-In-One Stands	19		
	Dell	D630	1	HC0NGH1	Laptop
	Dell	E6400	1	43L6VWK1	Laptop
	Dell	E6410	1	7xp4sm1	Laptop
2716	Dell	GX620	1	JC1CNB1	Desktop
2738	Dell	GX620	1	7lpdnb1	Desktop
	Dell	Optiplex 755	1	DYDRXF1	Desktop
	Dell	Optiplex 755	1	d5ttch1	Desktop
	Dell	Optiplex 755	1	4klmgh1	Desktop
	Dell	Optiplex 760	1	7rv4wk1	Desktop
	Dell	Optiplex 760	1	1th5wk1	Desktop
	Dell	Optiplex 760	1	3th5wk1	Desktop
	Dell	Optiplex 760	1	3226wk1	Desktop
	Dell	Optiplex 760	1	1226wk1	Desktop
	Dell	Optiplex 760	1	7th5wk1	Desktop
2806	Dell	PowerEdge 1950	1	41q6wb1	Server
	Dell	PowerEdge 1950	1	4vcqwb1	Server
	HP	Officejet 7500A	1	my231310tx	Printer
	Inter-tel	Standard Digital Terminal	1	0U80C024GPU	Phone
	Powerware	5115	1	UY301A0422	UPS
	Sony	Camcorder Case	1		
	Verizon	Car Charger	1		
	Zebra	RW 420	1	xxrc08415417	Printer

# CITY OF AVENTURA

## OFFICE OF THE CITY MANAGER

### MEMORANDUM

TO: City Commission

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

BY: Antonio F. Tomei, Capital Projects Manager *afj*

DATE: November 20, 2013

SUBJECT: **Bid No: 13-04-05-02 – Biscayne Boulevard  
Street Lighting Improvements Phase III - Change Order 1**

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January 7, 2014 City Commission Meeting Agenda Item 5-C

#### Recommendation

It is recommended that the City Commission adopt the attached Resolution approving Change Order Number 1 for Biscayne Boulevard Street Lighting Improvements Phase III project to Horsepower Electric, Inc. for the price of \$879,719.75. This change order will allow construction of the Phase IV Street Lighting Improvements as an extension of the Phase III Street Lighting Improvements. This change order and Phase IV construction costs will be funded by Budget Line Item Number 001-8050-541-6307 (\$1,000,000).

#### Background

The Phase III contractor, Horsepower Electric, Inc. provided the lowest unit costs to construct Phase III out of the four (4) contractors that provided a bid. To avoid the possibility of higher unit costs being provided if Phase IV was advertised for bids, City Staff and the City's Engineering Consultant recommend that a change order be granted to the Phase III contractor to construct Phase IV. In addition to guaranteeing unit costs will remain the same, the City will save significant time by bypassing the bidding process. In addition, construction of Phase IV can commence without a delay between Phase III construction and Phase IV construction.

Recommendation correspondence from the City's Engineering Consultant is attached.

If you have any questions or need any additional information, please feel free to contact me.

RESOLUTION NO. 2014- \_\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED CHANGE ORDER FOR BID NO. 13-04-05-02, BY AND BETWEEN THE CITY AND HORSEPOWER ELECTRIC, INC.; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Capital Improvement Program indicates construction of Phase III of the Biscayne Boulevard Decorative Street Lighting Upgrades for FY 2012/13; and

**WHEREAS**, staff has determined that Phase III contractor, Horsepower Electric, Inc. has provided the lowest possible construction cost to construct Phase III of the Biscayne Boulevard Decorative Street Lighting Upgrades; and

**WHEREAS**, the City Commission, upon recommendation of the City Manager, is therefore desirous of approving said change order to said Phase III contractor.

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

**Section 1:** That the City Manager is hereby authorized to execute and otherwise enter into the Change Order for Bid No. 13-04-05-02, Biscayne Boulevard Decorative Street Lighting Improvements Phase III, by and between the City and Horsepower Electric, Inc., attached hereto and incorporated herein as specifically as if set forth at length herein. Said Change Order amount is \$879,719.75.

**Section 2:** That the City Manager is hereby authorized to do all things necessary to carry out the aims of this Resolution.

**Section 3:** That this Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The 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 Luz Urbáez Weinberg	_____
Vice Mayor Howard Weinberg	_____
Mayor Susan Gottlieb	_____

PASSED AND ADOPTED this 7<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
SUSAN GOTTLIEB, MAYOR

ATTEST:

\_\_\_\_\_  
TERESA M. SOROKA, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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



**CITY OF AVENTURA  
CHANGE ORDER FORM  
CHANGE ORDER NO. 1**

**CONTRACT NUMBER:** 13-04-05-02

**DATE:** November 20, 2013

**PROJECT TITLE:** Biscayne Boulevard Decorative Lighting Upgrades Phase III

**PROJECT CONTRACTOR:** Horsepower Electric, Inc.

**COST:** \$879,719.75

**BUDGET LINE ITEM:** 001-8050-541-6307

**DESCRIPTION OF CHANGES:** Addition of construction costs to construct Phase IV of the Biscayne Street Lighting Upgrades project through extension of the Phase III Biscayne Street Lighting Upgrades project.

<b>Original Contract:</b>	<b>\$ 489,489.00</b>
<b>Total Previous Change Orders:</b>	<b>0</b>
<b>This Change Order:</b>	<b>\$ 879,719.75</b>
<b>Revised Contract Amount:</b>	<b>\$1,369,208.75</b>

**Total Change Orders to Date: 0**  
**Contract Amount Before This Change: \$489,489.00**

**Total Change in Contract Period: 90 Calendar Days**

The sum of \$879,719.75 is hereby added to the Contract price, and the total adjusted Contract price to date is \$1,369,208.75. The time provided for completion of the project will increase by 90 calendar days. This document shall become an amendment to the Contract and all provisions of the Contract will apply thereto.

Recommended by \_\_\_\_\_ Date \_\_\_\_\_  
Consultant  
Recommended by Antonio F. Jonei 11-20-13  
Capital Projects Manager Date

Recommended for Budgetary Purposes:

\_\_\_\_\_  
Finance Support Services Director Date  
Approved by \_\_\_\_\_ Date \_\_\_\_\_  
City Manager  
Accepted by \_\_\_\_\_ Date \_\_\_\_\_  
Contractor

## MEMORANDUM

### CRAVEN THOMPSON AND ASSOCIATES, INC.

Date: November 6, 2013

To: Antonio Tomei, City of Aventura – Capital Projects Manager

From: Adolfo A. González, PE, LEED AP, Consulting Engineer **AAG**

Reference: Biscayne Boulevard Street Lighting Phase IV  
Change Order Review

Digitally signed by AAG  
DN: cn=AAG, o=CRAVEN THOMPSON AND ASSOCIATES, INC., email=AAG@CTA-INC.COM

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At your request, we have reviewed the contractor's quote related to the addition of Phase IV to the current Phase III agreement. Please see the enclosed tabulation for a comparison of the pre-construction cost opinion, the contractor's Phase III bid and the contractor's Phase IV quote.

Horsepower Electric's quote is 9% lower than our final pre-construction opinion of probable construction cost. Their unit prices are the same as the prices they quoted for the Phase III bid and their general conditions, mobilization, and maintenance of traffic values as a percentage of the total cost are consistent with their Phase III values.

Based on our review of the quote and previous experience, we recommend executing a change order in the amount of \$879,719.75 with Horsepower Electric, Inc. for the Phase IV lighting work as an extension of the Phase III project.

If you have any questions or require any additional information, please call.

Enclosure: Cost Comparison Table

## Biscayne Blvd. Street Lighting Phase 4

Bid Item	Description	Qty	Unit	Unit Price	Estimated Total
	<b>General</b>				
1	General Conditions	1	ls	\$15,058.09	\$15,058.09
2	Mobilization	1	ls	\$9,993.33	\$9,993.33
3	MOT	1	ls	\$9,993.33	\$9,993.33
4	Allowance	1	al	\$20,000.00	\$20,000.00
	<b>LIGHTING</b>				
715-14-12	Pull box (roadside) (28" x 18" x 12") F&I	38	ea	\$1,000.00	\$38,000.00
715-11-119	Light pole complete (with 2 fixtures) F&I	38	ea	\$15,700.00	\$596,600.00
715-1-13	Conductor #2 F&I	12100	lf	\$1.50	\$18,150.00
715-1-13	Conductor #4 F&I	22500	lf	\$1.25	\$28,125.00
715-2-25	Conduit 2" HDPE (directional bored) F&I	200	lf	\$35.00	\$7,000.00
715-500-1	Pole cable distribution system (conventional) F&I	76	ea	\$1,300.00	\$98,800.00
715-550-000	Existing light pole to be removed complete	35	ea	\$250.00	\$8,750.00
715-7-21	Modify existing service point, complete	1	ls	\$5,000.00	\$5,000.00
13	Purchase light pole complete (with 2 fixtures) & deliver to city	1	ea	\$14,000.00	\$14,000.00
New Item	Existing Pull Box Cover Replacement	41	ea	\$250.00	\$10,250.00

**Total**

**\$879,719.75**

**CITY OF AVENTURA**  
**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: City Commission

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

DATE: December 17, 2013

SUBJECT: **Disbursement of Police Forfeiture Funds**

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**January 7, 2014 City Commission Meeting Agenda Item 5-d**

**RECOMMENDATION**

It is recommended that the City Commission adopt the following Motion to expend funds from the Police Forfeiture Fund:

"Motion authorizing the appropriation of up to \$186,000 for weapons, fleet equipment and security equipment from the Police Forfeiture Funds in accordance with the City Manager's memorandum."

If you have any questions, please feel free to contact me.

EMS/act

Attachment

CCO1828-13



**The below requests are a continuation of the secured parking facility project for police vehicles and equipment, and crime scene build out, as initially approved some months ago.**

**Fleet Equipment** – The purchase of this equipment will allow our fleet personnel to do limited work on our police vehicles to keep them running and additionally reduce vehicles costs as vehicles will not have to be taken to the dealer for some minor service work. It will also keep our fleet personnel from having to leave the work site to run vehicles back and forth for repairs to off-site locations.

**Secured access gates to police garage** – Access to the secured police garage is controlled by 3 large roll up doors. These entry/exit points need to be tied into the existing Stanley security system for purposes of accountability and control as who to enters/exits the garage.

**Security cameras** – As a security measure cameras need to be added to the PD garage (1<sup>st</sup> Floor only) and the new crime scene property room extension. Both of these projects were approved months ago and these items are required to complete the security aspects of each location.

**CITY OF AVENTURA**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**MEMORANDUM**

TO: City Commission

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

BY: Joanne Carr, AICP  
Community Development Director

DATE: December 18, 2013

SUBJECT: I. Request of Chateau Aventura LLC for property located at NE 28 Court and NE 185 Street for: (1) Variance from Section 31-143(f)(3)b. to allow a building height that creates a shadow on adjacent property; and (2) Variance from Section 31-172(c) to allow driveway separations of less than 150 feet of landscaped frontage on NE 28 Court at NE 185 Street, Aventura; and (3) Variance from Section 31-221(i)(2) for reduced perimeter landscape buffer (05-VAR-13), and,

II. Request to Modify Declaration of Restrictions in Lieu of Unity of Title to allow a maximum building height of 24 stories or 241 feet 7 inches (01-MRC-13)

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January 7, 2014 City Commission Meeting Agenda Item 6

**I. VARIANCE APPROVAL REQUESTS**

**RECOMMENDATION**

It is recommended that the City Commission take the following actions:

1. Approve the request for variance from Section 31-143(f)(3)b. to allow a building height that creates a shadow on adjacent property;
2. Approve the request for variance from Section 31-172(c) to allow driveway separations of less than 150 feet of landscaped frontage; and
3. Approve the request for variance from Section 31-221(i)(2) to allow a 0' wide perimeter landscape buffer along the loading spaces on the north limit of the property

4.  
upon the following conditions:

(i) Plans submitted for building permits shall substantially comply with the plans submitted with this application for variance, and

(ii) The applicant shall obtain a building permit within twelve (12) months of the date of the Resolution, failing which this approval shall be null and void, unless the applicant requests an extension of time within the original approval period. An extension of this approval, for a period of up to six months, may be granted by the City Commission upon showing of good cause, and

(iii) Any expansion to an approved variance and any addition to or expansion of an existing variance shall require the same application, review and approval as required under Section 31-76 of the City Code for the original approval of variance, and

(iv) This approval is granted exclusively to Chateau Aventura, LLC.

### **THE REQUESTS**

The applicant, Chateau Aventura, LLC, is requesting the following variance approvals. The applicant's Letter of Intent is attached as Exhibit #1.

1. Variance from Section 31-143(f)(3)b. of the City Code to allow a building height that creates a shadow on adjacent property; where the Code requires that all buildings exceeding 100 feet in height shall be situated such that the shadow created by the sun at 12:00 noon on December 21 will not fall on any adjacent property except for public road rights-of-way; and

2. Variance from Section 31-172(c) of the City Code to allow driveway separations of 82 feet 10 inches on NE 185 Street and 25 feet on NE 28 Court; where a minimum separation of 150 feet of landscaped frontage is required by Code; and

3. Variance from Section 31-221(i)(2) of the City Code to allow a 0 foot wide perimeter landscape buffer along the loading spaces on the north limit of the property, where a minimum 7 foot wide perimeter landscape buffer is required by Code.

all for property located at the northwest corner of NE 28 Court at NE 185 Street, Aventura.

### **BACKGROUND**

**OWNER OF PROPERTY:** Chateau Aventura LLC

**NAME OF APPLICANT** Chateau Aventura LLC

**LOCATION OF PROPERTY**

NE 28 Court at NE 185 Street  
Location Map attached as Exhibit #2

**LEGAL DESCRIPTION**

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

**SIZE OF PROPERTY**

Approximately 2.67 acres

**HISTORY**

The site is part of a development approved in 2003. Administrative Site Plan Approval was granted after City Commission approval of a comprehensive plan amendment, zoning amendment, variances and abandonment of right of way through Ordinances Nos. 2003-09 and 2003-10 and through Resolutions Nos. 2003-64 and 2003-65. The overall development parcel was 9.02 acres in size and located at NE 28 Court and NE 185 Street. The developer constructed the extension of NE 185 Street from NE 27 Avenue to NE 28 Court, which road extension and subsequent plat, bisected its property into one northerly parcel and two southerly parcels.

The three parcels were referred to in the original approval as the “townhouse parcel” with 62, 3 story, 35 foot tall townhomes, the “loft parcel” with a 138 unit, 13 story, 206 foot 10 inch tall condominium building and the “condo parcel” with a 205, 18 story, 286 foot 6 inch tall condominium building. The height of the “condo parcel” was subsequently amended to 19 stories and 186 feet 6 inches through modification of the Development Agreement and Modification of the Declaration of Restrictions in Lieu of Unity of Title approved in 2004. The townhouse parcel is now fully developed and the loft parcel is currently under construction by the Lubavitch synagogue.

The parcel which is subject of this report is the “condo parcel” at the northwest corner of NE 28 Court and NE 185 Street.

As part of the original development, the owner entered into a Development Agreement with the City to confirm the terms of road design, construction schedule and required dedication to the City after completion. The Development Agreement also specified the approved development on each parcel. The road work was completed and the road was dedicated to the City as agreed. This Development Agreement has expired and is no longer in effect.

Also as part of the original development, the owner entered into a Declaration of Restrictions in Lieu of Unity of Title that bound the site as one parcel while allowing conveyance of portions of the property, provided a density limit of 45 dwelling units per acre, limited the height of each building on the parcels, prohibited conversion of townhome garages into living space and provided that each parcel be developed in accordance with the approved plans. A modification to this Declaration was approved

through Ordinance No. 2004-17 to allow a height of 19 stories or 186 feet 6 inches for the northerly condo parcel. This Declaration is still in effect.

**DESCRIPTION OF THE PROJECT**

The applicant has submitted a site plan for residential development of the northerly “condo parcel” and the plan is currently under review by City staff. The proposal is a 205 unit condominium building that is 24 stories or 241 feet 7 inches high. The site plan submission package is attached to this report. In order to develop the plan as proposed, the applicant is requesting approval of variances to the City Code and is also requesting a modification to the Declaration of Restrictions in Lieu of Unity of Title to revise the height of the building from 19 stories or 186 feet 6 inches as approved in 2004 to allow a maximum height of 24 stories or 241 feet 7 inches and to reflect the new site development plans.

**ANALYSIS**

**Future Land Use Designation**

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

**Zoning**

Subject Property:	RMF4, Multifamily High Density Residential District
Properties to the North:	B2, Community Business District
Properties to the South:	RMF4, Multifamily High Density Residential District
Properties to the East:	RMF3, Multi-Family Medium Density Residential District
Properties to the West:	B2, Community Business District

**Existing Land Use**

Subject property:	vacant
Properties to the North:	commercial
Properties to the South:	residential
Properties to the East:	residential
Properties to the West:	commercial

**ANALYSIS**

**Consistency with Comprehensive Master Plan** - The requests are consistent with the City of Aventura Comprehensive Plan. The future land use designation of this parcel is Medium-High Density Residential.

**Citizen Comments** – As of the date of this staff report, the Community Development Department has received no written citizen comments.

**Community Development Department Analysis** – The applicant proposes a residential development consisting of 205 condominium units on the vacant parcel of land at the northwest corner of NE 185 Street and NE 28 Court, known as the “condo parcel” in the previous site plan approval for the Terzetto development. The proposed site plan modifies the 2003 and 2004 approvals. The number of units remains the same as the original approval. Building design, configuration and height have changed. In order to construct the plan as submitted, the applicant requires approval by the City Commission of a variance to the sun shadow requirement, driveway separation and perimeter landscape buffer. The proposed increase in height requires a modification to the Declaration of Restrictions in Lieu of Unity of Title and is discussed in Section II. of this staff report.

### **I. Application for Variance Approval**

The guidelines for approval of variances as required by Section 31-76(e) of the City’s Land Development Regulation states:

*Standards of review.* A variance shall be granted only where competent and substantial evidence presented in the particular case shows that all of the following are met:

- (1) *The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the regulations were carried out literally.*
- (2) *The conditions upon which the request for a variance is based are unique to the parcel and would not be generally applicable to other property within the vicinity.*
- (3) *The alleged difficulty or hardship is not economic and has not been deliberately created to establish a use or structure which is not otherwise consistent with the LDR.*
- (4) *The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.*
- (5) *The proposed variance will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the vicinity.*

**Request #1: Variance from Section 31-143(f)(3)b. of the City Code to allow a building height that creates a shadow on adjacent property, where the Code provides that each building or structure which exceeds 100 feet in height shall be designed and situated such that the shadow created by the sun at 12:00 noon on December 21 (a sun angle of 41 degrees) will not fall on any adjacent property except for public road rights of way.**

The RMF4 zone requires that a shadow study be submitted for each building exceeding 100 feet high to ensure that its shadow does not fall on adjacent property. The purpose of this requirement is to ensure that new residential buildings do not cast a shadow on existing residential buildings. The shadow is measured, as specified by City Code, on December 21 at 12:00 noon, that being the day and time of the longest shadow. The shadow study for the proposed condominium building shows that a shadow will fall on the existing one-story retail plaza to the north. The applicant has advised that it will provide a letter, at the public hearing, from the owner of the retail plaza to the north stating that it has no objection to the sun shadow on its land.

The applicant states that the hardship arises from the irregularly shaped parcel created by the alignment of the NE 185 Street extension road and the previous dedication of that land for road purposes. The conditions upon which the request for variance is based are unique to this parcel. The alleged hardship is not economic and has not been deliberately created to establish a use or structure which is not otherwise consistent with the LDR. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity. The proposed development will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values in the vicinity.

While each variance request is of a unique and independent nature, the following is provided for Commission's information. The previously approved site plan for this parcel was granted variance approval in 2003 for sun shadow falling on this same adjacent private property.

**Request #2: Variance from Section 31-172(c) of the City Code to allow driveway separations of 82'10" on NE 185 Street (Miami Gardens Drive extension) and 25 feet on NE 28 Court, where a minimum separation of 150 feet of landscaped frontage is required by Code.**

The plan as submitted shows the entrance and exit to the north condominium building on NE 185 Street lying 82'10" east of the previously approved driveway to the Aloft hotel parcel to the west. It also shows an entrance drive to the building entrance, valet parking and parking garage on NE 28 Court lying 25 feet south of the existing driveway to the parking area for the Aventura Plaza. The City's Traffic Consultant has reviewed

these separations and advises that both separations would operate in a safe manner with appropriate signage and pavement markings.

The applicant states that the hardship arises from the fact that the City's Land Development Regulations arises from the irregularly shaped parcel created by the alignment of the NE 185 Street extension road and the previous dedication of that land for road purposes. The conditions upon which the request for variance is based are unique to this parcel. The alleged hardship is not economic and has not been deliberately created to establish a use or structure which is not otherwise consistent with the LDR. Based on consultation with the City's Traffic Consultant, staff believes that the granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity. The proposed development will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values in the vicinity.

While each variance request is of a unique and independent nature, the following is provided for Commission's information. The previously approved site plan for this parcel was granted variance approval in 2003 to permit driveway separation of 25 feet on NE 28 Court and to permit driveway separation of 95 feet on NE 185 Street.

**Request #3: Variance from Section 31-221(i)(2) of the City Code to permit a 0' perimeter landscape buffer for approximately 120 feet along the north property limit abutting existing commercial property, where a minimum 7' perimeter landscape buffer is required by Code.**

The plan as submitted shows three loading spaces at the northeast property limit abutting the retail plaza property. The City Code requires a minimum 7' wide landscaped buffer along all vehicular use areas. The plan as submitted shows the loading spaces immediately adjacent to the property to the north, with a six foot high privacy wall separating the two lots. The loading spaces occupy the easterly 120 feet of the north limit. The remaining 310 feet along the north property limit has a 25 foot landscape buffer.

The applicant states that the hardship arises from the irregularly shaped parcel created by the alignment of the NE 185 Street extension road and the previous dedication of that land for road purposes. The conditions upon which the request for variance is based are unique to this parcel. The alleged hardship is not economic and has not been deliberately created to establish a use or structure which is not otherwise consistent with the LDR. Based on consultation with the City's Traffic Consultant, staff believes that the granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity. The proposed development will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values in the vicinity.

## **II. Application to Modify Declaration of Restrictions in Lieu of Unity of Title**

As part of the original development approval through Ordinance No. 2003-10, a Declaration of Restrictions in Lieu of Unity of Title was recorded to provide that the three parcels, approved for development in 2003, would be developed in accordance with the approved site plans. The height of the building subject of this staff report was approved at 18 stories or 186 feet 6 inches. A revision to the Declaration was approved through Ordinance No. 2004-17 to allow a maximum height of 19 story, 186 feet 6 inches.

The current owner has applied to modify the Declaration to allow an increase in the previously approved maximum height from 19 stories, 186 feet 6 inches to a maximum height 24 stories, 241 feet 7 inches and to reflect the new site development plans.

In accordance with City Commission's instruction after discussion at the July 17, 2013 City Commission workshop meeting, the Modification to Declaration of Restrictions in Lieu of Unity of Title, marked as Exhibit #3, is attached for approval. This modification will allow a maximum height of 24 stories or 241 feet, 7 inches for the proposed condominium building and lists the new site plans.

The amended Declaration provides, as discussed at the City Commission workshop, that this modification approval is granted exclusively to Chateau Aventura LLC.



**BERCOW RADELL & FERNANDEZ**  
ZONING, LAND USE AND ENVIRONMENTAL LAW

Direct: 305-377-6238  
E-Mail: [mmarrero@brzoninglaw.com](mailto:mmarrero@brzoninglaw.com)

VIA HAND DELIVERY

December 16, 2013

**Exhibit #1**  
**05-VAR-13 &01-MRC-13**

Joanne Carr, Director  
Community Development Department  
City of Aventura  
19200 West Country Club Drive  
Aventura, FL 33180

RE: Puerto Aventura - Variance Application

Dear Joanne:

This law firm represents Chateau Aventura, LLC (the "Applicant") with respect to the property described in Exhibit A (the "Property"). The Applicant is requesting several variances required for the development of the Property. This letter shall serve as the Applicant's initial letter of intent in support of the Application.

The Property is approximately 2.67 acres in size and is located at the NW corner of NE 185<sup>th</sup> Street (Miami Gardens Drive) and NE 28<sup>th</sup> Court. The proposed site plan is consistent with the Medium High Density Residential land use designation and the RMF-4 zoning district, as it does not exceed 45 dwelling units to the acre.

Background. In 2003, the prior owner of the Property obtained various development approvals relating to the Property, including an application to amend the City's Comprehensive Plan, an application for rezoning, an application for site plan approval, an application for various variances required to develop the project, and an application to close a portion of N.E. 28 Court. In addition, the Owner entered into a Development Agreement with the City and proffered a Declaration of Restrictions in Lieu of Unity of Title requiring the Property to be developed in accordance with the site plan entitled, "Aventura Landings," prepared by Mouriz/Salazar Architects dated last revised on June 13, 2003, as supplemented by Sheets SP-1 and SP-1A signed and sealed on August 21, 2003 ("Site Plan"). See City Ordinance No. 2003-10. The Site Plan illustrates

the development for the Property, which consisted of three product types, namely, the Condominium, the Lofts, and the Villas. The Site Plan was approved by the City Manager through the administrative site plan approval process in Section 31-79 of the City Code, as provided in the Declaration of Restrictions in Lieu of Unity of Title. The instant application is only for the Condominium portion of the development.

In 2004, the Owner revised the Site Plan, which required modifications to the previous approvals granted through Ordinance 2003-10 and Resolution 2003-64 (Development Agreement, Declaration of Restrictions in Lieu of Unity of Title, and variances). The City Commission approved these modifications via Ordinance 2004-17 and Resolution 2004-52. Subsequent to obtaining the requisite public hearing approvals, the Owner underwent the administrative site plan approval process provided in Section 31-79 of the City Code, and the City Manager approved the modifications to the Site Plan entitled, "Terzetto Condominiums," "Terzetto Villas," and "Terzetto Lofts III," prepared by Mouriz Salazar, signed and sealed on or around September 17, 2004 (together, "Revised Site Plan"). The Revised Site Plan illustrated the development of the Property and consists of the same three product types originally approved in the Site Plan. A "Modification to Declaration of Restrictions" reflecting the Revised Site Plan approval was recorded in Official Record Book 23016 at Page 2196 of the Public Records of Miami-Dade County, Florida.

Current Application. The Applicant has purchased the Condominium portion of the prior project in order to develop its "Puerto Aventura Residences," which would be a modification to the "Terzetto Condominiums" site plan. As you know, the Property only represents a portion of the prior-approved project, so there have been several challenges in attempting to marry the development criteria. The resulting 205 unit, 24-story Puerto Aventura project will still be within the City's allowable height and density. The project provides many amenities, primarily located on the 6<sup>th</sup> floor of the building. These include a large pool, a children's pool, a ballroom and a gymnasium. There are also 5 stories of structured parking provided on floors 1 -5.

Variance Request. The Applicant requests variances from the City Code to permit reduced driveway separations on NE 28<sup>th</sup> Court and on NE 185<sup>th</sup> Street, reduced buffers along the loading spaces, and a waiver of the requirement that no shadow be imposed on a neighboring property. Pursuant to the City's Land Development Regulations, a variance shall be granted only where competent and

substantial evidence presented in the particular case shows that all of the following are met:

- (1) The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the regulations were carried out literally.

**The lot is irregularly shaped and is part of a development originally proposed for two other parcels. As a result, several dimensional challenges exist that can be resolved by the granting of these variances. The variances are not intended to increase the intensity of the project, but simply to address challenges with the site.**

- (2) The conditions upon which the request for a variance is based are unique to the parcel and would not be generally applicable to other property within the vicinity.

**Because of the site's irregular shape and the unique three-parcel development approval that it is a part of, the reasons for the variance are unique to the parcel and would not be generally applicable to other properties within the vicinity.**

- (3) The alleged difficulty or hardship is not economic and has not been deliberately created to establish a use or structure which is not otherwise consistent with the LDR.

**The hardship is not economic in any way, as it does not affect the intensity or height of the project. As to the shadow study, the only property owner affected has agreed to waive any objection. The requested variances relate primarily to site difficulties.**

- (4) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.

**The granting of these variances will result in a better designed project and will only improve the welfare of surrounding properties and circulation in the site.**

Joanne Carr, Director  
December 16, 2013  
Page 4

(5) The proposed variance will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the vicinity.

**The granting of these variances will not increase congestion in public streets or danger of fire, safety, public welfare or property values.**

We look forward to your favorable review and comments relative to the site plan.

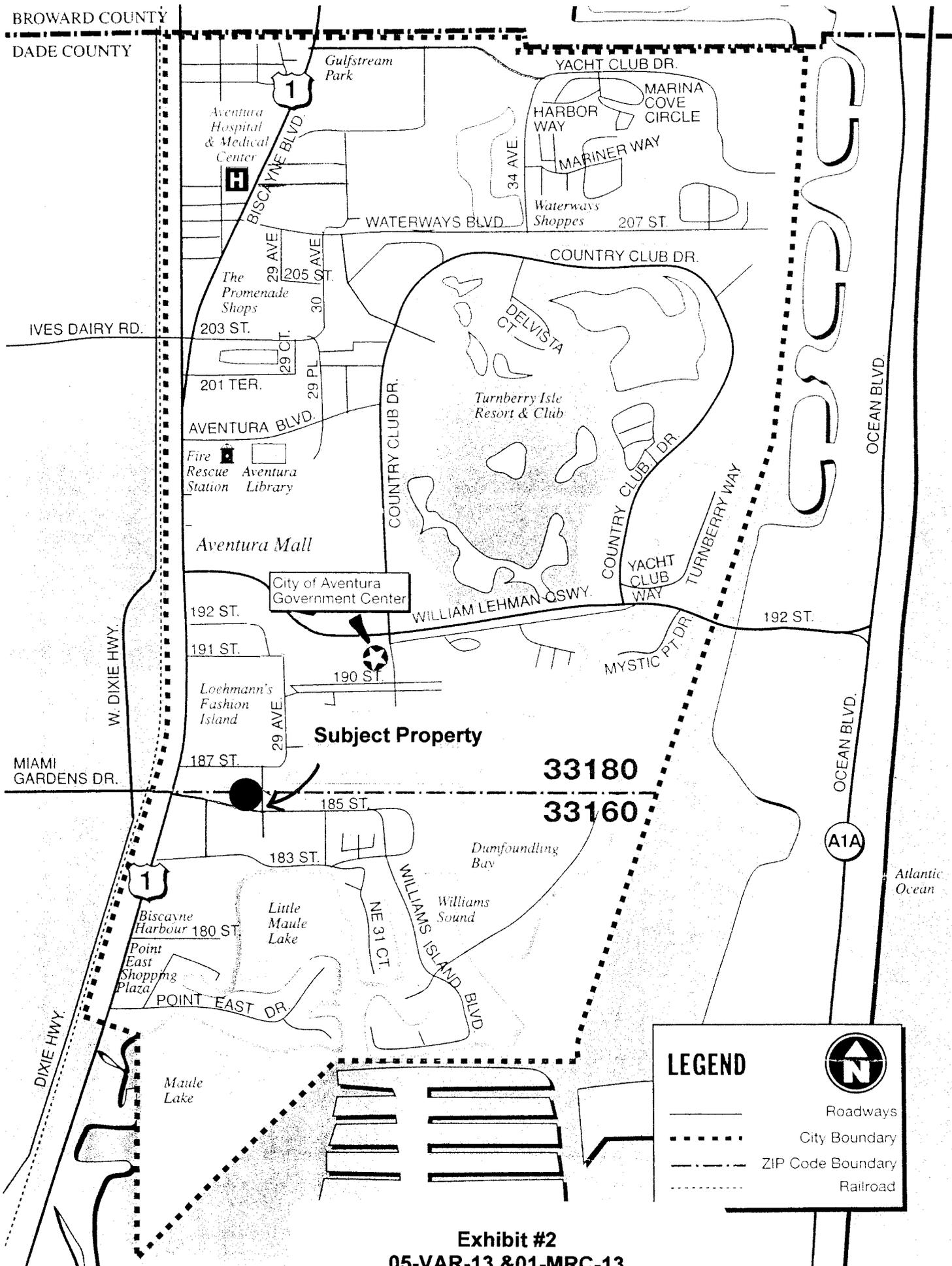
Very truly yours,

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

Michael J. Marrero

BROWARD COUNTY

DADE COUNTY



**Subject Property**

**33180**

**33160**

**LEGEND**



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

**Exhibit #2**  
**05-VAR-13 & 01-MRC-13**

This instrument was prepared by:  
Name: Michael J. Marrero, Esq.  
Address: Bercow & Radell, P.A.  
200 S. Biscayne Boulevard, Suite 850  
Miami, FL 33131

(Space reserved for Clerk)

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**PARTIAL MODIFICATION TO DECLARATION OF RESTRICTIONS**

THIS MODIFICATION TO DECLARATION OF RESTRICTIONS (“Modification”) is entered into the \_\_ day of \_\_\_\_\_, 2014, by and between the CITY OF AVENTURA, Florida a municipal corporation, (“City”) and CHATEAU AVENTURA, LLC. (the “Owner”).

RECITALS:

A. WHEREAS, the Owner owns the property, consisting of approximately 2.67 gross acres of land (the “Property”), the legal description of which is attached hereto as Exhibit A; and

B. WHEREAS, the previous owner obtained development approvals relating to the Property, including an application to amend the City of Aventura Comprehensive Plan, an application for rezoning, an application for site plan approval, an application for various variances required to develop the Project, and an application to close a portion of NE 28<sup>th</sup> Court (the “Applications”), through the City’s Community Development Department; and

C. WHEREAS, on August 22, 2003, the previous owner and the City entered into a Declaration of Restrictions in Lieu of Unity of Title (Residential), recorded in the Official Records Book 21678, pages 0547 through 0556 (“Declaration”);and

D. WHEREAS, on November 19, 2004, the previous owner and the City entered into a Modification to Declaration of Restrictions, recorded in the Official Records Book 23016, pages 2196-2205;and

E. WHEREAS, Paragraph 16 of the Modification to the Declaration provides that the maximum roof height of structures within the Condominium Parcel (identified as Tract A in the Site Plan) shall be 19 stories or 186’ – 6”;

F. WHEREAS, accordingly, based on the current plan of development, the Owner and City agree that a modification to Paragraph 16 of the Declaration to permit 24 stories in the Condominium Parcel would be appropriate; and

(Space reserved for Clerk)

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G. WHEREAS, Paragraph 10 of the Declaration, provides that the provisions of the Declaration may be released, amended, or modified from time to time by recorded instrument executed by the then owner or owners of all of the Property, with joinders by all mortgagees, if any, provided that the same is also approved by the City Commission of the City of Aventura, after public hearing; and

H. WHEREAS, January 7, 2014, the City Commission of the City of Aventura held a public hearing and adopted Resolution 2014-XXX, revising the proposed maximum number of stories from 19 stories to 24 stories.

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

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

2. Paragraph 16 of the Modification to the Declaration is hereby modified as follows:

FROM: The maximum roof height of structures within the Condominium Parcel (identified as Tract A in the site plan) shall be 19 stories or 186' - 6".

TO: The maximum roof height of structures within the Condominium Parcel (identified as Tract A in the site plan) shall be 24 stories or 241' - 7".

3. Paragraph 2 of the Declaration is hereby modified as follows:

FROM:

[T]he plans entitled:

- "Terzetto Condominiums", Site and Building Area Calculations, Sheet A-1, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- "Terzetto Condominiums", Approved Site Plan, Sheet A-2, prepared by Mouriz Salazar, Architects & Planners, dated 8/02, last revised 6/13/03.
- "Terzetto Condominiums", Proposed Site Plan, Sheet A-3, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.

**(Space reserved for Clerk)**

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- “Terzetto Condominiums”, Approved Floor Plans, Sheet A-3.1, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Proposed Apartment Building Floor Plans, Sheet A-4, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Proposed Apartment Building Floor Plans, Sheet A-5, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Proposed Apartment Building Floor Plans, Sheet A-6, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Proposed Apartment Building Floor Plans, Sheet A-7, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Approved and Proposed Building Elevations, Sheet A-8, prepared by Mouriz Salazar, Architects & Planners, dated 6/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Approved and Proposed Building Elevations, Sheet A-10, prepared by Mouriz Salazar, Architects & Planners, dated 6/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Approved and Proposed Shadow Study, Sheet A-11, prepared by Mouriz Salazar, Architects & Planners, dated 6/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Approved and Proposed Apartment Building Floor Plans, Sheet A-12, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Approved and Proposed Apartment Building Floor Plans, Sheet A-13, prepared by Mouriz Salazar, Architects & Planners, dated 6/04, last revised 9/15/04, signed and sealed 9/17/04.

TO:

[T]he plans entitled:

- “Puerto Aventura”, COVER, Sheet A0.00, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.

**(Space reserved for Clerk)**

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- “Puerto Aventura”, INDEX, Sheet A0.01, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 09/30/13, signed and sealed 12/12/13.
- “Puerto Aventura”, SITE PLAN DATA, Sheet A1.00, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 11/27/13, signed and sealed 12/12/13.
- “Puerto Aventura”, SITE CONTEXT MAP, Sheet A1.01, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/15/13, signed and sealed 12/12/13.
- “Puerto Aventura”, EXISTING SITE AERIALS, Sheet A1.02, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 09/30/13, signed and sealed 12/12/13.
- “Puerto Aventura”, CONSTRUCTION FENCE, Sheet A1.03, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 11/27/13, signed and sealed 12/12/13.
- “Puerto Aventura”, FIRE STAGING PLAN, Sheet A1.04, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 11/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, SITE PLAN, Sheet A2.00, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 11/27/13, signed and sealed 12/12/13.
- “Puerto Aventura”, SHADOW PLAN, Sheet A2.01, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 06/24/13, signed and sealed 12/12/13.
- “Puerto Aventura”, 1ST LEVEL FLOOR PLAN, Sheet A3.01, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 11/27/13, signed and sealed 12/12/13.
- “Puerto Aventura”, 2ND LEVEL FLOOR PLAN, Sheet A3.02, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, 3RD & 4TH LEVEL FLOOR PLAN, Sheet A3.03, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, 5TH LEVEL FLOOR PLAN, Sheet A3.04, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, 6TH LEVEL FLOOR PLAN, Sheet A3.05, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.

**(Space reserved for Clerk)**

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- “Puerto Aventura”, TYPICAL FLOOR PLAN, Sheet A3.06, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 09/30/13, signed and sealed 12/12/13.
- “Puerto Aventura”, PENTHOUSE FLOOR PLAN, Sheet A3.07, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 09/30/13, signed and sealed 12/12/13.
- “Puerto Aventura”, ROOF PLAN, Sheet A3.08, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, SOUTH ELEVATION, Sheet A4.00, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 09/30/13, signed and sealed 12/12/13.
- “Puerto Aventura”, EAST ELEVATION, Sheet A4.01, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 06/24/13, signed and sealed 12/12/13.
- “Puerto Aventura”, WEST ELEVATION, Sheet A4.02, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 09/30/13, signed and sealed 12/12/13.
- “Puerto Aventura”, NORTH ELEVATION, Sheet A4.03, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, BUILDING SECTION, Sheet A5.00, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, RENDERING 1, Sheet A6.00, prepared by Kobi Karp Architecture and Interior Design, Inc., signed and sealed 12/12/13.
- “Puerto Aventura”, RENDERING 2, Sheet A6.01, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, RENDERING 3, Sheet A6.02, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, RENDERING 4, Sheet A6.03, prepared by Kobi Karp Architecture and Interior Design, Inc., signed and sealed 12/12/13.
- “Puerto Aventura”, RENDERING 5, Sheet A6.04, prepared by Kobi Karp Architecture and Interior Design, Inc., signed and sealed 12/12/13.

**(Space reserved for Clerk)**

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4. It is recognized that the approval for the building height and development described above is granted exclusively to Chateau Aventura, LLC.

5. The terms and conditions of the Declaration, as previously modified, shall remain in full force and effect except as herein further modified.

SIGNATURE PAGES TO FOLLOW

(Space reserved for Clerk)

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Signed, sealed, executed and acknowledged this \_\_\_\_ day of \_\_\_\_\_, 2014.

WITNESSES:

CHATEAU AVENTURA, LLC

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

By: \_\_\_\_\_

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

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

Title: \_\_\_\_\_

ACCEPTED BY:

CITY OF AVENTURA, FLORIDA

Attest:

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

By: \_\_\_\_\_  
Eric Soroka, City Manager



# 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.)
Jeff Beccow	Attorney
Michael J. Marrero	Attorney
Kobi Karp	Architect
Manuel Echezaretta	Engineer
Mariano Corral	Landscape Architect
Joaquin Vargas	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(6)(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 \_\_\_ DAY OF \_\_\_\_\_, 2013

AUTHORIZED REPRESENTATIVE OF APPLICANT:

By: [Signature]  
 Name: Michael Marrero  
 Title: Attorney  
 Address: 200 S. Biscayne Blvd, #850  
Miami, FL 33131

OWNER  
 By: [Signature]  
 Name: M. BROSKOFF  
 Title: MANAGER  
 Address: 1000 E HAWAIIAN ROAD BLD  
HAWAIIAN FL 33009

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me the undersigned authority personally appeared Manuel Broskoff 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 17 day of October, 2013

AFFIANT  
2013



Notary Public State of Florida At Large  
Printed Name of Notary Max Rojas  
My commission expires: 4/12/2014



# BUSINESS RELATIONSHIP AFFIDAVIT\*

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

1 Affiant does not have a Business Relationship with any member of the City Commission or any City Advisory Board to which the application will be presented.

2 Affiant hereby discloses that it does have a Business Relationship with a member of the City Commission or a City Advisory Board to which the application will be presented, as follows:

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

The nature of the Business Relationship is as follows:

i Member of City Commission or Board holds an ownership interest in excess of 1% of total assets or capital stock of Applicant or Representative.

ii Member of City Commission or Board is a partner, co-shareholder (as to shares of a corporation which are not listed on any national or regional stock exchange) or joint venturer with the Applicant or Representative in any business venture;

iii The Applicant or Representative is a Client of a member of the City Commission or Board or a Client of another professional working from the same office or for the same employer as the member of the City Commission or Board.

iv A City Commissioner or Board member is a Client of the Applicant or Representative.

v The Applicant or Representative is a Customer of the member of the City Commission or Board (or of his or her employer) and transacts more than \$10,000.00 of the business of the member of the City Commission or Board (or his or her employer) in a given calendar year.

vi The member of the City Commission or Board is a Customer of the Applicant or Representative and transacts more than \$25,000.00 of the business of the Applicant or Representative in a given calendar year.

WITNESS MY HAND THIS 15 DAY OF October, 2013

APPLICANT

By [Signature] (Signature)  
Name Michael Marasca (Print)  
Title Attorney/ Applicant (Print)

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

PROPERTY OWNER

By [Signature] (Signature)  
Name [Signature] (Print)  
Title MANAGER (Print)

\*The terms "Business Relationship," "Client," "Customer," "Applicant," "Representative" and "Interested Person" are defined in Section 2-305 of the Aventura City Code.

WITNESS MY HAND THIS 16 DAY OF October 2013

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By [Signature] (Signature)

Name Manuel Echezarretho (Print)

Title Engineer (Print)

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

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

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

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

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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 Manuel Echevarria 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.

*Manuel Echevarria*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 16<sup>th</sup> day of October, 2013

*Michelle Lopez*  
Notary Public State of Florida At Large  
Printed Name of Notary Michelle Lopez  
My commission expires April 11, 2017



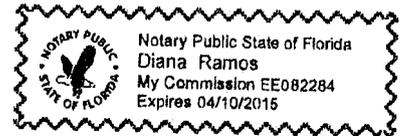
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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

*Michael Morris*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2013

*Diana Ramos*  
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 \_\_\_\_\_ 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 \_\_\_\_\_

WITNESS MY HAND THIS 16 DAY OF October 2013

REPRESENTATIVE (Listed on Employer Relationship Affidavit)

By: [Signature] (Signature)

Name: [Name] (Print)

Title: [Title] (Print)

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

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

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

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

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

2) Applicant and Affiants are advised to timely supplement this Affidavit pursuant to Sec. 34-71(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.

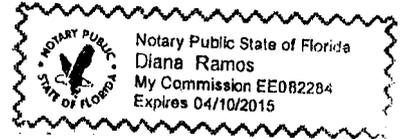
NOTARIZATION PROVISION

STATE OF FLORIDA )  
COUNTY OF MADISON )

Before me, the undersigned authority, personally appeared Deagun Vargas, known to me to be the person whose name is subscribed to the foregoing instrument, and that he executed the same for the purposes and consideration therein expressed.

Witness my hand and official seal this 17 day of October, 2013.

*[Signature]*  
Notary Public, State of Florida At Large  
Diana Ramos  
My commission expires



STATE OF FLORIDA )  
COUNTY OF SUWANNEE )

Before me, the undersigned authority, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and that he executed the same for the purposes and consideration therein expressed.

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

AFFIRANT

SWORN TO AND SUBSCRIBED to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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

STATE OF FLORIDA )  
COUNTY OF SUWANNEE )

Before me, the undersigned authority, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and that he executed the same for the purposes and consideration therein expressed.

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

AFFIRANT

SWORN TO AND SUBSCRIBED to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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

STATE OF FLORIDA )  
COUNTY OF SUWANNEE )

Before me, the undersigned authority, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and that he executed the same for the purposes and consideration therein expressed.

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

AFFIRANT

SWORN TO AND SUBSCRIBED to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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

WITNESS MY HAND THIS 16 DAY OF October, 2013

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

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

Name: Kobi Karp (Print)

Title: Architect (Print)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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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

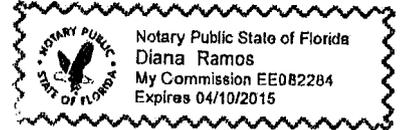
Before me, the undersigned authority, personally appeared Kobi Kap  
executed this Affidavit for the purposes stated therein and that it is true and correct.

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

SWORN TO AND SUBSCRIBED before me this 17 day of OCTOBER, 2009

AFFIANT

[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 \_\_\_\_\_  
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 \_\_\_\_\_  
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 \_\_\_\_\_  
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 15<sup>th</sup> DAY OF October, 2003

REPRESENTATIVE (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Jeff Berrow (Print)

Title: Attorney (Print)

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

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

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

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

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

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

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

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

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

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

Name: \_\_\_\_\_ (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**

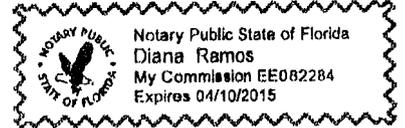
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

Before me, the undersigned authority, personally appeared Jeffrey Becco 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.

*Jeffrey Becco*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2013

*Diana Ramos*  
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:

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:

WITNESS MY HAND THIS 19 DAY OF December, 2013

REPRESENTATIVE (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

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

Name: Mariano Corral (Print)

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

Title: Landscape Architect (Print)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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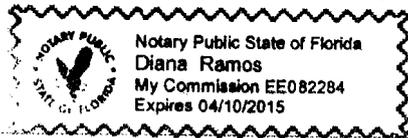
NOTARIZATION PROVISION

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Mariano Corral 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 30 day of December, 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 \_\_\_\_\_ 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)

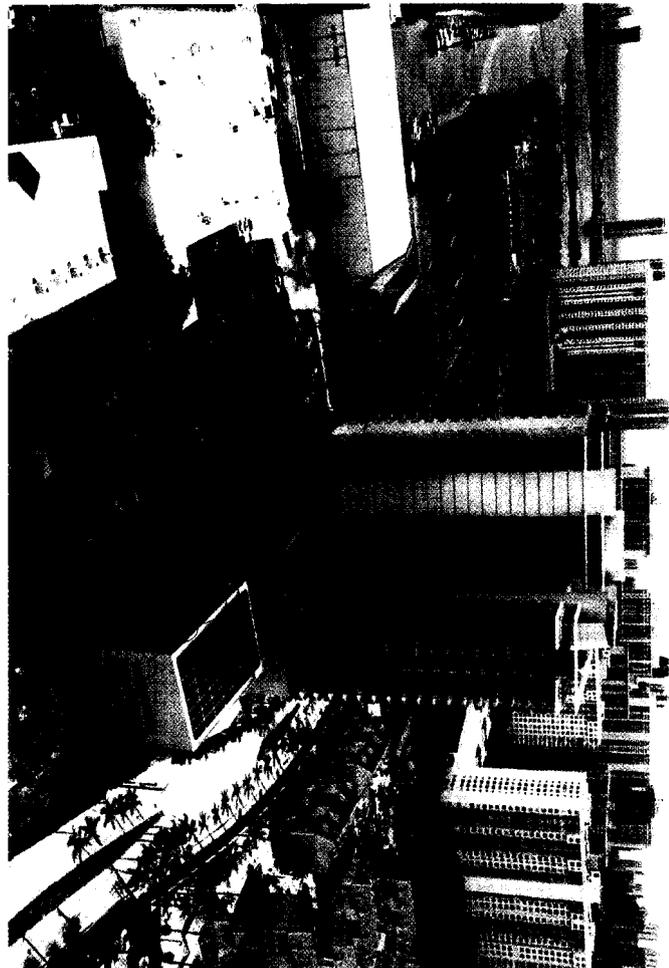
Before me, the undersigned authority, personally appeared \_\_\_\_\_ the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

\_\_\_\_\_ 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: \_\_\_\_\_

# PUERTO AVENTURA AVENTURA, FL



ARCHITECTS  
**KOB KARP ARCHITECTURE  
 AND INTERIOR DESIGN, INC.**  
 2915 BISCAYNE BOULEVARD, SUITE  
 209  
 MIAMI, FLORIDA 33137  
 TEL: 305-573-1818  
 FAX: 305-573-3766

	ARCHITECTURE INTERIOR DESIGN PLANNING AIA ASID NCARB 2915 Biscayne Boulevard Suite 209 Miami, Florida 33137 Tel: 305.573.1818 F: 305.573.3766 WWW.KOBKARP.COM	Lic. # AR0012578	PUERTO AVENTURA AVENTURA, FL	COVER	REVISIONS / DIMENSIONS DATE: _____ BY: _____ CHECKED BY: _____ DATE: _____ A0.00
	K O B I <b>K A R P</b>				REVISIONS / DIMENSIONS DATE: _____ BY: _____ CHECKED BY: _____ DATE: _____

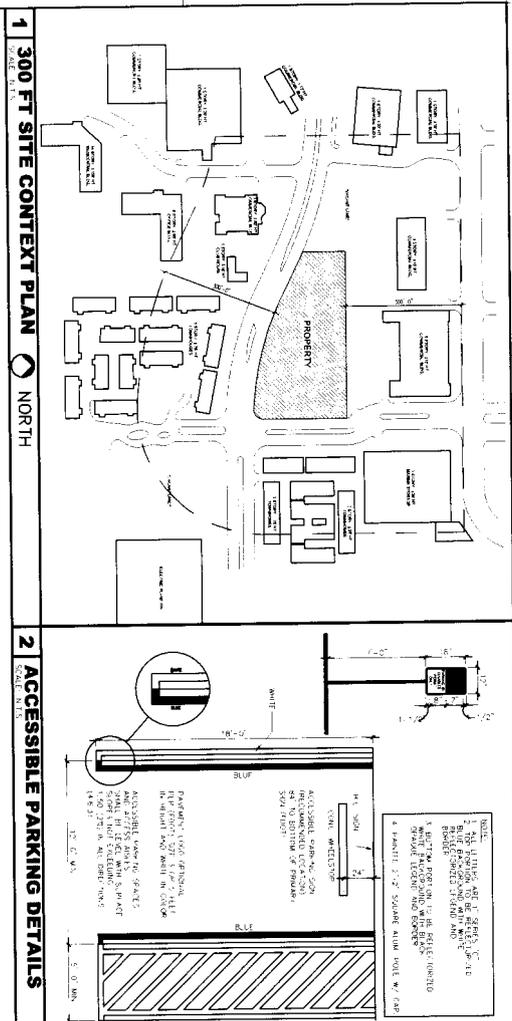
SHEET NUMBER	SHEET NAME
A0.00	COVER INDEX
A0.01	ALTA/ACSM LAND TITLE SURVEY
A1.00	SURVEY SITE DATA
A1.01	SITE CONTEXT MAP/500' RADIUS
A1.02	EXISTING SITE AERIALS
A1.03	CONSTRUCTION FENCE
A1.04	FIRE STAGING PLAN
A2.00	SITE PLAN
A2.01	SHADOW MAP
A3.01	FIRST FLOOR PLAN
A3.02	SECOND FLOOR PLAN
A3.03	THIRD AND FOURTH FLOOR PLAN
A3.04	FIFTH FLOOR PLAN
A3.05	SIXTH FLOOR PLAN
A3.06	TYPICAL JOOR PLAN
A3.07	TRIHOUSE LEVELS
A4.00	SOUTH ELEVATION
A4.01	EAST ELEVATION
A4.02	WEST ELEVATION
A4.03	NORTH ELEVATION
A6.00	RENDER 1
A6.01	RENDER 2
A6.02	RENDER 3
A6.03	RENDER 4
A6.04	RENDER 5
LC	COVER SHEET & PROJECT LOCATION
LP-1	SITE LANDSCAPE PLAN
LP-2	POOL, BIKINI LANDSCAPE PLAN
LP-3	PLANT DETAILS AND SPECS
LI-1	LIGHTING PLAN
CS WM	WATER PLANS COVER ENCL
GN WM	WATER PLANS NOTES
WM-1	WATER PLAN 1
WM-2	WATER PLAN 2
WM-3	WATER PLAN 3
PD-CS	PAVING AND DRAINAGE COVER
PD-1	PAVING AND DRAINAGE
PD-2	SECTIONS & DETAILS
PD-3	PAVING AND DRAINAGE
SI-1	STRIPING AND SIGNAGE

INDEX

	<p>ARCHITECTURE INTERIOR DESIGN PLANNING</p> <p>AIA ASID NCARB</p> <p>2615 Biscayne Boulevard Suite 200 Miami, Florida 33137 O: 305.575.1812 F: 305.575.3766</p> <p>WWW.KOBIKARP.COM</p>	<p>PUERTO AVENTURA AVENTURA, FL</p>	<p>INDEX</p>	<p>REVISIONS / SUBMISSIONS</p> <p>REVIEW COMMENTS (DATE)</p>
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 CHECKED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 A0.01

LC, # AR0012578



**PROPOSED BUILDING AREA CALCULATIONS**

LEVEL	UNITS	CIRCULATION + MECH. ELEC.	POOL/DECK	LAUNDRY	LOBBY + SOCIAL AREAS	RESTROOMS	GAZARDE	OFFICES	TOTAL
GROUND FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF
1ST FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF
2ND FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF
3RD FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF
4TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF
5TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF
6TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF
7TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF
8TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF
9TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF
10TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF	2011 SF
<b>TOTAL</b>	<b>2011 SF</b>	<b>2011 SF</b>	<b>2011 SF</b>	<b>2011 SF</b>	<b>2011 SF</b>	<b>2011 SF</b>	<b>2011 SF</b>	<b>2011 SF</b>	<b>2011 SF</b>

**GAZARDE PARKING CALCULATION**

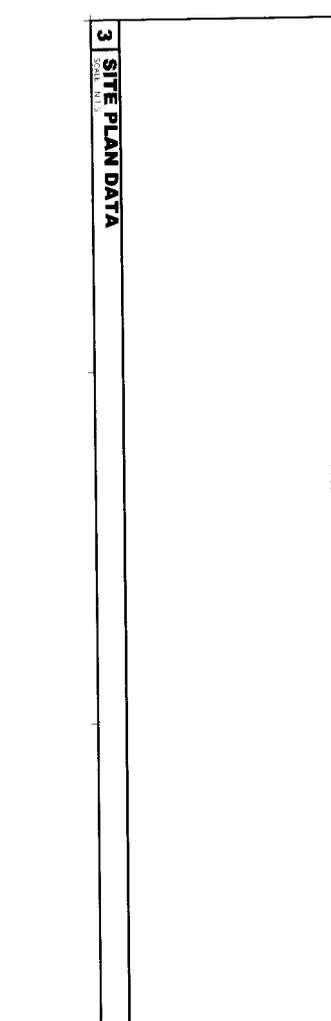
LEVEL	UNITS	GAZARDE	OFFICES	TOTAL
GROUND FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
1ST FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
2ND FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
3RD FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
4TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
5TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
6TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
7TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
8TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
9TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
10TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
<b>TOTAL</b>	<b>2011 SF</b>	<b>2011 SF</b>	<b>2011 SF</b>	<b>2011 SF</b>

**PROPOSED UNIT CALCULATION**

LEVEL	UNITS	GAZARDE	OFFICES	TOTAL
GROUND FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
1ST FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
2ND FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
3RD FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
4TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
5TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
6TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
7TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
8TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
9TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
10TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
<b>TOTAL</b>	<b>2011 SF</b>	<b>2011 SF</b>	<b>2011 SF</b>	<b>2011 SF</b>

**LAYOUT BUILDING AREA CALCULATIONS**

LEVEL	UNITS	GAZARDE	OFFICES	TOTAL
GROUND FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
1ST FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
2ND FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
3RD FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
4TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
5TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
6TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
7TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
8TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
9TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
10TH FLOOR LEVEL	2011 SF	2011 SF	2011 SF	2011 SF
<b>TOTAL</b>	<b>2011 SF</b>	<b>2011 SF</b>	<b>2011 SF</b>	<b>2011 SF</b>



**4 SITE PLAN DATA & CALCULATIONS**

DESCRIPTION	UNITS	GAZARDE	OFFICES	TOTAL
PROPOSED BUILDING AREA CALCULATIONS	2011 SF	2011 SF	2011 SF	2011 SF
GAZARDE PARKING CALCULATION	2011 SF	2011 SF	2011 SF	2011 SF
PROPOSED UNIT CALCULATION	2011 SF	2011 SF	2011 SF	2011 SF
LAYOUT BUILDING AREA CALCULATIONS	2011 SF	2011 SF	2011 SF	2011 SF

**REVISIONS / SUBMISSIONS**

DATE: \_\_\_\_\_

SCALE: 1/8" = 1'-0"

**K O B I K A R P**

ARCHITECTURE  
INTERIOR DESIGN  
PLANNING

AIA ASID NCARB

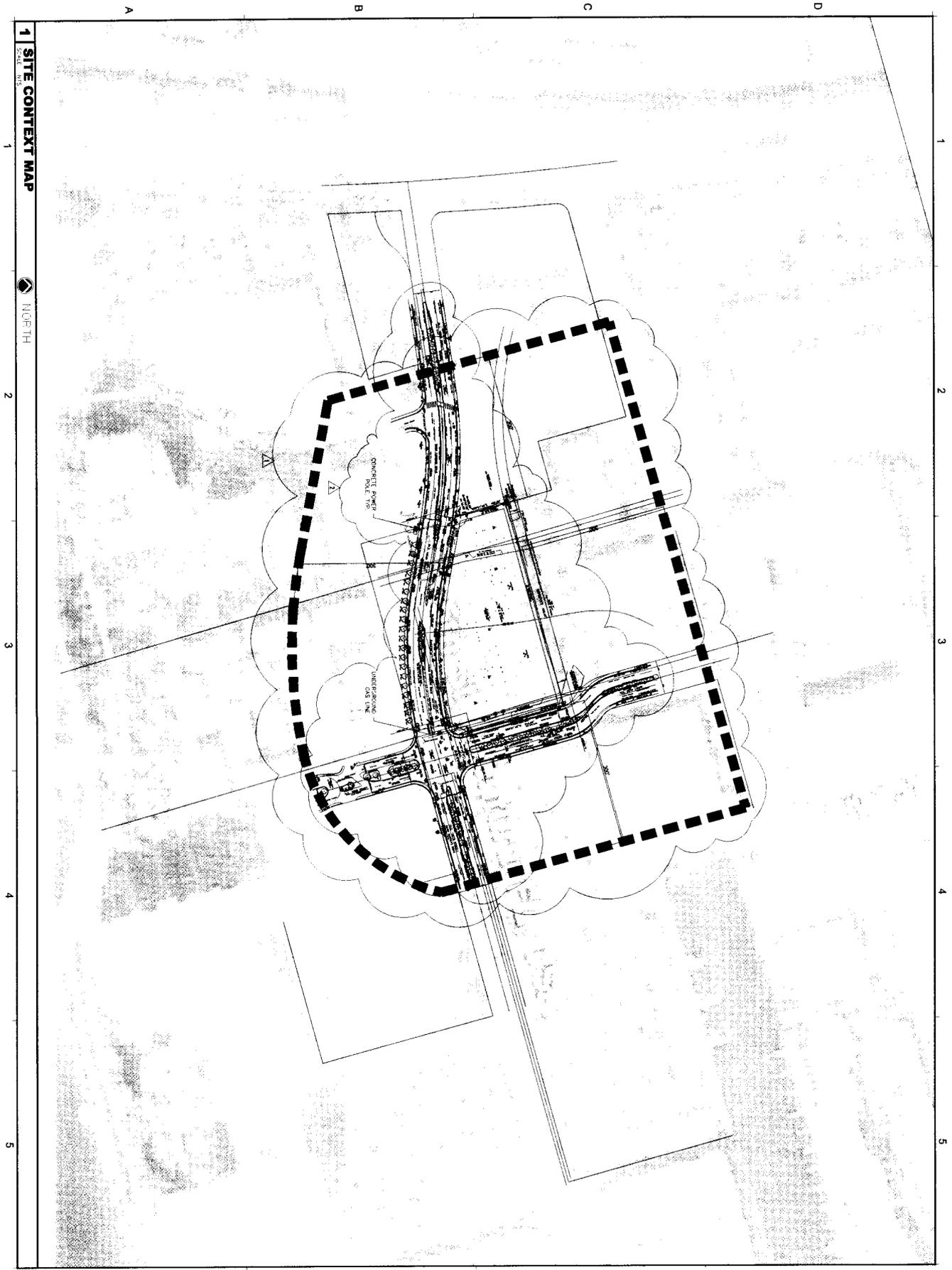
2912 E. Bayshore Boulevard  
Miami, Florida 33137  
Tel: 305.576.3700  
Fax: 305.576.3700

WWW.KOBIKARP.COM

PUERTO AVENTURA  
AVENTURA, FL

SITE PLAN DATA

Lk: # AR0012578



1 SITE CONTEXT MAP



2

3

4

5

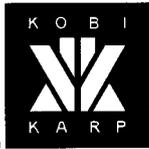
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ARCHITECTURE  
 INTERIOR DESIGN  
 PLANNING  
 AIA ASID NCARB  
 2618 Blueberry Boulevard  
 Suite 200  
 Miami, Florida 33137  
 P: 305.472.1414  
 F: 305.572.3788  
 WWW.KOBIKARP.COM

Lic. # AR0012578

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PUERTO AVENTURA  
 AVENTURA, FL  
 SITE CONTEXT MAP  
 300 ft. Radius Context

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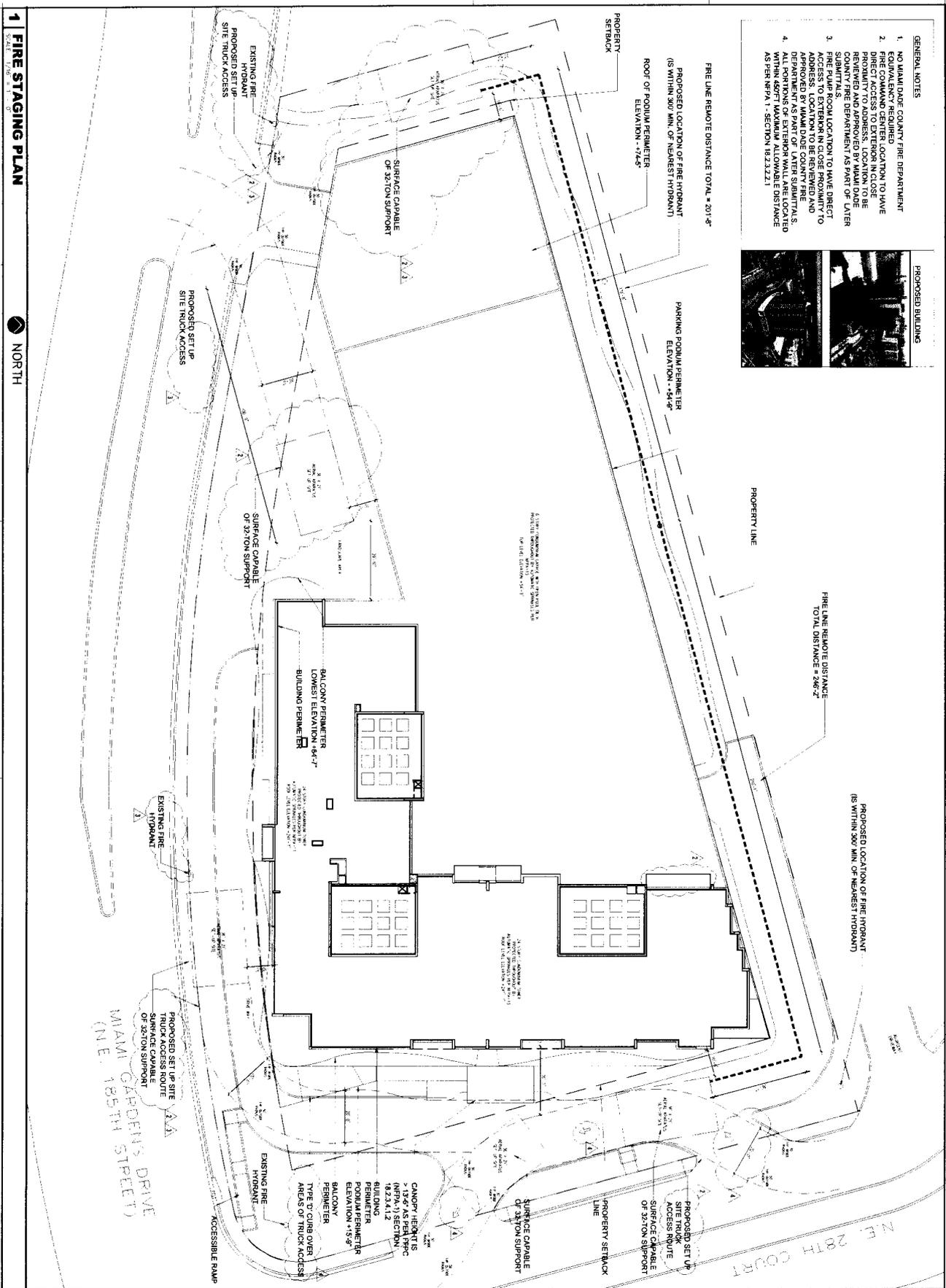
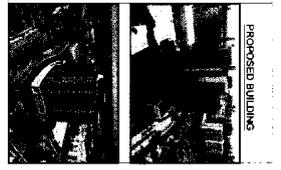
REVISIONS / SUBMISSIONS  
 1. REVISION / COMMENTS / DATE  
 2. REVISION / COMMENTS / DATE







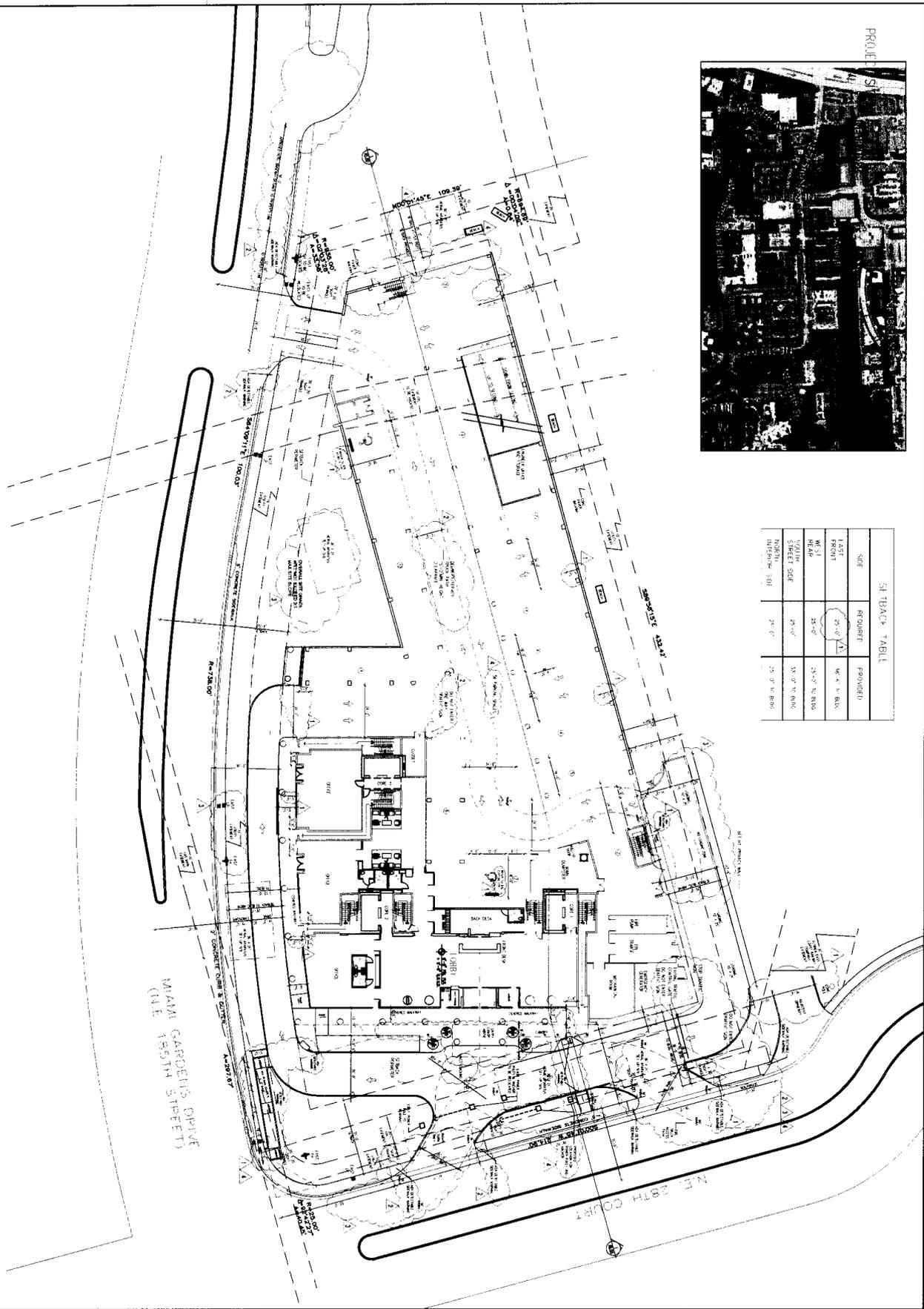
- GENERAL NOTES**
1. NO MIAMI DADE COUNTY FIRE DEPARTMENT EQUIVALENCY REQUIRED
  2. PROPOSED FIRE HYDRANT LOCATION TO HAVE DIRECT ACCESS TO EXTERIOR IN CLOSE PROXIMITY TO ADDRESS. LOCATION TO BE REVIEWED AND APPROVED BY MIAMI DADE COUNTY FIRE DEPARTMENT AS PART OF LATER SUBMITTALS.
  3. FIRE PUMP ROOM LOCATION TO HAVE DIRECT ACCESS TO EXTERIOR IN CLOSE PROXIMITY TO DEPARTMENT AS PART OF LATER SUBMITTALS.
  4. ALL PORTIONS OF EXTERIOR WALL ARE LOCATED WITHIN SETBACK WALL ACCESSIBLE DISTANCE AS PER MFC 1 SECTION 19.27.02.1.



**1 FIRE STAGING PLAN**

SCALE: 1/8" = 1'-0"  
 NORTH

	ARCHITECTURE INTERIOR DESIGN PLANNING AIA ASID NCARB 2915 Broward Boulevard Suite 200 Miami, Florida 33137 (305) 575-3780 F: 305.575.3788 WWW.KOBIKARP.COM	PUERTO AVENTURA NE 185th STREET AND 28th COURT AVVENTURA, FLORIDA, 33180	REVISIONS / SUBMISSIONS REVIEW COMMENTS SHEET REVIEW DATE REVIEW COMMENTS SHEET REVIEW DATE REVIEW COMMENTS SHEET REVIEW DATE
	Lic. # AR0012578	FIRE STAGING PLAN	A1.04



ST. BAUCK TABLE

SIZE	REQUIRE	PROVIDED
1.5' x 1.5'	20'-0"	16'-0" x 16'-0"
2.5' x 2.5'	25'-0"	25'-0" x 25'-0"
3.5' x 3.5'	35'-0"	35'-0" x 35'-0"
4.5' x 4.5'	45'-0"	45'-0" x 45'-0"

DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
**A2.00**

**ARCHITECTURE  
 INTERIOR DESIGN  
 PLANNING**  
 AIA ASID NCARB  
 2515 Broward Boulevard  
 Suite 700  
 Miami, Florida 33137  
 O: 305.573.1818  
 F: 305.573.3760  
 WWW.KOBIKARP.COM

LIC. # AR0012578

**PUERTO AVENTURA**  
 AVENTURA, FL

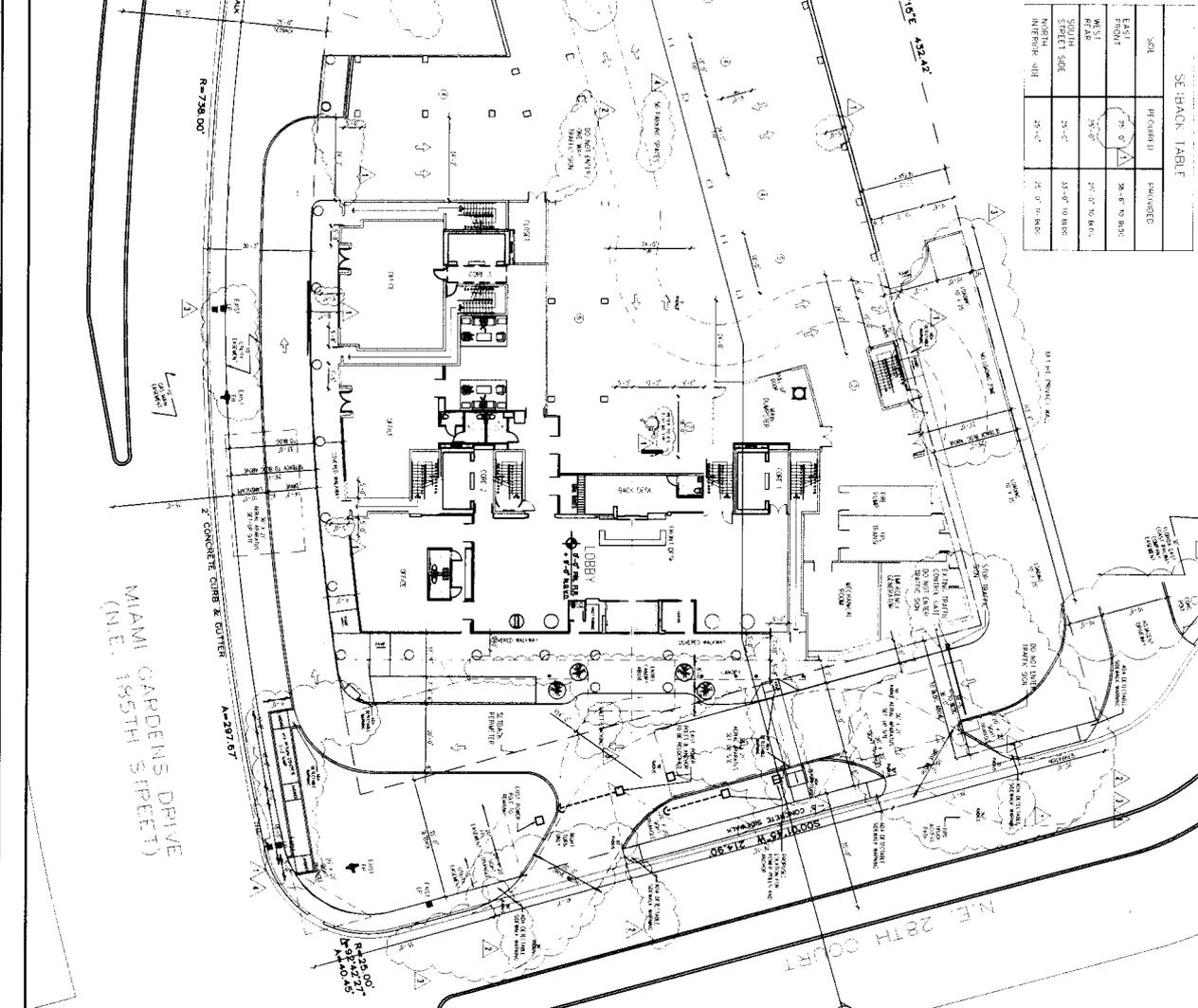
**SITE PLAN**

PREPARED FOR: \_\_\_\_\_  
 PROJECT NO.: \_\_\_\_\_  
 SHEET NO.: \_\_\_\_\_

- REVISIONS / SUBMISSIONS
- 1. INITIAL REVIEW
  - 2. REVISION COMMENTS
  - 3. REVISION COMMENTS
  - 4. REVISION COMMENTS
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  - 17. REVISION COMMENTS
  - 18. REVISION COMMENTS
  - 19. REVISION COMMENTS
  - 20. REVISION COMMENTS



1 SITE/GROUND FLOOR PLAN PLAN NORTH



SECTION TABLE

SECTION	DESCRIPTION	DATE
SECTION 1	SECTION 1	25-12-12
SECTION 2	SECTION 2	25-12-12
SECTION 3	SECTION 3	25-12-12
SECTION 4	SECTION 4	25-12-12
SECTION 5	SECTION 5	25-12-12
SECTION 6	SECTION 6	25-12-12
SECTION 7	SECTION 7	25-12-12
SECTION 8	SECTION 8	25-12-12
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SECTION 98	SECTION 98	25-12-12
SECTION 99	SECTION 99	25-12-12
SECTION 100	SECTION 100	25-12-12

	ARCHITECTURE INTERIOR DESIGN PLANNING AIA ASID NCARB 2915 Brickman Boulevard Suite 200 Miami, Florida 33137 P: 305.573.3333 F: 305.573.3988 WWW.KOBIKARP.COM	PUERTO AVENTURA AVENTURA, FL 1ST LEVEL FLOOR PLAN GROUND LEVEL	REVISIONS / SUBMISSIONS 1. ZONING REVIEW 06/01/13 2. REVIEW COMMENTS 06/01/13 3. REVIEW COMMENTS 07/01/13 4. REVIEW COMMENTS 10/01/13 5. REVIEW COMMENTS 10/01/13 6. REVIEW COMMENTS 10/01/13
	DATE: 04/11/13 CHECKED BY: JAM DRAWN BY:	LK. # AR0012578	A3.01



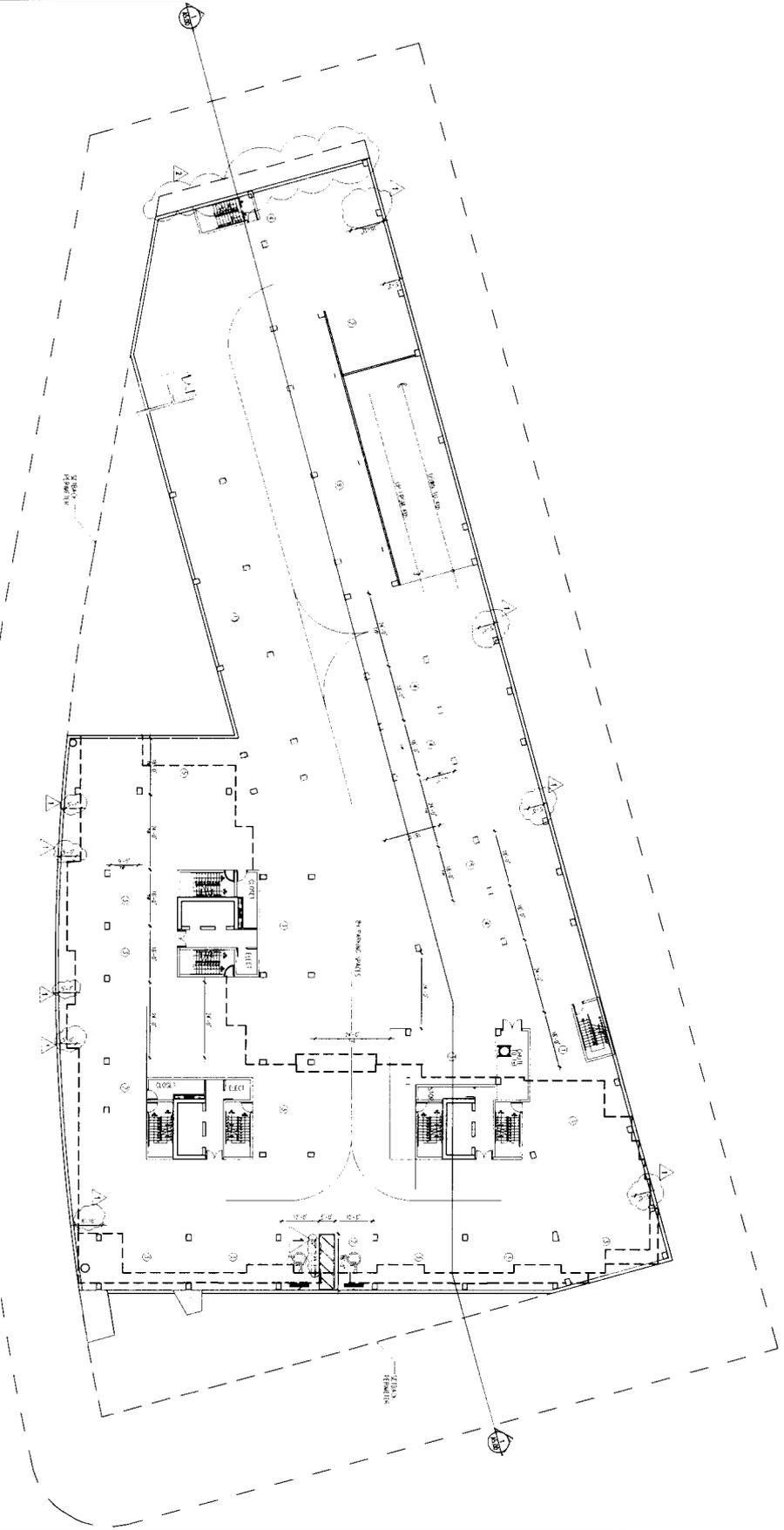


1 | 5TH FLOOR GARAGE



NORTH

5TH FLOOR GARAGE



DATE: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 SHEET: **A3.04**



ARCHITECTURE  
 INTERIOR DESIGN  
 PLANNING  
 AIA ASID NCARB  
 2915 Biscayne Boulevard, Suite 200  
 Miami, Florida 33137  
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Lic. # AR0012578

PUERTO AVENTURA  
 AVVENTURA, FL

5TH LEVEL FLOOR PLAN  
 GARAGE

REVISIONS / SUBMISSIONS

NO.	DATE	DESCRIPTION

REVISIONS / SUBMISSIONS  
 ZONING REVIEW: 06/24/2013  
 REVIEW COMMENTS: 10/16/13



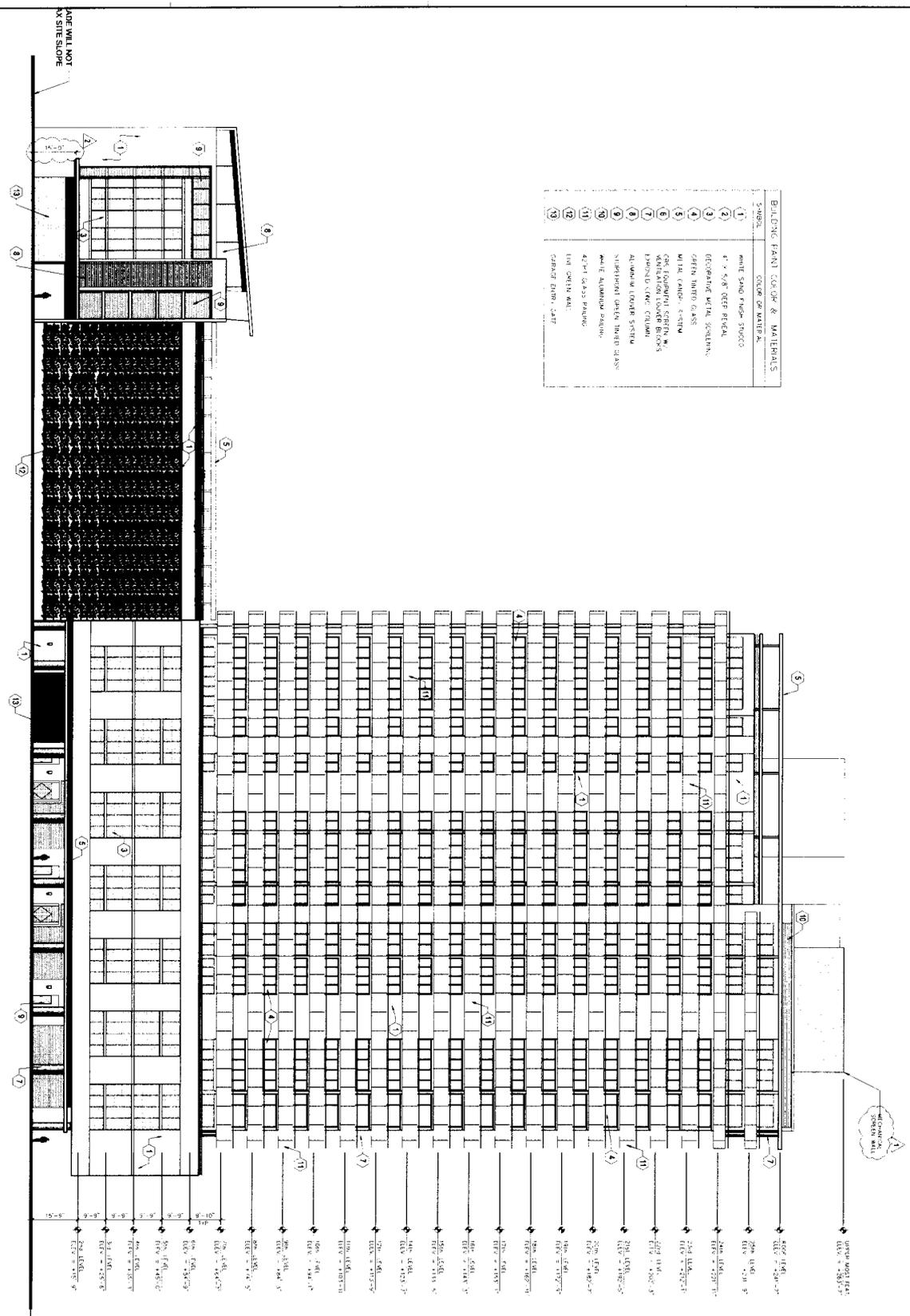






**1 SOUTH ELEVATION - VIEW A-A**  
SCALE: 1/8" = 1'-0"

**SOUTH ELEVATION**



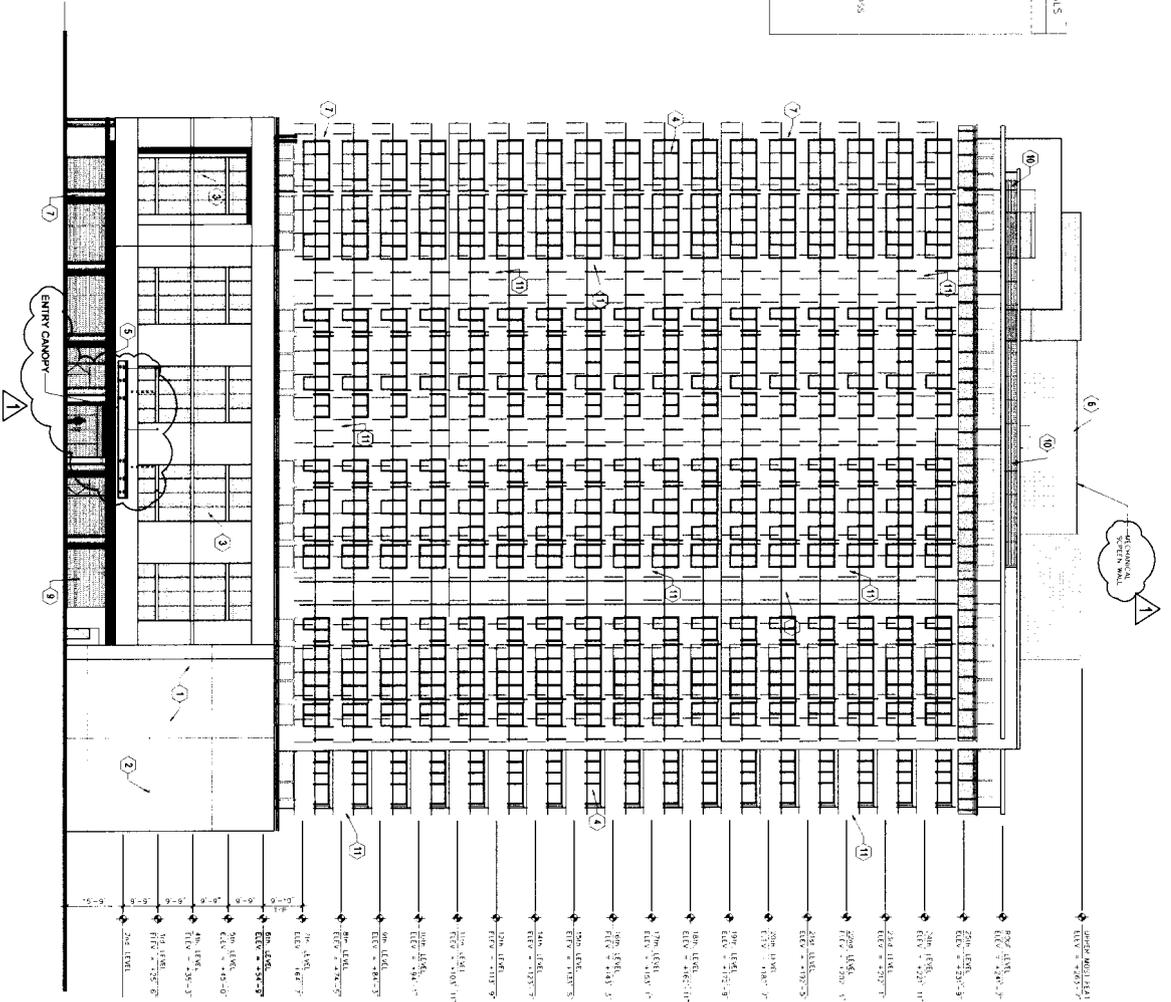
1	BUILDING PANEL COLOR & MATERIALS
2	COLOR OF MATERIALS
1	WHITE SAND FRESH STUCCO
2	4" x 5/8" DEEP RIBBED
3	ECOSPANING METAL SOLUTIONS
4	24"X12" METAL CLASH
5	WALL PANEL - STAIN
6	24"X12" METAL CLASH
7	24"X12" METAL CLASH
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99	24"X12" METAL CLASH
100	24"X12" METAL CLASH

<p>REVISIONS / SUBMISSIONS</p> <p>NO. DATE BY</p> <p>1 08/13/2024 KOB</p>	<p>ARCHITECTURE INTERIOR DESIGN PLANNING</p> <p>AIA ASID NCARB</p> <p>2515 Biscayne Boulevard Suite 300 Miami, Florida 33137 O 305.573.3182 F 305.573.3186</p> <p>WWW.KOBKARP.COM</p>	<p>PUERTO AVENTURA AVENTURA, FL</p>	<p>SOUTH ELEVATION VIEW A-A</p>	<p>DATE: 08/13/2024</p> <p>CHECKED BY: KOB</p> <p>DRAWN BY: KOB</p> <p><b>A4.00</b></p>	<p>Li. # AR0012578</p>
					<p>K O B I K A R P</p>

**1 EAST ELEVATION - VIEW B-B**

SCALE: 1/8" = 1'-0"

SYMBOL	COLOR OR MATERIAL
1	WHITE SAND PAVEN STUCCO
2	4" x 5/8" DEEP RIB-SEA
3	DECATANE METAL SHEETING
4	GREEN INSULATED GLASS
5	METAL CANOPY SYSTEM
6	GEN. EQUIPMENT SYSTEM & VENTILATION SYSTEM
7	EXPOSED CONCRETE COLUMN
8	ALUMINUM CLAMP SYSTEM
9	SUPPLEMENTARY GREEN INSULATED GLASS
10	WHITE ALUMINUM PANELING
11	42" x 12" GLASS PANELING
12	1/2" GREEN WALL
13	JAMBAL EXPOSED CONCRETE



DATE: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
**A4.01**



**ARCHITECTURE  
 INTERIOR DESIGN  
 PLANNING**  
 AIA ASID NCARB  
 2915 Shadybrook Boulevard  
 Suite 202  
 Miami, Florida 33137  
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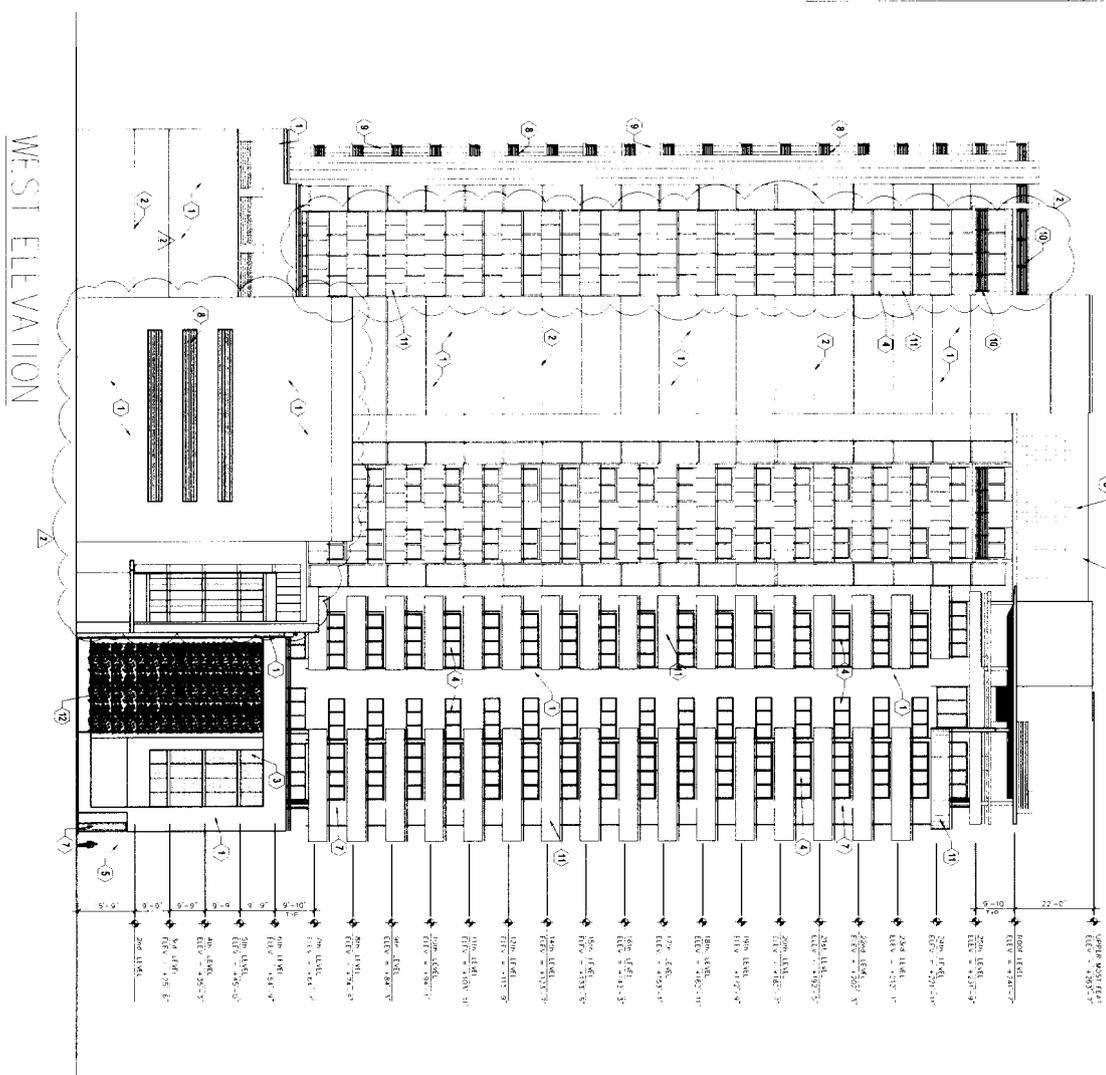
Lic. # AR0012578

**PUERTO AVENTURA**  
 AVENTURA, FL

**EAST ELEVATION**  
 VIEW B-B

REVISIONS / SUBMISSIONS  
 COMMENT: \_\_\_\_\_  
 DATE: \_\_\_\_\_

SYMBOL	DESCRIPTION
1	WHITE SAND FINISH STUDIOS
2	4" x 5/8" DEEP MULLION
3	COLOUR 200 VERTICAL
4	REFLECTIVE METAL SYSTEMS
5	GRATE METAL SYSTEMS
6	METAL CURTAIN SYSTEM
7	65% EXPOSED SPERDUM / 35% EXPOSED SPERDUM / 35% PROTECT COAT COLUMN
8	ALUMINUM LOADED SYSTEM
9	STANDARD OPEN METAL 2x4-85
10	WHITE ALUMINUM PANEL
11	42" x 12" SLAT PANEL
12	100% GREEN WALL
13	GLAZED ENTRY GATE



1 WEST ELEVATION - VIEW C-C  
SCALE: 1/8" = 1'-0"

**K O B I**  
**K A R P**

ARCHITECTURE  
INTERIOR DESIGN  
PLANNING

AIA ASID NCARB

2615 Electrical Boulevard  
Suite 200  
Miami, Florida 33137  
D: 305.272.1618  
F: 305.673.2700  
WWW.KOBIKARP.COM

Lic. # AR0012578

REVISIONS / SUBMISSIONS

DATE: \_\_\_\_\_

SCALE: A4.02

**PUERTO AVENTURA**  
AVENTURA, FL

**WEST ELEVATION**  
VIEW C-C

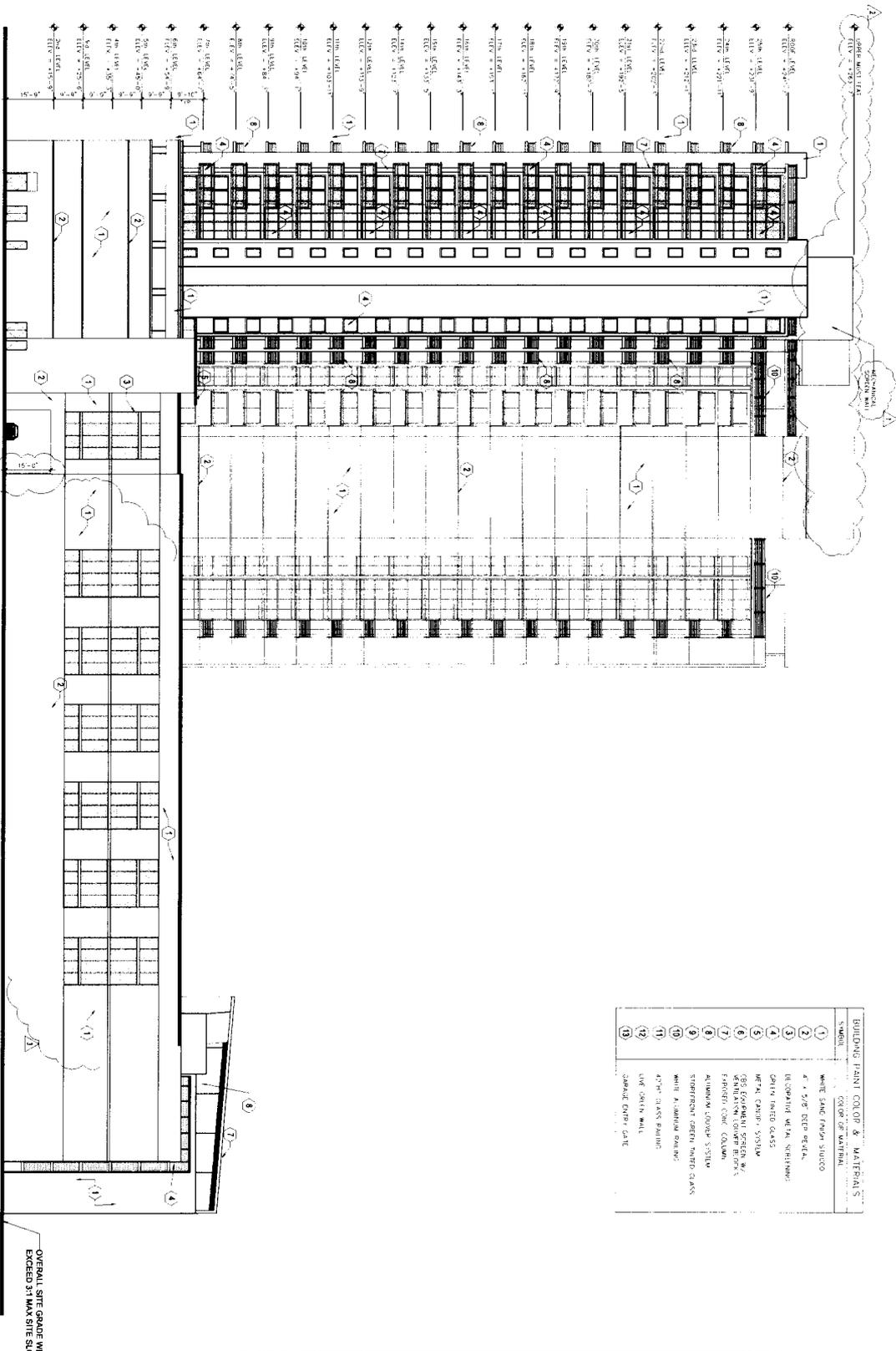
REVISIONS / SUBMISSIONS

DATE: \_\_\_\_\_

SCALE: A4.02

1 WEST ELEVATION - VIEW C-C

NORTH ELEVATION



SYMBOL	BUILDING PAINT COLOR & MATERIALS
1	WHITE SATEL FINISH STUCCO
2	COLOR OF MATERIAL
3	4" x 8" DEEP BRICK
4	DECORATIVE METAL SCREENING
5	OPAL TINTED GLASS
6	HEPA AIR CLEANER SYSTEM
7	DESIGNER EQUIPMENT SCREEN #2
8	FRONT CORNER COLUMN
9	ALUMINUM COVER SYSTEM
10	STRENGTHEN GREEN TINTED GLASS
11	WHITE ALUMINUM SHADING
12	42" GLASS PANELS
13	LOUVER OPEN WALL
	DAMAGE CORNER GATE

DRAWN BY: **K O B I**  
 CHECKED BY: **K A R P**  
 DATE: **4/04**  
**A4.03**

**K O B I**  
**K A R P**

ARCHITECTURE  
 INTERIOR DESIGN  
 PLANNING  
 AIA ASID NCARB  
 2813 Biscayne Boulevard  
 Suite 200  
 Miami, Florida 33137  
 © 2005, 2011, 2014  
 P: 305.873.7788  
 WWW.KOBIKARP.COM

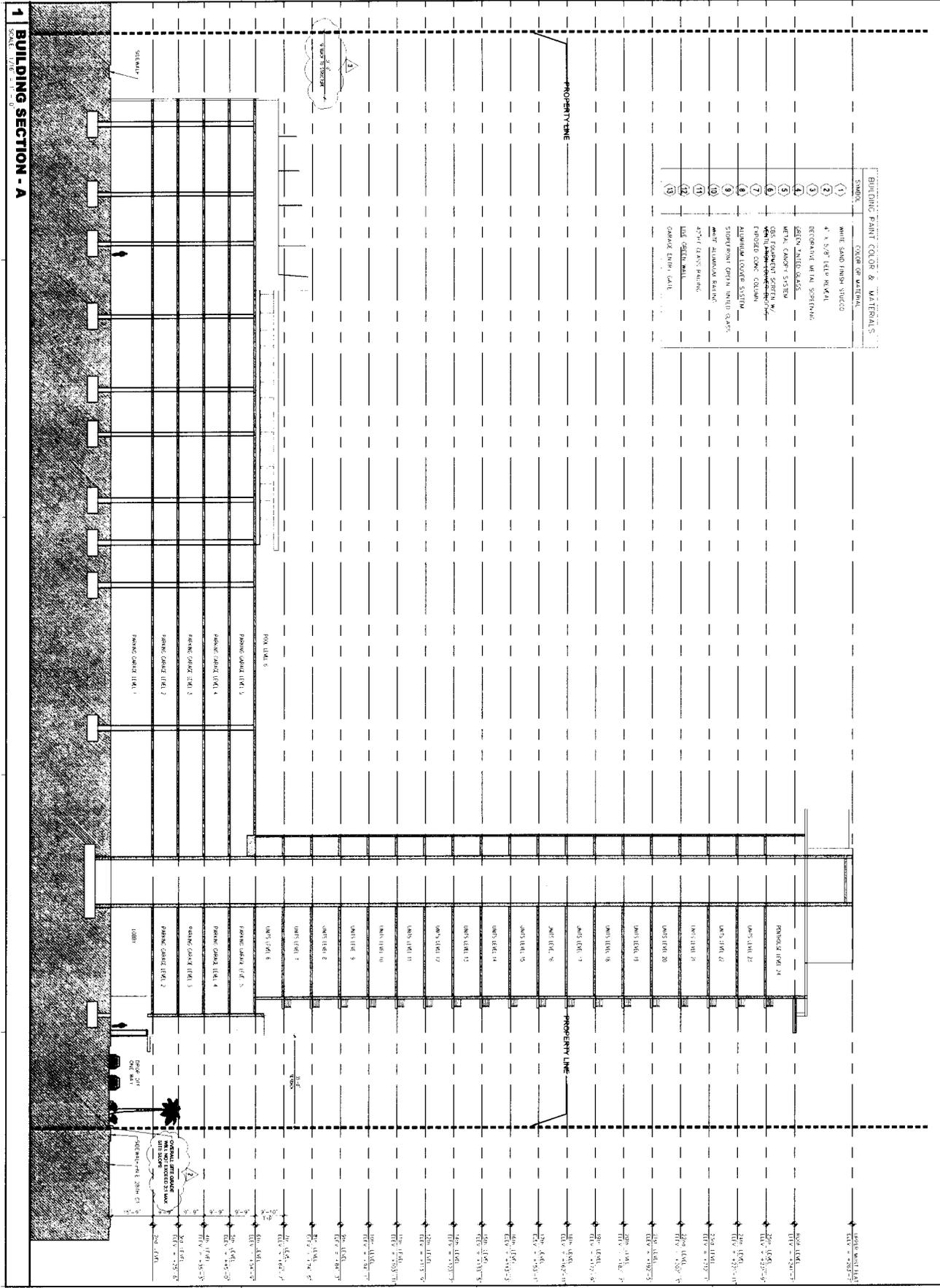
Lic. # AR0012578

PUERTO AVENTURA  
 AVVENTURA, FL  
 NORTH ELEVATION

REVISIONS / SUBMISSIONS  
 1. CORRECT DIMENSIONS - 08/04/13  
 2. REVIEW COMMENTS - 08/08/13  
 3. REVIEW COMMENTS - 10/18/13

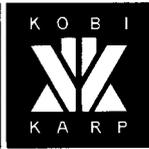
PROJECT INFORMATION  
 PROJECT NO.:  
 PROJECT NAME:  
 PROJECT ADDRESS:  
 PROJECT CONTACT:  
 PROJECT PHONE:

SYMBOL	COLOR OR MATERIAL
1	WHITE SAND FINISH STUCCO
2	4" X 8" TILED W/ K&M
3	RECONCRETE W/ 14" REINFORCING
4	EXTERIOR PAINTED BRICK
5	18" EXTERIOR SYSTEM W/ 14" CANTON SYSTEM
6	18" EXTERIOR SYSTEM W/ 14" CANTON SYSTEM
7	PRECAST CONCRETE COLUMN
8	ALUMINUM WINDOW SYSTEM
9	STANDARD OPEN METAL CLADDING
10	ALUMINUM WINDOW SYSTEM
11	4" X 8" TILED W/ K&M
12	EXTERIOR PAINTED BRICK
13	CONCRETE CURB



**1 BUILDING SECTION - A**  
SCALE: 1/8" = 1' - 0"

DATE: \_\_\_\_\_  
DRAWN BY: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_  
**A5.00**



ARCHITECTURE  
INTERIOR DESIGN  
PLANNING  
AIA ASID NCARB  
2614 Biscayne Boulevard  
Miami, Florida 33137  
Tel: 305.575.1818  
www.kobikarp.com  
Lic. # AR0012578

**PUERTO AVENTURA**  
AVENTURA, FL

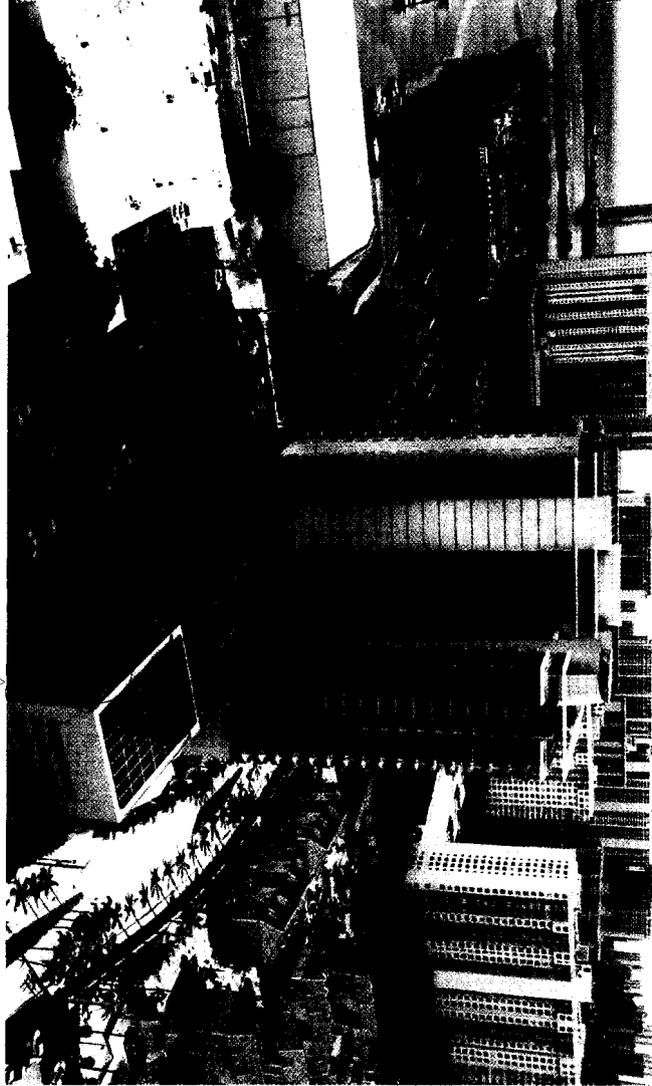
**BUILDING SECTION**  
A-A

REVISIONS/ISSUANCES  
NO. DATE DESCRIPTION  
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REVISIONS/ISSUANCES  
NO. DATE DESCRIPTION  
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OPTION 1 - WHITE PEDESTAL



A6.01		ARCHITECTURE INTERIOR DESIGN PLANNING	PUERTO AVENTURA AVENTURA, FL	RENDERING 2	REVISIONS / SUBMISSIONS REVISION COMMENTS 10/16/13
		AIA ASID NCARB 2015 Biscayne Boulevard Suite 205 Miami, Florida 33137 © 2005-2013 P: 305.573.1818 F: 305.573.1786 WWW.KOBIKARP.COM			
OWNER: BK	DATE: 04/11/13	Lic. # AR0012578			





OPTION 1 - WHITE PEDESTAL



<b>A6.04</b>		ARCHITECTURE INTERIOR DESIGN PLANNING AIA ASID NCARB 2015 Broward Boulevard Suite 200 Miami, Florida 33137 P: 305.572.1818 F: 305.572.3786 WWW.KOBIKARP.COM	Lic. # AR0012578			<b>PUERTO AVENTURA</b> AVENTURA, FL		REVISIONS / SUBMISSIONS
						<b>RENDERING 5</b>		

# PUERTO AVENTURA

MIAMI GARDENS DRIVE AND NE 28TH COURT  
AVENTURA, FLORIDA

## LANDSCAPE ARCHITECTURAL PLANS

MARIANO CORRAL - LANDSCAPE ARCHITECT -A.S.T.A.

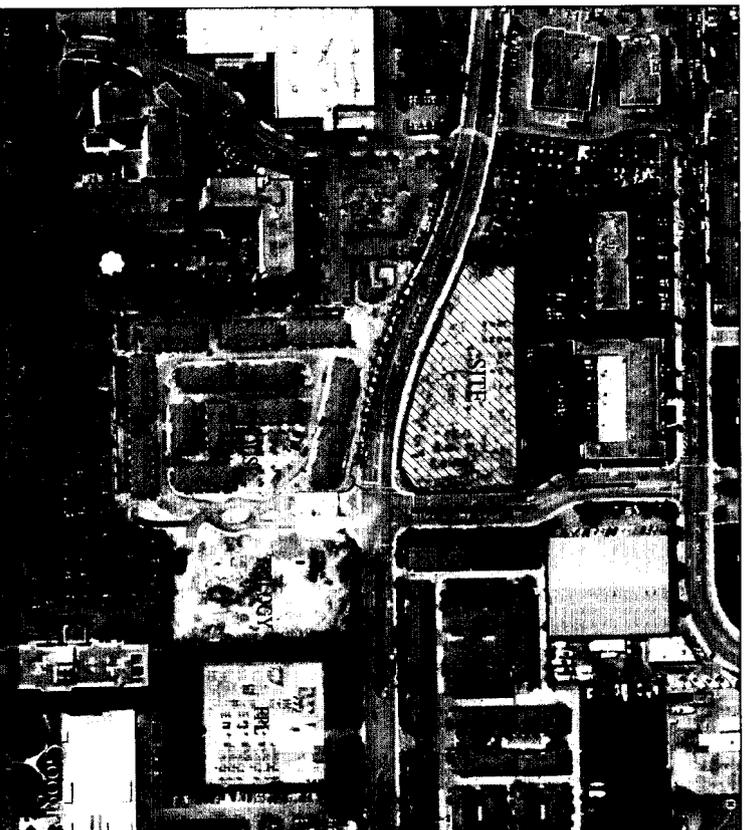
LANDSCAPE ARCHITECTURE, GOLF COURSE ARCHITECTURE, LAND PLANNERS & RESORT PLANNERS

MEMBER OF THE AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS

FLORIDA LICENSE No. LA 666671  
3001 SW 109 COURT MIAMI, FLORIDA 33165  
OFFICE: (305) 551-1262 FAX: (305) 229-4146 EMAIL: marianocorral@comcast.net

### INDEX OF SHEETS

SHEET NO. SHEET DESCRIPTION  
IC COVER SHEET & PROJECT LOCATION  
LP-1 SITE LANDSCAPE PLAN  
LP-2 POOL DECK LANDSCAPE PLAN  
LP-3 PLANT DETAILS AND SPECS  
LL-1 LIGHTING PLAN



### MG3 DEVELOPER GROUP

CONSTRUCTION & MANAGEMENT

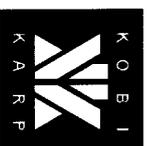
1915 HARRISON STREET

HOLLYWOOD, FLORIDA 33020

Florida 33304

T:954.929-5229

F:954.929-6220



ARCHITECTURE, INTERIOR DESIGN,  
PLANNING

AIA ASID NCARB

2915 Biscayne Boulevard  
Suite 200

Miami, Florida 33137

O: 305.573.1818

F: 305.573.3766

11-27-13

10-29-13

10-25-13

10-15-13

10-07-13

**LANDSCAPE REQUIREMENTS/ CALCULATIONS:**

INFORMATION REQUIRED TO BE PERMANENTLY RETAINED TO THE PLAN:

LANDSCAPE AREA: 2.31 ACRES (100,174.5 SQ. FT.)

LANDSCAPE CALCULATION:

400,000 GALLONS PER ACRE PER YEAR REQUIREMENT = 924,342 GALLONS

MINIMUM PERCENTAGE OF PERMANENTLY RETAINED TREES = 21%

MINIMUM PERCENTAGE OF PERMANENTLY RETAINED SHRUBS = 20%

MINIMUM PERCENTAGE OF PERMANENTLY RETAINED PALMS = 10%

MINIMUM PERCENTAGE OF PERMANENTLY RETAINED GRASS = 10%

MINIMUM PERCENTAGE OF PERMANENTLY RETAINED OTHER PLANTS = 10%

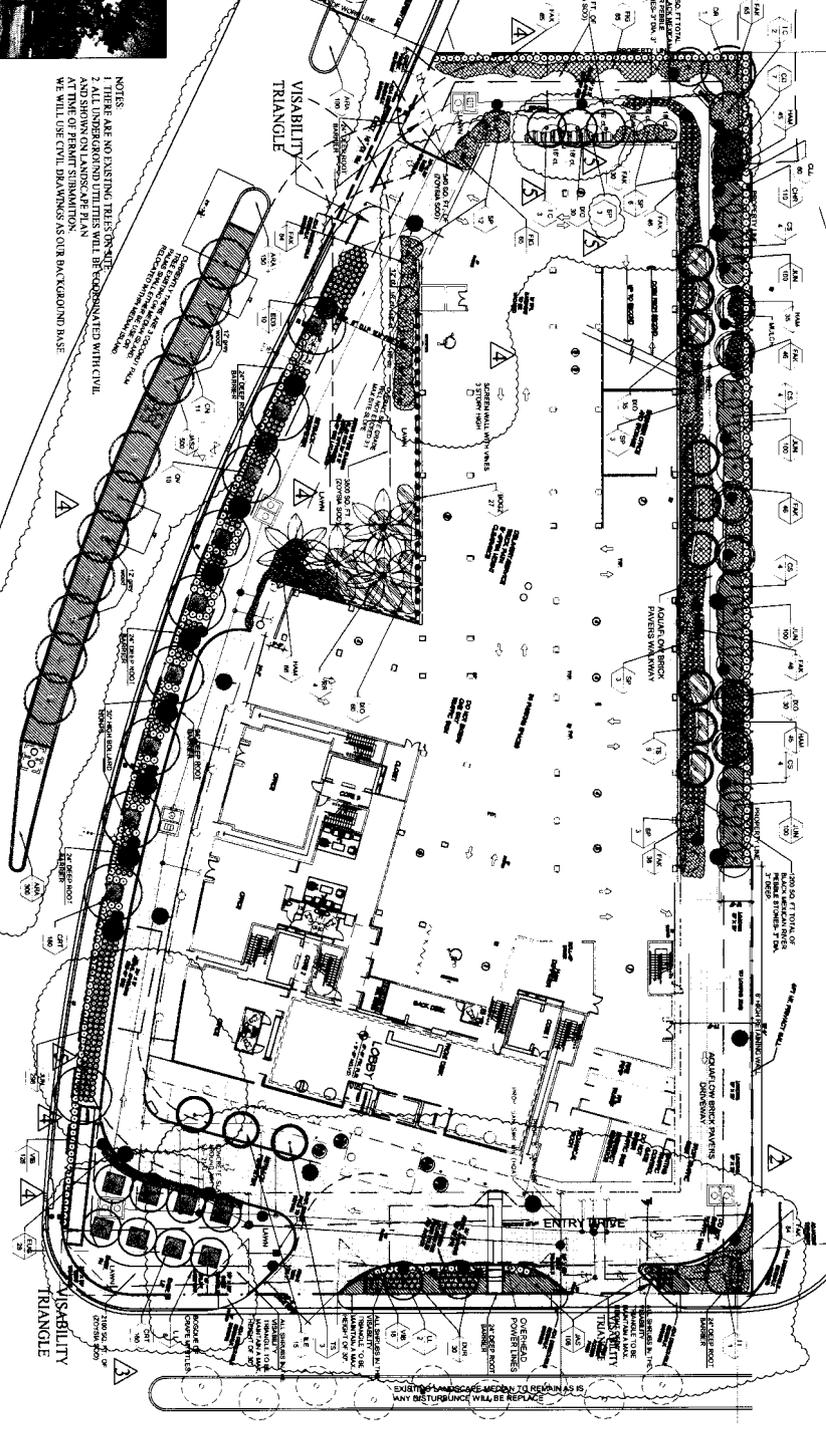
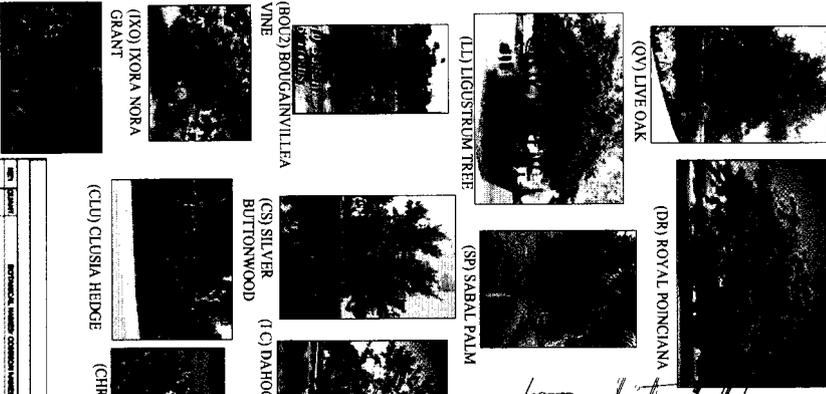
MINIMUM PERCENTAGE OF PERMANENTLY RETAINED TREES AND SHRUBS = 21%

MINIMUM PERCENTAGE OF PERMANENTLY RETAINED PALMS = 10%

MINIMUM PERCENTAGE OF PERMANENTLY RETAINED GRASS = 10%

MINIMUM PERCENTAGE OF PERMANENTLY RETAINED OTHER PLANTS = 10%

**PROPOSED TREES, PALMS AND SHRUBS**



**LANDSCAPE SITE PLAN**  
SCALE: 1"=20'-0"

**(OV) LIVE OAK**

**(DB) ROYAL PONCIANA**

**(LV) LIGUSTRUM TREE**

**(SP) SABAL PALM**

**(BO) BOUGAINVILLEA VINE**

**(CS) SILVER BUTTWOOD**

**(IO) DAPHNODIUM HOLLY**

**(CL) CLUSIA HEDGE**

**(CH) COCOBOLM**

**(JA) JASMINE**

**(VI) VIBURNUM AWARDONKI**

**(FA) FAKAHAATCHEE GRASS**

**(DU) DURANTIA**

**(HA) FIREBUSH**

**PLANTING SCHEDULE**

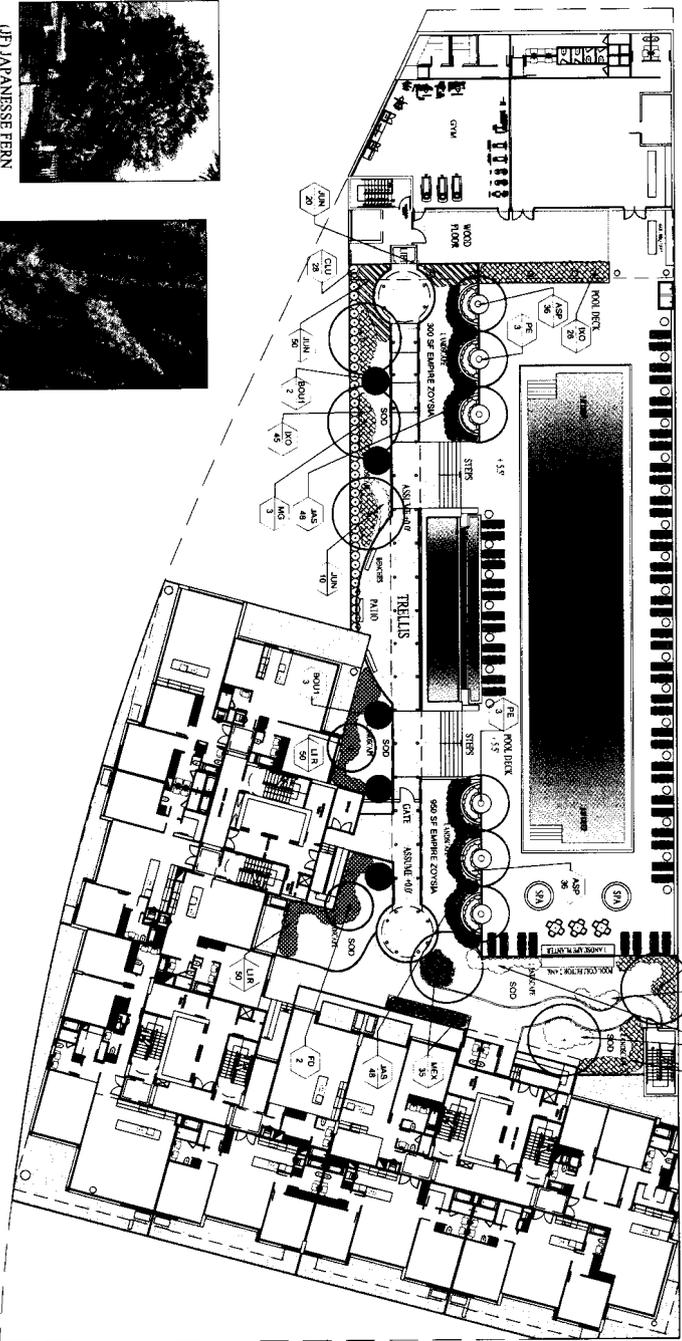
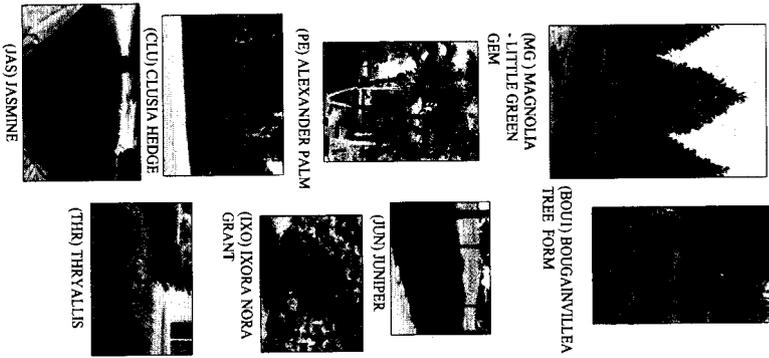
NO.	PLANT SPECIES	QUANTITY	PLANTING DATE	PLANTING LOCATION
1	(OV) LIVE OAK	10	01-15-2011	LOBBY
2	(DB) ROYAL PONCIANA	10	01-15-2011	LOBBY
3	(LV) LIGUSTRUM TREE	10	01-15-2011	LOBBY
4	(SP) SABAL PALM	10	01-15-2011	LOBBY
5	(BO) BOUGAINVILLEA VINE	10	01-15-2011	LOBBY
6	(CS) SILVER BUTTWOOD	10	01-15-2011	LOBBY
7	(IO) DAPHNODIUM HOLLY	10	01-15-2011	LOBBY
8	(CL) CLUSIA HEDGE	10	01-15-2011	LOBBY
9	(CH) COCOBOLM	10	01-15-2011	LOBBY
10	(JA) JASMINE	10	01-15-2011	LOBBY
11	(VI) VIBURNUM AWARDONKI	10	01-15-2011	LOBBY
12	(FA) FAKAHAATCHEE GRASS	10	01-15-2011	LOBBY
13	(DU) DURANTIA	10	01-15-2011	LOBBY
14	(HA) FIREBUSH	10	01-15-2011	LOBBY

**PLANTING SCHEDULE**

NO.	PLANT SPECIES	QUANTITY	PLANTING DATE	PLANTING LOCATION
15	(OV) LIVE OAK	10	01-15-2011	LOBBY
16	(DB) ROYAL PONCIANA	10	01-15-2011	LOBBY
17	(LV) LIGUSTRUM TREE	10	01-15-2011	LOBBY
18	(SP) SABAL PALM	10	01-15-2011	LOBBY
19	(BO) BOUGAINVILLEA VINE	10	01-15-2011	LOBBY
20	(CS) SILVER BUTTWOOD	10	01-15-2011	LOBBY
21	(IO) DAPHNODIUM HOLLY	10	01-15-2011	LOBBY
22	(CL) CLUSIA HEDGE	10	01-15-2011	LOBBY
23	(CH) COCOBOLM	10	01-15-2011	LOBBY
24	(JA) JASMINE	10	01-15-2011	LOBBY
25	(VI) VIBURNUM AWARDONKI	10	01-15-2011	LOBBY
26	(FA) FAKAHAATCHEE GRASS	10	01-15-2011	LOBBY
27	(DU) DURANTIA	10	01-15-2011	LOBBY
28	(HA) FIREBUSH	10	01-15-2011	LOBBY

# Plant Palette

PROPOSED TREES, PALMS AND SHRUBS



POOL DECK LANDSCAPE PLAN  
SCALE: 1/16"=1'-0"

KEY PLANT	BOTANICAL NAMED COMMON NAMES	HGT	SPR	CALIPER	TYPE	FLOWERS	XERISCAPE REQ.	TOLERANCE	REMARKS
		DBH/HGT		L. M. F. S		SALT	DROUGHT		
<b>NATIVE PLANTS - TREES AND PALMS</b>									
FD 2	Filicium descriptions	14'	8"	2"	Medium		Low	medium	Absolutely gorgeous symmetrical tree - fern like leaves
MG 6	Magnolia grandiflora Little Gem	16'	8-10"	5"	Med-L Shade	White	Medium	Medium	65 Gallons from Mexican gardens
PE 6	Psychotria elegans / Solitare Plant	14'	12"	5"	Palm		Medium	Medium	Very nice palm in tight space
ASP 72	Asparagus sprengeri MEYER / Myers Asparagus	24	24	24" oc	Medium		Medium	Medium	Interesting Foliage box
BOU 5	Bougainvillea RED. Tree Form	6'	4"		Medium	RED	HIGH	HIGH	Excellent accent shrub made as a standard
CLU 28	Clusia guilliana / Small Clusia Guilliana	42'	36"	30" oc.	Coarse	none	HIGH	HIGH	Another great Native shrub that fits a very nice or use as a hedge
JAS 96	Jasminum simplicifolium / Wax Jasmine	24	20	24" oc.	Medium		Medium	Medium	Great leaf color - Good drought tolerant plant
DO 116	Dorstenia sp. / Large Leaf kora	24	24	30" oc.	Medium		HIGH	HIGH	Dark green color - great ground cover grow's to 3'
JUN 80	Juniperus PARSONI / Parsons Juniper	24	20	24"	Medium		Low	High	Great ground cover /iber- grow's tall
LIR 100	Liriodendron muscail * Emerald Giant * / Giant Liriope	20'	18"	18" OC	Med-fine		Low	Medium	Great yellow / low fit
THR 45	Thryallis glauca / Thryallis	24"	20"-24"	18" OC	Fine	Purple	Low	Medium	Nice purple flowers that adds a little color in landscape
MEX 35	Carex haussknechtii / Mexican Heather	14"	12"	18" OC	Fine	Purple	Low	Medium	

MARIANO CORRAL, LANDSCAPE ARCHITECT, LAND PLANNER, GOLF COURSE ARCHITECT, RESORT PLANNER



NORTH

**PUERTO AVENTURA**  
MIAMI GARDENS DRIVE AND SE 28TH COURT  
AVENTURA, FLORIDA



**MC**  
MARIANO CORRAL  
LANDSCAPE ARCHITECT  
1000 S.W. 10TH AVENUE  
MIAMI, FL 33135  
TEL: 305.375.1111  
WWW.MARIANOCORRAL.COM

SHEET NUMBER  
**LP-2**

DATE  
01-15-2011

PROJECT NUMBER  
01-2011

SCALE  
AS SHOWN





RESOLUTION NO. 2014-\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING APPROVAL OF A VARIANCE FROM SECTION 31-143(f)(3)b. OF THE CITY CODE TO ALLOW A BUILDING THAT CREATES A SHADOW ON ADJACENT PROPERTY, AND VARIANCE FROM SECTION 31-172(c) OF THE CITY CODE TO ALLOW DRIVEWAY SEPARATIONS OF LESS THAN 150 FEET OF LANDSCAPED FRONTAGE, AND VARIANCE FROM SECTION 31-221(i)(2) OF THE CITY CODE TO ALLOW A 0' WIDE PERIMETER LANDSCAPE BUFFER ON THE NORTH PROPERTY LIMIT, AND GRANTING APPROVAL TO MODIFY THE DECLARATION OF RESTRICTIONS IN LIEU OF UNITY OF TITLE TO ALLOW A MAXIMUM BUILDING HEIGHT OF 24 STORIES OR 241 FEET 7 INCHES, ALL FOR A PROPOSED 205 UNIT CONDOMINIUM BUILDING AT THE NORTHWEST CORNER OF NE 28 COURT AND NE 185 STREET, CITY OF AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the property described herein is zoned RMF4, Multifamily High Density Residential; and

**WHEREAS**, the applicant, Chateau Aventura LLC, is requesting Variance from Section 31-143(f)(3)b. of the City Code of Ordinances ("City Code") to allow a building that creates a shadow on adjacent property; and Variance from Section 31-172(c) of the City Code to allow driveway separations with less than 150 feet of landscaped frontage; and Variance from Section 31-221(i)(2) of the City Code to allow a 0 foot wide perimeter landscaped buffer along the northerly limit of the property; and

**WHEREAS**, the applicant, Chateau Aventura LLC, is requesting a modification to the Declaration of Restrictions in Lieu of Unity of Title to allow a maximum building height of 24 stories or 241 feet, 7 inches; and

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

**WHEREAS**, the City Commission finds that the Variance Application meets the criteria of the applicable codes and ordinances, to the extent the Variance Application is granted herein; and

**WHEREAS**, the City Commission finds that the modification to the Declaration in Lieu of Unity of Title is in the best interests of the City.

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

**Section 1.** Application for a Variance from Section 31-143(f)(3)b. of the City Code to allow a building height that creates a shadow on adjacent property; where the Code requires that all buildings exceeding 100 feet in height shall be situated such that the shadow created by the sun at 12:00 noon on December 21 will not fall on any adjacent property except for public road rights-of-way; and Variance from Section 31-172(c) of the City Code to allow driveway separations of 95 feet on the extension of Miami Gardens Drive and 25 feet on NE 28 Court; where a minimum separation of 150 feet of landscaped frontage is required by Code; and Variance from Section 31-221(i)(2) of the City Code to allow a 0 foot wide perimeter landscape buffer along the loading spaces on the north limit of the property, where a minimum 7 foot wide perimeter landscape buffer is required by Code, all for property located at the northwest corner of NE 28 Court at NE 185 Street, City of Aventura, on property legally described as follows:

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

is hereby granted, subject to the following conditions:

1. Plans shall substantially comply with those submitted as follows:
  - “Puerto Aventura”, Cover Sheet, Sheet A0.00, prepared by Kobi Karp, signed and sealed 12/12/13.
  - “Puerto Aventura”, Index, Sheet A0.01, prepared by Kobi Karp, signed and sealed 12/12/13.

- “MG3 Developer Group, Alta/Acsm Land Title Survey, prepared by Richard E. Cousins, Professional Surveyor and Mapper, dated 8/12/10, last revised 11/27/13, signed and sealed.
- “Puerto Aventura”, Site Plan Data, Sheet A1.00, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, Site Context Map, Sheet A1.01, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, Existing Site Aerials, Sheet A1.02, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, Construction Fence, Sheet A1.03, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, Fire Staging Plan, Sheet A1.04, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, Site Plan, Sheet A2.00, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, Shadow Plan, Sheet A2.01, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, First Level Floor Plan, Sheet A3.01, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, 2<sup>nd</sup> Level Floor Plan, Sheet A3.02, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, 3<sup>rd</sup> & 4<sup>th</sup> Level Floor Plan, Sheet A3.03, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, 5<sup>th</sup> Level Floor Plan, Sheet A3.04, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, 6<sup>th</sup> Level Floor Plan, Sheet A3.05, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, Typical Floor Plan, Levels 7-24, Sheet A3.06, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, Penthouse Floor Plan, Sheet A3.07, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, Roof Plan, Sheet A3.08, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, South Elevation, Sheet A4.00, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, East Elevation, Sheet A4.01, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, West Elevation, Sheet A4.02, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, North Elevation, Sheet A4.03, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, Building Section, Sheet A5.00, prepared by Kobi Karp, signed and sealed 12/12/13.
- “Puerto Aventura”, Rendering 1, Sheet A6.00, prepared by Kobi Karp, signed and sealed 12/12/13.

- “Puerto Aventura”, Rendering 2, Sheet A6.01, prepared by Kobi Karp, signed and sealed 12/12/13.
  - “Puerto Aventura”, Rendering 3, Sheet A6.02, prepared by Kobi Karp, signed and sealed 12/12/13.
  - “Puerto Aventura”, Rendering 4, Sheet A6.03, prepared by Kobi Karp, signed and sealed 12/12/13.
  - “Puerto Aventura”, Rendering 5, Sheet A6.04, prepared by Kobi Karp, signed and sealed 12/12/13.
  - “Puerto Aventura”, Landscape Cover Sheet and Project Location, Sheet LC, prepared by Mariano Corral, Landscape Architect, signed and sealed 12/12/13.
  - “Puerto Aventura”, Landscape Site Plan, Sheet LP-1, prepared by Mariano Corral, Landscape Architect, signed and sealed 12/12/13.
  - “Puerto Aventura”, Pool Deck Landscape Plan, Sheet LP-2, prepared by Mariano Corral, Landscape Architect, signed and sealed 12/12/13.
  - “Puerto Aventura”, Details and Specifications, Sheet LP-3, prepared by Mariano Corral, Landscape Architect, signed and sealed 12/12/13.
  - “Puerto Aventura”, Preliminary Site Lighting Plan, Sheet LL-1, prepared by Mariano Corral, Landscape Architect, signed and sealed 12/12/13.
  - “Puerto Aventura”, Cover Sheet - Water Plans, Sheet CS-WM, prepared by Ford Engineers, Inc., signed and sealed 12/12/13.
  - “Puerto Aventura”, Water Plans-General Notes, Sheet GN-WM, prepared by Ford Engineers, Inc., signed and sealed 12/12/13.
  - “Puerto Aventura”, Water Plans, Sheet WM-1, prepared by Ford Engineers, Inc., signed and sealed 12/12/13.
  - “Puerto Aventura”, Profiles and Details, Sheet WM-2, prepared by Ford Engineers, Inc., signed and sealed 12/12/13.
  - “Puerto Aventura”, Details, Sheet WM-3, prepared by Ford Engineers, Inc., signed and sealed 12/12/13.
  - “Puerto Aventura”, Cover Sheet - Paving and Drainage, Sheet PD-CS, prepared by Ford Engineers, Inc., signed and sealed 12/12/13.
  - “Puerto Aventura”, Paving and Drainage, Sheet PD-1, prepared by Ford Engineers, Inc., signed and sealed 12/12/13.
  - “Puerto Aventura”, Sections & Details, Sheet PD-2, prepared by Ford Engineers, Inc., signed and sealed 12/12/13.
  - “Puerto Aventura”, Paving and Drainage Cross Sections, Sheet PD-3, prepared by Ford Engineers, Inc., signed and sealed 12/12/13.
  - “Puerto Aventura”, Sewer Plans, Sheet ST-1, prepared by Ford Engineers, Inc., signed and sealed 12/12/13.
2. The applicant shall obtain a building permit within twelve (12) months of the date of the Resolution, failing which this approval shall be null and void, unless the applicant requests an extension of time within the original approval period. An extension of this approval, for a period up to six months, may be granted by the City Commission.

3. Any expansion to an approved variance and any addition to or expansion of an existing variance shall require the same application, review and approval as required under Section 31-76 of the City Code for the original approval of variance.

4. This approval is granted exclusively to Chateau Aventura, LLC.

5. Prior to issuance of a building permit, the applicant shall provide to the City:

(i) A copy of this resolution as recorded in the Public Records of Miami-Dade County. All expenses of such recordation shall be borne by the applicant, and

(ii) A copy of the Modification to Declaration in Lieu of Unity of Title as recorded in the Public Records of Miami-Dade County. All expenses of such recordation shall be borne by the applicant.

**Section 2.** Modification of the Declaration of Restrictions in Lieu of Unity of Title, in the form attached to this Resolution, revising the height of the building from a maximum height of 19 stories or 186 feet 6 inches to a maximum height of 24 stories or 241 feet 7 inches is hereby approved exclusively to Chateau Aventura LLC.

**Section 3.** The City Manager is authorized to execute all approved documents and cause the issuance of permits in accordance with the approvals and conditions herein provided and to indicate such approvals and conditions upon the records of the City.

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

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The 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 Luz Urbáez Weinberg	_____
Vice Mayor Howard Weinberg	_____
Mayor Susan Gottlieb	_____

**PASSED AND ADOPTED** this 7<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
Susan 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 \_\_\_\_ day of \_\_\_\_\_, 2014.

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

This instrument was prepared by:  
Name: Michael J. Marrero, Esq.  
Address: Bercow & Radell, P.A.  
200 S. Biscayne Boulevard, Suite 850  
Miami, FL 33131

(Space reserved for Clerk)

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**PARTIAL MODIFICATION TO DECLARATION OF RESTRICTIONS**

THIS MODIFICATION TO DECLARATION OF RESTRICTIONS (“Modification”) is entered into the \_\_ day of \_\_\_\_\_, 2014, by and between the CITY OF AVENTURA, Florida a municipal corporation, (“City”) and CHATEAU AVENTURA, LLC. (the “Owner”).

RECITALS:

A. WHEREAS, the Owner owns the property, consisting of approximately 2.67 gross acres of land (the “Property”), the legal description of which is attached hereto as Exhibit A; and

B. WHEREAS, the previous owner obtained development approvals relating to the Property, including an application to amend the City of Aventura Comprehensive Plan, an application for rezoning, an application for site plan approval, an application for various variances required to develop the Project, and an application to close a portion of NE 28<sup>th</sup> Court (the “Applications”), through the City’s Community Development Department; and

C. WHEREAS, on August 22, 2003, the previous owner and the City entered into a Declaration of Restrictions in Lieu of Unity of Title (Residential), recorded in the Official Records Book 21678, pages 0547 through 0556 (“Declaration”);and

D. WHEREAS, on November 19, 2004, the previous owner and the City entered into a Modification to Declaration of Restrictions, recorded in the Official Records Book 23016, pages 2196-2205;and

E. WHEREAS, Paragraph 16 of the Modification to the Declaration provides that the maximum roof height of structures within the Condominium Parcel (identified as Tract A in the Site Plan) shall be 19 stories or 186’ – 6”;and

F. WHEREAS, accordingly, based on the current plan of development, the Owner and City agree that a modification to Paragraph 16 of the Declaration to permit 24 stories in the Condominium Parcel would be appropriate; and

**(Space reserved for Clerk)**

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G. WHEREAS, Paragraph 10 of the Declaration, provides that the provisions of the Declaration may be released, amended, or modified from time to time by recorded instrument executed by the then owner or owners of all of the Property, with joinders by all mortgagees, if any, provided that the same is also approved by the City Commission of the City of Aventura, after public hearing; and

H. WHEREAS, January 7, 2014, the City Commission of the City of Aventura held a public hearing and adopted Resolution 2014-XXX, revising the proposed maximum number of stories from 19 stories to 24 stories.

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

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

2. Paragraph 16 of the Modification to the Declaration is hereby modified as follows:

FROM: The maximum roof height of structures within the Condominium Parcel (identified as Tract A in the site plan) shall be 19 stories or 186' - 6".

TO: The maximum roof height of structures within the Condominium Parcel (identified as Tract A in the site plan) shall be 24 stories or 241' - 7".

3. Paragraph 2 of the Declaration is hereby modified as follows:

FROM:

[T]he plans entitled:

- "Terzetto Condominiums", Site and Building Area Calculations, Sheet A-1, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- "Terzetto Condominiums", Approved Site Plan, Sheet A-2, prepared by Mouriz Salazar, Architects & Planners, dated 8/02, last revised 6/13/03.
- "Terzetto Condominiums", Proposed Site Plan, Sheet A-3, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.

**(Space reserved for Clerk)**

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- “Terzetto Condominiums”, Approved Floor Plans, Sheet A-3.1, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Proposed Apartment Building Floor Plans, Sheet A-4, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Proposed Apartment Building Floor Plans, Sheet A-5, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Proposed Apartment Building Floor Plans, Sheet A-6, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Proposed Apartment Building Floor Plans, Sheet A-7, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Approved and Proposed Building Elevations, Sheet A-8, prepared by Mouriz Salazar, Architects & Planners, dated 6/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Approved and Proposed Building Elevations, Sheet A-10, prepared by Mouriz Salazar, Architects & Planners, dated 6/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Approved and Proposed Shadow Study, Sheet A-11, prepared by Mouriz Salazar, Architects & Planners, dated 6/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Approved and Proposed Apartment Building Floor Plans, Sheet A-12, prepared by Mouriz Salazar, Architects & Planners, dated 2/20/04, last revised 9/15/04, signed and sealed 9/17/04.
- “Terzetto Condominiums”, Approved and Proposed Apartment Building Floor Plans, Sheet A-13, prepared by Mouriz Salazar, Architects & Planners, dated 6/04, last revised 9/15/04, signed and sealed 9/17/04.

TO:

[T]he plans entitled:

- “Puerto Aventura”, COVER, Sheet A0.00, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.

**(Space reserved for Clerk)**

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- “Puerto Aventura”, INDEX, Sheet A0.01, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 09/30/13, signed and sealed 12/12/13.
- “Puerto Aventura”, SITE PLAN DATA, Sheet A1.00, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 11/27/13, signed and sealed 12/12/13.
- “Puerto Aventura”, SITE CONTEXT MAP, Sheet A1.01, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/15/13, signed and sealed 12/12/13.
- “Puerto Aventura”, EXISTING SITE AERIALS, Sheet A1.02, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 09/30/13, signed and sealed 12/12/13.
- “Puerto Aventura”, CONSTRUCTION FENCE, Sheet A1.03, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 11/27/13, signed and sealed 12/12/13.
- “Puerto Aventura”, FIRE STAGING PLAN, Sheet A1.04, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 11/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, SITE PLAN, Sheet A2.00, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 11/27/13, signed and sealed 12/12/13.
- “Puerto Aventura”, SHADOW PLAN, Sheet A2.01, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 06/24/13, signed and sealed 12/12/13.
- “Puerto Aventura”, 1ST LEVEL FLOOR PLAN, Sheet A3.01, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 11/27/13, signed and sealed 12/12/13.
- “Puerto Aventura”, 2ND LEVEL FLOOR PLAN, Sheet A3.02, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, 3RD & 4TH LEVEL FLOOR PLAN, Sheet A3.03, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, 5TH LEVEL FLOOR PLAN, Sheet A3.04, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, 6TH LEVEL FLOOR PLAN, Sheet A3.05, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.

**(Space reserved for Clerk)**

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- “Puerto Aventura”, TYPICAL FLOOR PLAN, Sheet A3.06, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 09/30/13, signed and sealed 12/12/13.
- “Puerto Aventura”, PENTHOUSE FLOOR PLAN, Sheet A3.07, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 09/30/13, signed and sealed 12/12/13.
- “Puerto Aventura”, ROOF PLAN, Sheet A3.08, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, SOUTH ELEVATION, Sheet A4.00, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 09/30/13, signed and sealed 12/12/13.
- “Puerto Aventura”, EAST ELEVATION, Sheet A4.01, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 06/24/13, signed and sealed 12/12/13.
- “Puerto Aventura”, WEST ELEVATION, Sheet A4.02, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 09/30/13, signed and sealed 12/12/13.
- “Puerto Aventura”, NORTH ELEVATION, Sheet A4.03, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, BUILDING SECTION, Sheet A5.00, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, RENDERING 1, Sheet A6.00, prepared by Kobi Karp Architecture and Interior Design, Inc., signed and sealed 12/12/13.
- “Puerto Aventura”, RENDERING 2, Sheet A6.01, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, RENDERING 3, Sheet A6.02, prepared by Kobi Karp Architecture and Interior Design, Inc., last revised 10/18/13, signed and sealed 12/12/13.
- “Puerto Aventura”, RENDERING 4, Sheet A6.03, prepared by Kobi Karp Architecture and Interior Design, Inc., signed and sealed 12/12/13.
- “Puerto Aventura”, RENDERING 5, Sheet A6.04, prepared by Kobi Karp Architecture and Interior Design, Inc., signed and sealed 12/12/13.

**(Space reserved for Clerk)**

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4. It is recognized that the approval for the building height and development described above is granted exclusively to Chateau Aventura, LLC.

5. The terms and conditions of the Declaration, as previously modified, shall remain in full force and effect except as herein further modified.

SIGNATURE PAGES TO FOLLOW

(Space reserved for Clerk)

---

Signed, sealed, executed and acknowledged this \_\_\_\_ day of \_\_\_\_\_, 2014.

WITNESSES:

CHATEAU AVENTURA, LLC

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

By: \_\_\_\_\_

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

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

Title: \_\_\_\_\_

ACCEPTED BY:

CITY OF AVENTURA, FLORIDA

Attest:

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

By: \_\_\_\_\_  
Eric Soroka, City Manager

**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)

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

January 7, 2014 City Commission Meeting Agenda Item 7A

February 4, 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**

<b>OWNER OF PROPERTY</b>	Aventura Land Ventures, LLC
<b>NAME OF APPLICANT</b>	Michael J. Marrero
<b>LOCATION OF PROPERTY</b>	NE 207 Street at NE 30 Avenue See Exhibit #2 for Location Map
<b>SIZE OF PROPERTY</b>	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.

*Redevelopment Element*

*Policy 2.11 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.

<b>Applications Area (7.391 acres)</b>	<b>Land Use Category</b>	<b>Daily Trips</b>	<b>AM Peak HourTrips</b>	<b>PM Peak Hour Trips</b>
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, 4<sup>th</sup> 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 30<sup>th</sup> 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.

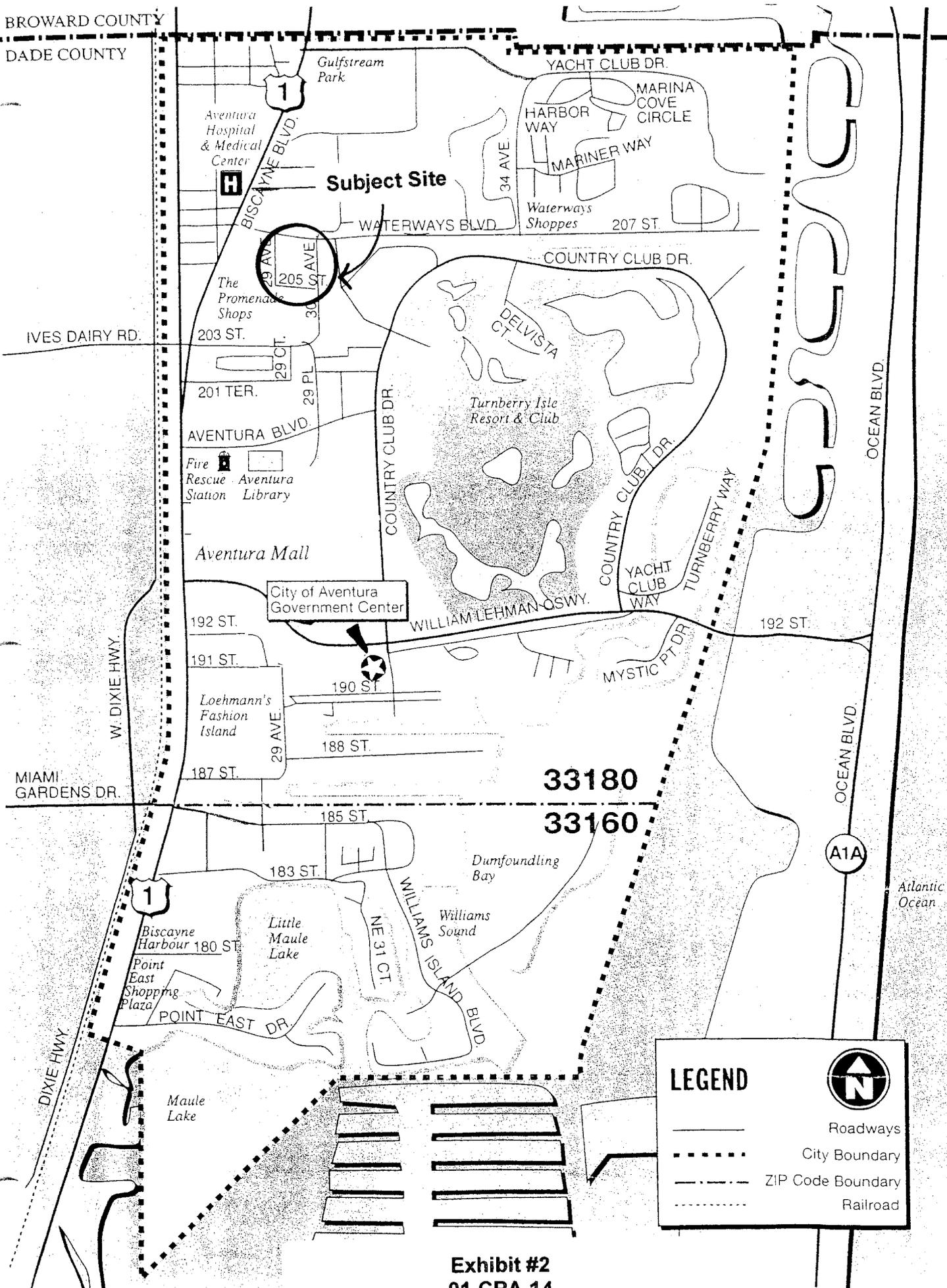
Sincerely yours,



Michael J. Marrero

BROWARD COUNTY

DADE COUNTY



**Subject Site**

205 ST

City of Aventura  
Government Center

33180

33160

**LEGEND**



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

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

October 28, 2013

Mr. Victor Ballestas  
Integra Solutions  
150 NE 2<sup>nd</sup> 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 29<sup>th</sup> and NE 30<sup>th</sup> 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*, 9<sup>th</sup> 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*.

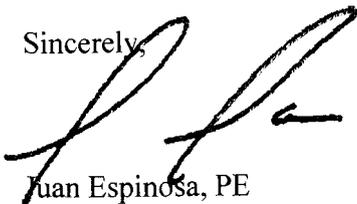
**Exhibit 3  
Project Trip Generation Summary**

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
<b>% Trips Reduction</b>	<b>-12%</b>	<b>16%</b>

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**

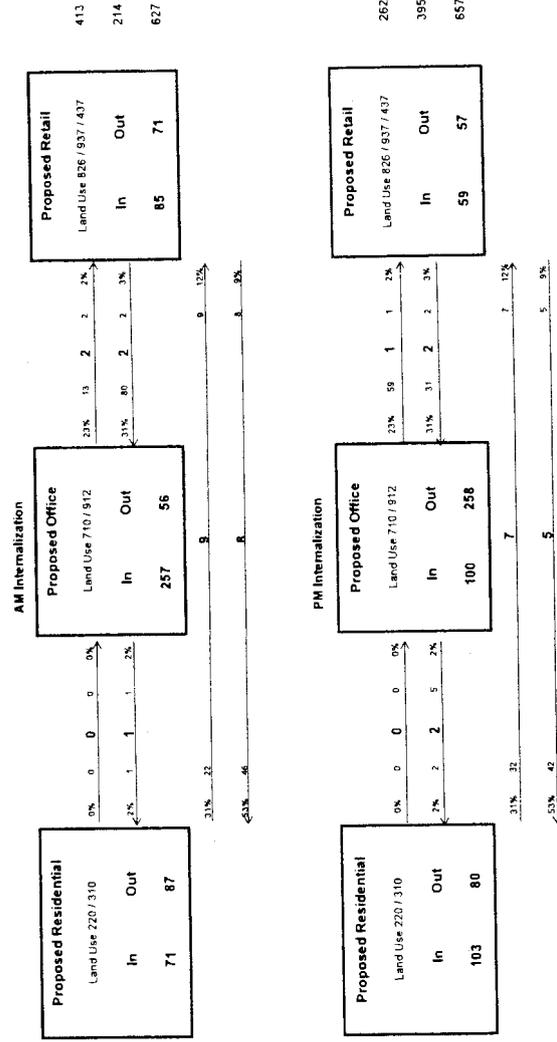
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# ATTACHMENT A

## City Place at Aventura Approved Trip Generation Net New Trips

Approved Land Use	Number of Units	Daily	AM Peak		PM Peak		Total	
			In	Out	In	Out		
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 826)	17,393 GLSF	771	0	0	0	21	26	47
Coffee Shop (Land Use 937)	982 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	1,518	61	44	105	61	58	119
Apartment (Land Use 220)	104 DUs	692	10	43	53	42	22	64
<b>ITE Trip Generation</b>		<b>6,938</b>	<b>413</b>	<b>214</b>	<b>627</b>	<b>262</b>	<b>395</b>	<b>657</b>
Office (Land Use 710)		-102			-4			-3
Bank (Land Use 912)		-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			-8
Apartment (Land Use 220)		-41			-6			-5
<b>External Trips</b>		<b>-412</b>	<b>-21</b>	<b>-21</b>	<b>-42</b>	<b>-17</b>	<b>-17</b>	<b>-34</b>
<b>Pass-by Trips (Bank) ?</b>	47%	<b>6,526</b>	<b>392</b>	<b>193</b>	<b>585</b>	<b>245</b>	<b>378</b>	<b>623</b>
<b>Transit/Pedestrian Trips</b>	5%	<b>-322</b>	<b>-16</b>	<b>-9</b>	<b>-27</b>	<b>-22</b>	<b>-34</b>	<b>-56</b>
<b>Net New External Trips</b>		<b>6,878</b>	<b>354</b>	<b>174</b>	<b>528</b>	<b>211</b>	<b>325</b>	<b>536</b>

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

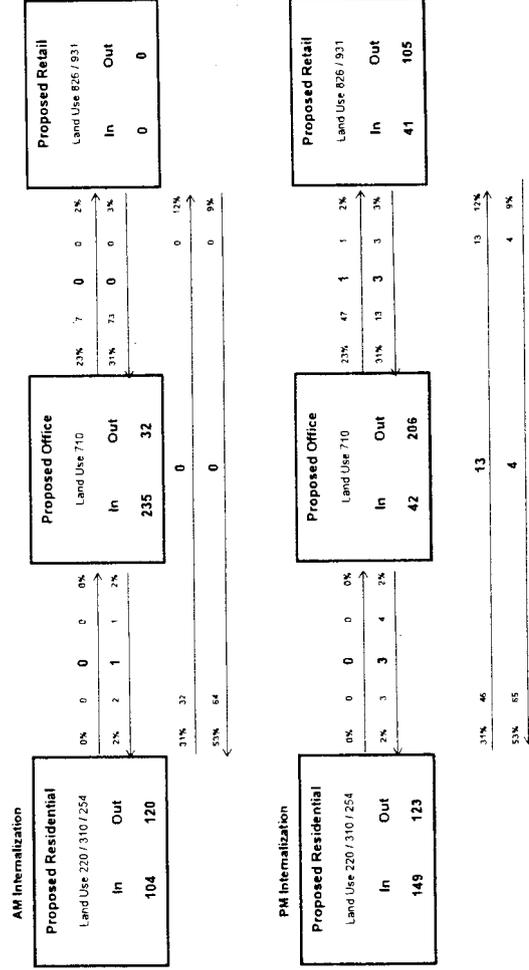


# ATTACHMENT A

## Waterways Town Center Proposed Trip Generation Net New Trips

Approved Land Use	Number of Units	Daily			AM Peak			PM Peak			Total
		In	Out	Total	In	Out	Total	In	Out	Total	
Retail (Land Use 826)	34,429 SF	1,526	0	0	0	0	41	52	93		
Quality Restaurant (Land Use 931)	21,516 SF	1,915	0	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 Dues	964	15	59	74	58	32	90			
Assisted Living Facility (Land Use 284)	199 Beds	529	18	10	28	20	24	44			
<b>ITE Trip Generation</b>		<b>8,634</b>	<b>339</b>	<b>152</b>	<b>491</b>	<b>340</b>	<b>434</b>	<b>774</b>			
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 284)	-1			0			-3			
		-3%	-17	-1	-2	-24	-24	-48			
<b>External Trips</b>		<b>8,617</b>	<b>338</b>	<b>181</b>	<b>488</b>	<b>316</b>	<b>410</b>	<b>726</b>			
Pass-by Trips (Restaurant) <sup>1</sup>	44%	850	0	0	0	-28	-37	-65			
Transit/Pedestrian Trips	5%	-431	-17	-8	-24	-16	-21	-36			
<b>Net New External Trips</b>		<b>7,336</b>	<b>321</b>	<b>144</b>	<b>465</b>	<b>272</b>	<b>353</b>	<b>625</b>			

<sup>1</sup>The Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition  
<sup>2</sup>Trip 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  
 Address:

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
<b>Total Driveway Volume</b>	<b>6938</b>	<b>413</b>	<b>214</b>	<b>262</b>	<b>395</b>
<b>Total Peak Hour Pass-By Trips</b>		<b>0</b>	<b>0</b>	<b>28</b>	<b>28</b>
<b>Total Peak Hour Vol. Added to Adjacent Streets</b>		<b>413</b>	<b>214</b>	<b>234</b>	<b>367</b>

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

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](mailto: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](mailto:arijo@dadeschools.net)



**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.**



# 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 24<sup>th</sup> 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

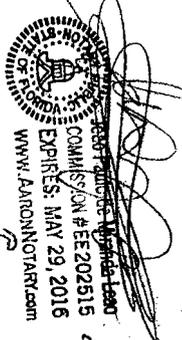
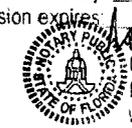
(Signature) [Signature]  
 (Print) Paulo Melo  
 Title: Managing Member  
 Address: 150 SE 2nd Street, #800  
Miami, FL 33131

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 24<sup>th</sup> day of October 2013

Notary Public State of Florida At Large  
 Printed Name of Notary Joao Paulo de Miranda Leao  
 My commission expires May 29<sup>th</sup> 2016  
 COMMISSION # EE 202515  
 EXPIRES: MAY 29, 2016  
 WWW.AARONNOTARY.COM





# 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<sup>th</sup> DAY OF October 2013

APPLICANT:

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



WITNESS MY HAND THIS 24<sup>th</sup> 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 2023

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Michael Murreto (Print)

Title: Attorney (Print)

By: [Signature] (Signature)

Name: Jeff Berrow (Print)

Title: Attorney (Print)

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

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

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

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

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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)

Name: Jan Espinosa (Print)

Title: V.P. (Print)

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

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

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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**

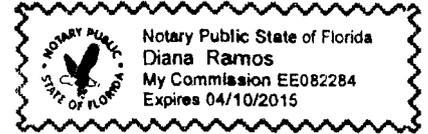
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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, 20013

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



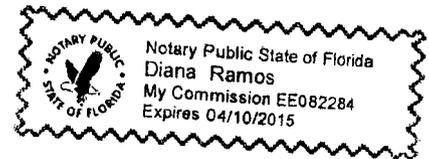
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jeffrey Berroun 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, 20013

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



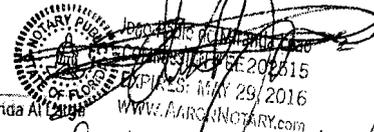
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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, 20013

*[Signature]*  
Notary Public State of Florida At Large  
Jean Paul de Miranda Cas  
Printed Name of Notary  
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

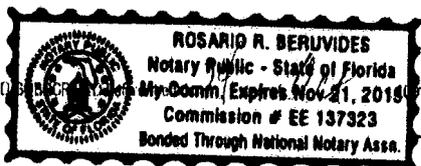
SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_

\_\_\_\_\_  
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

AFFIANT  
[Signature]  
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: 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.

WITNESS MY HAND THIS 24 DAY OF OCTOBER 20013

REPRESENTATIVE (Listed in Business Relationship Affidavit)

By [Signature] (Signature)

Name DANIEL C FORTIN, JR (Print)

Title VICE PRESIDENT (Print)  
FORN LEADY SKILLS

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

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

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

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

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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 Fortin, Jr.  
executed this Affidavit for the purposes stated therein and that it is true and correct.

*Dan Fortin, Jr.*  
AFFIANT

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

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

*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 \_\_\_\_\_  
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 \_\_\_\_\_  
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 \_\_\_\_\_  
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 Luz Urbáez Weinberg	_____
Vice Mayor Howard 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 Luz Urbáez Weinberg	_____
Vice Mayor Howard Weinberg	_____
Mayor Susan Gottlieb	_____

**PASSED** on first reading this 7<sup>th</sup> day of January, 2014.

**PASSED AND ADOPTED** on second reading this 4<sup>th</sup> day of February, 2014.

\_\_\_\_\_  
SUSAN GOTTLIEB, MAYOR

ATTEST:

\_\_\_\_\_  
TERESA M. SOROKA, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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

## 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. 205<sup>th</sup> Street abandoned by Resolution No. 2000-11 recorded in O.R.B. 19247 at Page 4677. That portion of N.E. 206<sup>th</sup> 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. 205<sup>th</sup> Street and the centerline of N.E. 30<sup>th</sup> 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<sup>th</sup> 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.

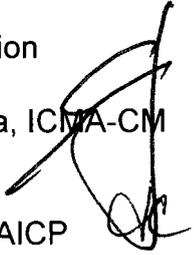
**Exhibit "B"**

**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)

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

January 7, 2014 City Commission Meeting Agenda Item 7B

February 4, 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**

<b>OWNER OF PROPERTY</b>	Aventura Land Ventures, LLC
<b>NAME OF APPLICANT</b>	Aventura Land Ventures, LLC
<b>LOCATION OF PROPERTY</b>	NE 207 Street at NE 30 Avenue See Exhibit #3 for Location Map
<b>SIZE OF PROPERTY</b>	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.

<b>Applications Area (7.391 acres)</b>	<b>Land Use Category</b>	<b>Daily Trips</b>	<b>AM Peak Hour Trips</b>	<b>PM Peak Hour Trips</b>
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](mailto: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, 4<sup>th</sup> 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 30<sup>th</sup> 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.**

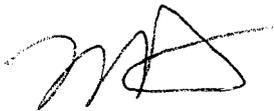
The Applicant does not anticipate any adverse environmental impact with the development of the Property. Further, the Applicant intends to incorporate some environmentally friendly elements to the project.

- (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.

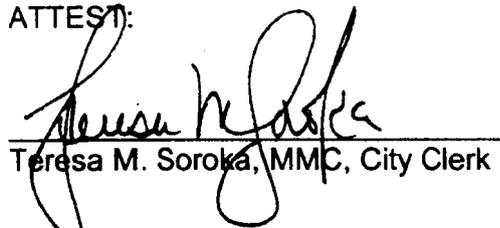
The foregoing Resolution was offered by Commissioner Joel, who moved its adoption. The motion was seconded by Vice Mayor Holzberg, and upon being put to a vote, the vote was as follows:

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 3<sup>rd</sup> day of October, 2006.

  
Susan M. Gottlieb, Mayor

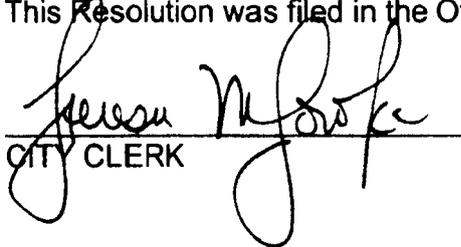
ATTEST:

  
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 4<sup>th</sup> 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 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:

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.

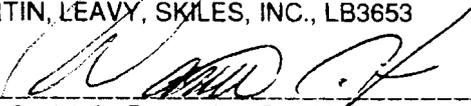
**SURVEYOR'S NOTES:**

- 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. 305-853-4493 / Fax 305-851-7152

Date	2/24/04
Scale	NOT TO SCALE
Job. No.	040342
Dwg. No.	1000A-035-C
Sheet	1 of 2

# EXHIBIT "A"

WATERWAYS BOULEVARD

BOULEVARD

NORTH LINE OF SOUTHWEST 1/4 OF SECTION 34-51-42  
**N.E. 207th STREET**

CENTER OF OF SECTION 34-51-42

26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42

**B L O C K 18**

HALLANDALE PARK NO. 8  
 PLAT BOOK 20 PAGE 49

TRACT 1 LAURANNA  
 PLAT BOOK 76  
 PAGE 31

25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9

A=88°55'37"  
 R=25.00'  
 L=38.80'

S89°52'03"E  
 559.89

A=91°00'27"  
 R=25.00'  
 L=39.71'

NORTHERLY RIGHT-OF-WAY LINE OF N.E. 206TH STREET

**N.E. 206TH STREET (SUNSET BOULEVARD)**

N00°56'26"W  
 100.02

SOUTHERLY RIGHT-OF-WAY LINE OF N.E. 206TH STREET

PLAT BOOK 20, PAGE 49

S00°52'30"E  
 100.02

A=91°04'23"  
 R=25.00'  
 L=39.74'

N89°52'03"W  
 559.77

A=88°59'33"  
 R=25.00'  
 L=38.83'

HALLANDALE PARK NO. 8  
 PLAT BOOK 20 PAGE 49

TRACT 1 PLAT BOOK 40  
 PAGE 97

26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42

**B L O C K 17**

POINT OF COMMENCEMENT

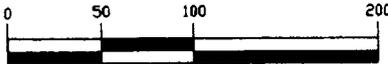
25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9

**N.E. 205TH STREET**

THE PROMENADE SHOPS  
 PLAT BOOK 133, PAGE 39

TRACT "B" - AVENTURA JEWISH CENTER - PLAT BOOK 147 PAGE 63

TRACT "C"  
 PLAT BOOK 147 PAGE 63



( IN FEET )  
 1 inch = 100 ft.

Drawn By	DWF
Cad. No.	000600
Ref. Dwg.	297D-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. 305-853-4493 / Fax 305-851-7152

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

THE PROMENADE SHOPS PER PLAT BOOK 133, PAGE 39  
**N.E. 29TH AVENUE (HARVARD AVENUE)**  
 PLAT BOOK 20, PAGE 49

WESTERLY RIGHT-OF-WAY LINE OF N.E. 29TH AVENUE  
 POINT OF BEGINNING

**N.E. 30TH AVENUE**  
 (DIXIE HIGHWAY)  
 PLAT BOOK 20, PAGE 49

TRACT "S" - FOURTH ADDITION BISCAYNE YACHT AND COUNTRY CLUB  
 PLAT BOOK 92, PAGE 86

## 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:

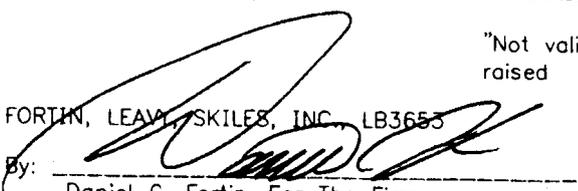
- This site lies in Section 34, Township 51 South, Range 42 East, City of Aventura, Miami-Dade County, Florida.
- Bearings hereon are referred to an assumed value of S89°52'03"E for the north right-of-way line of N.E. 206th Street.
- Lands shown hereon were not abstracted for easements and/or rights-of-way 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., LB3653

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

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

### 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

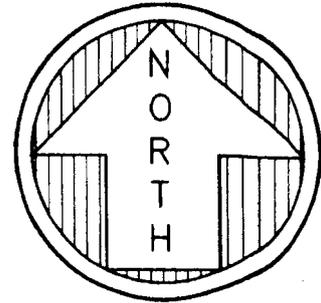
Date	3/29/04
Scale	NONE
Job. No.	040621
Dwg. No.	1004-048
Sheet	1 of 3

GRAPHIC SCALE



( IN FEET )  
1 inch = 80 ft.

# EXHIBIT "A"

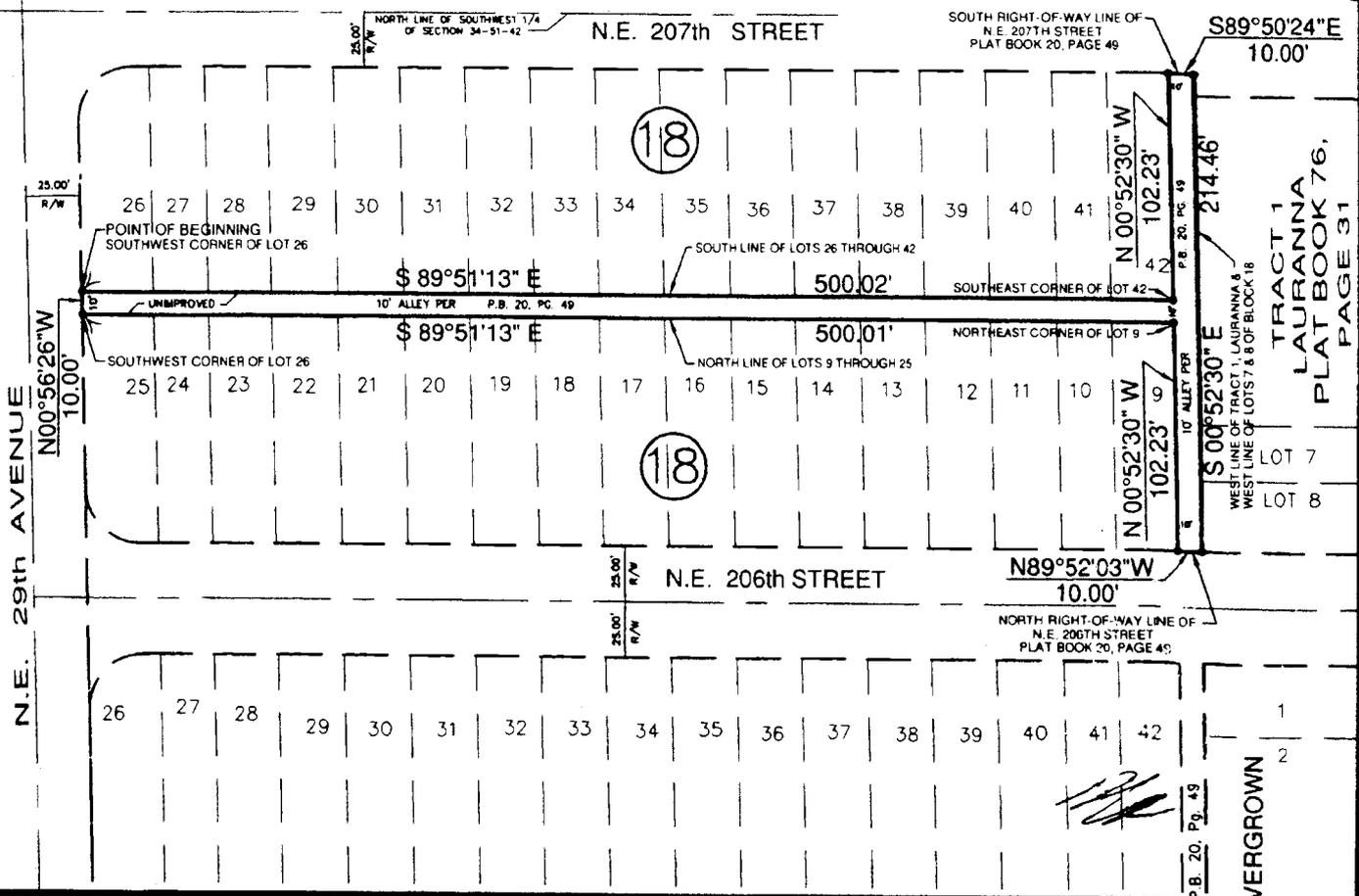


BISCAYNE WATERWAYS FIRST ADDITION  
PER PLAT BOOK 126, PAGE 18

WATERWAYS

BOULEVARD

NORTHERLY RIGHT-OF-WAY  
LINE OF NE 207 STREET



TRACT 1  
LAURANNA  
PLAT BOOK 76,  
PAGE 31

LOT 7  
LOT 8

VERGROWN

*[Handwritten signature]*  
P.B. 20, Pg. 49

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

### 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	2/23/04
Scale	NOT TO SCALE
Job. No.	040319
Dwg. No.	1000A-035-B
Sheet	1 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: \_\_\_\_\_

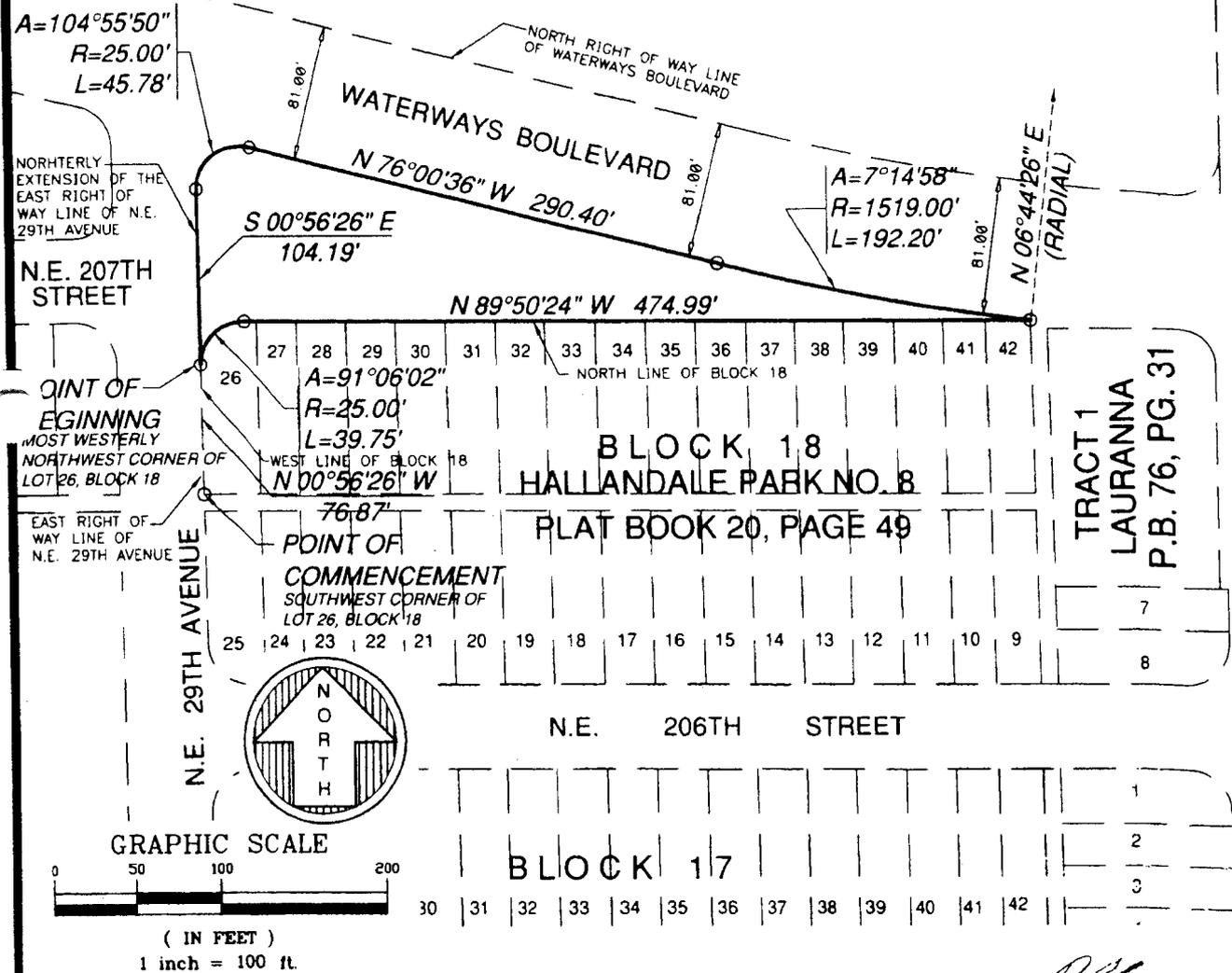
Daniel C. Fortin, For The Firm  
Surveyor and Mapper, LS2853  
State of Florida.

### LEGAL DESCRIPTION

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Drawn By</td> <td style="padding: 2px;">ACS</td> </tr> <tr> <td style="padding: 2px;">Cad. No.</td> <td style="padding: 2px;">040621-1</td> </tr> <tr> <td style="padding: 2px;">Ref. Dwg.</td> <td style="padding: 2px;">297D-153</td> </tr> <tr> <td style="padding: 2px;">Plotted:</td> <td style="padding: 2px;">6/8/04 3:58p</td> </tr> </table>	Drawn By	ACS	Cad. No.	040621-1	Ref. Dwg.	297D-153	Plotted:	6/8/04 3:58p	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;"><b>DESCRIPTION, NOTES, &amp; CERTIFICATION</b></td> </tr> <tr> <td style="padding: 5px;"><b>FORTIN, LEAVY, SKILES, INC.</b></td> </tr> <tr> <td style="padding: 5px;">CONSULTING ENGINEERS, SURVEYORS &amp; MAPPERS</td> </tr> <tr> <td style="padding: 5px;">FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653</td> </tr> <tr> <td style="padding: 5px;">180 Northeast 168th. Street / North Miami Beach, Florida. 33162</td> </tr> <tr> <td style="padding: 5px;">Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com</td> </tr> </table>	<b>DESCRIPTION, NOTES, &amp; CERTIFICATION</b>	<b>FORTIN, LEAVY, SKILES, INC.</b>	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	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Date</td> <td style="padding: 2px;">5/26/04</td> </tr> <tr> <td style="padding: 2px;">Scale</td> <td style="padding: 2px;">NO SCALE</td> </tr> <tr> <td style="padding: 2px;">Job. No.</td> <td style="padding: 2px;">040621</td> </tr> <tr> <td style="padding: 2px;">Dwg. No.</td> <td style="padding: 2px;">1004-069-1</td> </tr> <tr> <td style="padding: 2px;">Sheet</td> <td style="padding: 2px;">1 of 2</td> </tr> </table>	Date	5/26/04	Scale	NO SCALE	Job. No.	040621	Dwg. No.	1004-069-1	Sheet	1 of 2
Drawn By	ACS																									
Cad. No.	040621-1																									
Ref. Dwg.	297D-153																									
Plotted:	6/8/04 3:58p																									
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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

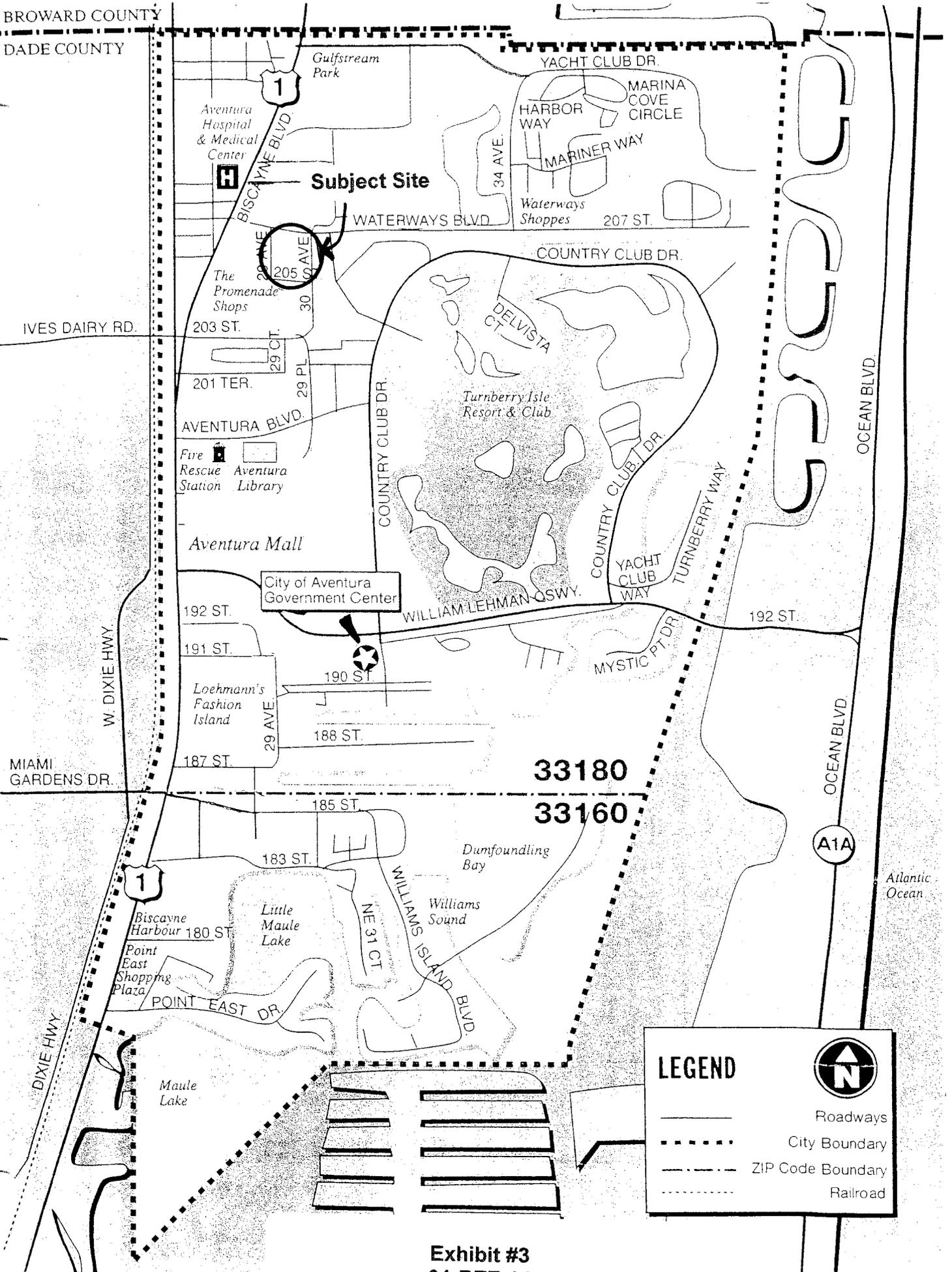
Drawn By	ACS
Cad. No.	040621-1
Ref. Dwg.	297-153
Plotted:	6/8/04 3:58p

**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



**LEGEND**

- Roadways
- City Boundary
- ZIP Code Boundary
- Railroad

**Exhibit #3**  
**01-REZ-14**

October 28, 2013

Mr. Victor Ballestas  
Integra Solutions  
150 NE 2<sup>nd</sup> 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 29<sup>th</sup> and NE 30<sup>th</sup> 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*, 9<sup>th</sup> 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

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*.

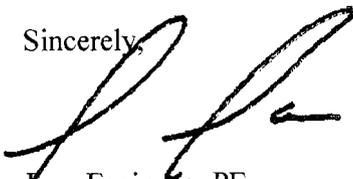
**Exhibit 3  
Project Trip Generation Summary**

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

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**

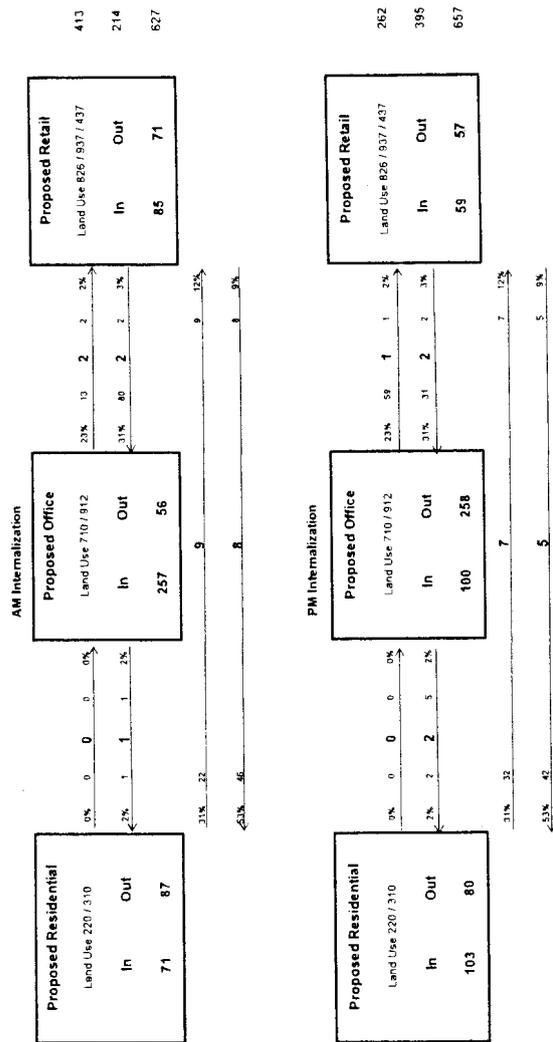
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# ATTACHMENT A

## City Place at Aventura Approved Trip Generation Net New Trips

Approved Land Use	Number of Units	Daily	All Peak		PM Peak		Total	
			In	Out	In	Out		
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 826)	17,393 GUSF	771	0	0	0	21	26	47
Coffee Shop (Land Use 837)	982 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
<b>ITE Trip Generation</b>		<b>6,938</b>	<b>413</b>	<b>214</b>	<b>627</b>	<b>262</b>	<b>385</b>	<b>657</b>
Office (Land Use 710)		-102			-4			-3
Bank (Land Use 912)		-43			-1			-2
Retail (Land Use 826)		-46			0			-6
Coffee Shop (Land Use 837)		-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
		<b>-412</b>	<b>-21</b>	<b>-21</b>	<b>-42</b>	<b>-17</b>	<b>-17</b>	<b>-34</b>
<b>External Trips</b>		<b>6,526</b>	<b>392</b>	<b>193</b>	<b>585</b>	<b>245</b>	<b>378</b>	<b>623</b>
Pass-by Trips (Bank) <sup>2</sup>	47%	-322	-18	-9	-27	-22	-34	-56
Transit/Pedestrian Trips	5%	-326	-20	-10	-30	-12	-19	-31
<b>Net New External Trips</b>		<b>6,878</b>	<b>364</b>	<b>174</b>	<b>528</b>	<b>211</b>	<b>325</b>	<b>536</b>

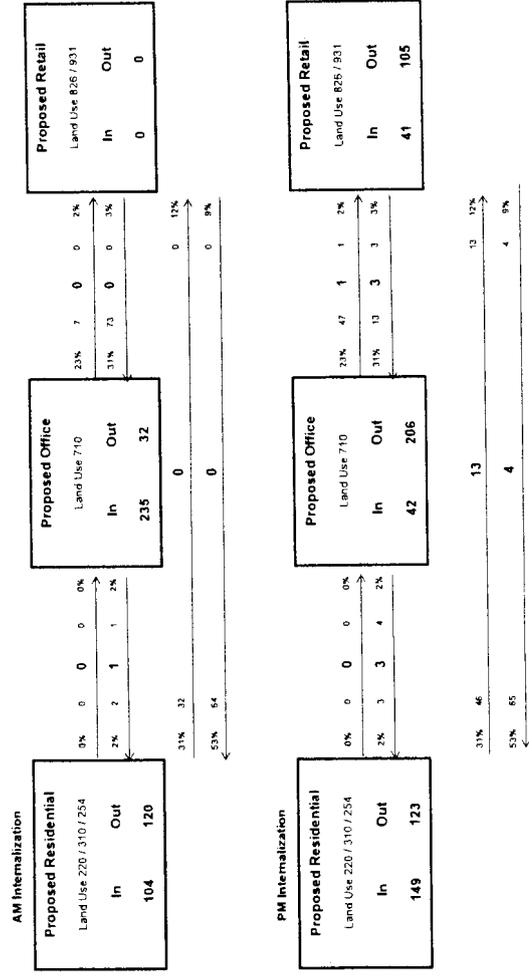
<sup>1</sup>The Institute of Transportation Engineers (ITE) Trip Generation manual, Ninth Edition  
<sup>2</sup>Trip Generation Handbook, published by ITE in March 2001.



# ATTACHMENT A

## Waterways Town Center Proposed Trip Generation Net New Trips

Approved Land Use	Number of Units	Daily	All Peak		PM Peak	
			In	Out	In	Out
Retail (Land Use 826)	34,429 SF	1,526	0	0	41	52
Quality Restaurant (Land Use 931)	21,516 SF	1,935	0	0	108	53
Office (Land Use 710)	151,601 SF	1,801	235	32	42	206
Hotel (Land Use 310)	230 Rooms	1,879	71	51	122	67
Apartment (Land Use 220)	145 DUs	964	15	59	74	32
Assisted Living Facility (Land Use 254)	199 Beds	529	18	10	28	24
<b>ITE Trip Generation</b>		<b>8,634</b>	<b>339</b>	<b>152</b>	<b>491</b>	<b>434</b>
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
	-3%					
<b>External Trips</b>		<b>8,617</b>	<b>338</b>	<b>151</b>	<b>489</b>	<b>426</b>
Pass-by Trips (Restaurant)	44%	-850	0	0	-28	-37
Transit/Pedestrian Trips	5%	-431	-17	-8	-24	-21
<b>Net New External Trips</b>		<b>7,336</b>	<b>321</b>	<b>144</b>	<b>465</b>	<b>389</b>



The Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition  
2. Trip Generation Manual, Users 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  
 se:

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
<b>Total Driveway Volume</b>	<b>6938</b>	<b>413</b>	<b>214</b>	<b>262</b>	<b>395</b>
<b>Total Peak Hour Pass-By Trips</b>		<b>0</b>	<b>0</b>	<b>28</b>	<b>28</b>
<b>Total Peak Hour Vol. Added to Adjacent Streets</b>		<b>413</b>	<b>214</b>	<b>234</b>	<b>367</b>

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  
Site:

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
<b>Total Driveway Volume</b>	<b>8634</b>	<b>339</b>	<b>152</b>	<b>340</b>	<b>434</b>
<b>Total Peak Hour Pass-By Trips</b>		<b>0</b>	<b>0</b>	<b>48</b>	<b>23</b>
<b>Total Peak Hour Vol. Added to Adjacent Streets</b>		<b>339</b>	<b>152</b>	<b>292</b>	<b>411</b>

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](mailto: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**

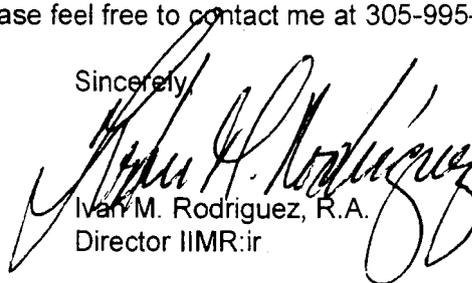
Dear Applicant:

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 #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](mailto:arijo@dadeschools.net)



### 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.**



# 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 Berrow	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 24<sup>th</sup> DAY OF October 2013

AUTHORIZED REPRESENTATIVE OF APPLICANT:

OWNER

By:

Name:

Title:

Address:

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

(Signature) Paulo Melo  
 (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.

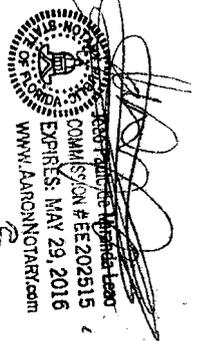
SWORN TO AND SUBSCRIBED BEFORE ME this 24<sup>th</sup> day of October 2013

AFFIANT  
2013

Notary Public State of Florida At Large  
Printed Name of Notary Joao Paulo de Miranda Leao  
My commission expires May 29<sup>th</sup> 2016



COMMISSION # EE 202515  
EXPIRES: MAY 29, 2016  
WWW.AARONNOTARY.COM



COMMISSION # EE 202515  
EXPIRES: MAY 29, 2016  
WWW.AARONNOTARY.COM



# 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<sup>th</sup> DAY OF October, 2013

APPLICANT:

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



WITNESS MY HAND THIS 24<sup>th</sup> 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, 2023

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Michael Maccero (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)

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

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

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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**

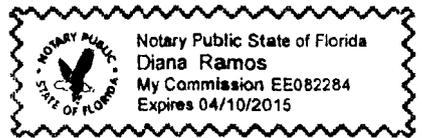
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Michael Maccio 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: \_\_\_\_\_



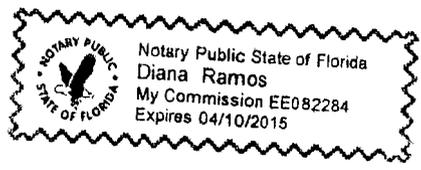
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jeffrey Bercaut 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: \_\_\_\_\_



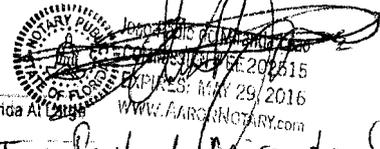
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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  
Jose Luis de Miranda Cas  
Printed Name of Notary  
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 \_\_\_\_\_, 20    

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: DAN FOLTA 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 \_\_\_\_\_  
executed this Affidavit for the purposes stated therein and that it is true and correct.

*Dan Fortin Jr*

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

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  
My commission expires



STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

Before me, the undersigned authority, personally appeared \_\_\_\_\_  
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 \_\_\_\_\_  
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 \_\_\_\_\_  
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<sup>th</sup> DAY OF OCTOBER 2002013

REPRESENTATIVE (Listed on Business Relationship Affidavit)

By [Signature] (Signature)

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

Name DANIEL C FORTN, JR (Print)

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

Title VICE PRESIDENT (Print)  
FORN HEAVY SKILLS

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

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

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

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

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

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

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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: Jan Espinosa (Print)  
Title: V.P. (Print)

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

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

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

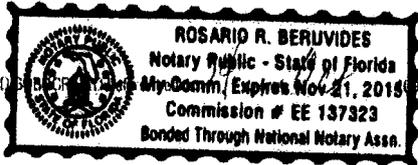
NOTE: 1) Use duplicate sheets if disclosure information for Representative varies

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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

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)

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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)

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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 7<sup>th</sup> day of January, 2014.

**PASSED AND ADOPTED** on second reading this 4<sup>th</sup> day of February, 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

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.**

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

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**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.

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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 Luz Urbáez Weinberg	_____
Vice Mayor Howard 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 Luz Urbáez Weinberg	_____
Vice Mayor Howard Weinberg	_____
Mayor Susan Gottlieb	_____

**PASSED** on first reading this 7<sup>th</sup> day of January, 2014.

**PASSED AND ADOPTED** on second reading this 4<sup>th</sup> day of February, 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 described 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

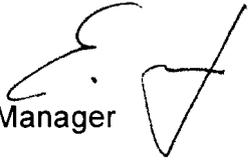
Lots 10, 12 through 23, inclusive, and Lots 28 through 42, inclusive, Block 17, HALLANDALE PARK No. 8, according to the Plat thereof, as recorded in Plat Book 20, Page 49, Public Records of Miami-Dade County, Florida.

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.

**CITY OF AVENTURA**  
**FINANCE DEPARTMENT**

**MEMORANDUM**

TO: City Commission

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

BY:  Brian K. Raducci, Finance Director

DATE: October 31, 2013

SUBJECT: **End of Year Budget Amending Ordinance – FY 2012/13**

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**1<sup>st</sup> Reading November 5, 2013 City Commission Meeting Agenda Item 8-A**  
**2<sup>nd</sup> Reading January 7, 2014 City Commission Meeting Agenda Item 3**

**RECOMMENDATION**

It is recommended that the City Commission approve the attached ordinance amending the FY 2012/13 budget. *This budget amendment is expected to have little to no impact on the FY 2012/13 overall budget or the carryover utilized in the preparing the FY 2013/14 budget.*

**BACKGROUND**

As you are aware, the Finance Department is preparing the City's official books and records for the upcoming FY 2012/13 year-end audit. Now that most of our year-end adjustments have been posted, we have the necessary information to formally amend the FY 2012/13 budget. This "clean up" amendment is a normal part of our year-end fiscal operations and is prepared to ensure that the "final" adopted budget contains sufficient appropriations to satisfy all of our actual expenditures.

This Ordinance will appear on the November 2013 and January 2014 agendas to comply with, Section 166.241 (4) of the Florida Statutes. Although this section requires all budget amendments be made "within up to 60 days following the end of the fiscal year," we will be unable to have the ordinance on second reading until January 2014 as there is no December meeting. This process is consistent with the City's past practice as the Ordinance will appear on first reading prior to the November 29, 2013 deadline.

We are only required to amend budgets when a Department's total budget has been exceeded. In all cases, we will only amend the specific expenditure accounts that are primarily responsible for the amendment and in some cases, associated revenues may be increased to justify the overage in expenditures. Listed below is a summary of the amendments for the City's General Fund, by department and the circumstances that support each recommendation.

**General Fund – (001) – (\$994,382 net increase)**

Legal (0601) – (\$85,000 increase)

3120 – Prof. Services - Legal

Requires an \$85,000 budget amendment due to higher than anticipated Legal fees primarily related to the Red Light Camera Intersection Safety Program and ongoing Williams Island POA litigation. This overage will be offset by \$85,000 in additional Unified Communications Tax revenue (3149000).

---

Public Safety (2001) – (\$350,000 increase)

3190 – Prof. Services – Traffic Safety Program

Requires a budget amendment primarily due a projected overage of approximately \$350,000 in Intersection Safety Camera Program processing costs due to higher than anticipated activity experienced during the year. This overage will be offset by \$350,000 in additional Intersection Safety Camera Program revenue (3542000).

---

Community Development (4001) – (\$267,000 increase)

3101 – Building Inspection Services

Requires a budget amendment primarily due to a projected overage of approximately \$267,000 in Building Inspection Services due to the following:

- ✓ higher than anticipated activity experienced during the year which will be offset by \$88,000 in additional Building Permit revenue (3221000)
- ✓ it appears that this account was inadvertently budgeted at only 55% of Building Permit revenue (3221000) instead of the 70% that we normally use. This likely occurred towards the end of the budget process when certain assumptions may have been revised as better information became available. It appears that we may have revised our preliminary budgeted Building Permit revenue (3221000) account without making the corresponding change to the 3101 – Building Inspection Services expenditure account. The \$179,000 true up to the expenditure that is now required will be offset by \$179,000 in additional Half Cent Sales Tax revenue (3351800).

Community Services (5001) – (\$98,000 increase)

4854 – Summer Recreation

Requires a budget amendment primarily due a projected overage of approximately \$98,000 in Summer Recreation expenditures due to higher than anticipated participation in the Program that was experienced during the year. This overage will be offset by \$98,000 in additional Summer Recreation revenue (3475000).

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Capital Outlay – (\$194,382 increase)

Public Safety (8020) 6418 – Buffer Zone

Requires a budget amendment of \$194,382 for the expenditure of capital outlay funds for security equipment related to the FY 2010 Buffer Zone Plan and Vulnerability Reduction Purchase Plan at the Aventura Mall. This expenditure was offset by \$194,382 in grant proceeds offered through the U.S. Department of Homeland Security and the Florida Department of Law Enforcement (3312200).

The budget amendments outlined above, are expected to have little to no impact on the FY 2012/13 overall budget or carryover that was utilized in the preparation of the FY 2013/14 budget. Based on this analysis, I recommend approval of the attached Ordinance.

CITY OF AVENTURA  
GENERAL FUND 001  
FY 2012/13 BUDGET AMENDMENT

REVENUES

OBJECT CODE NO.	CATEGORY	2012/13 ADOPTED AMOUNT	2012/13 AMENDED AMOUNT	2012/13 REVISED BUDGET
3149000	Unified Communications Tax	\$ 2,524,505	\$ 85,000	\$ 2,609,505
3221000	Building Permits	1,450,000	88,000	1,538,000
3312200	Federal Grants	-	194,382	194,382
3351800	Half Cent Sales Tax	2,200,000	179,000	2,379,000
3475000	Summer Recreation	445,000	98,000	543,000
3542000	Intersection Safety Camera Program	1,050,000	350,000	1,400,000
	Total Revenue	<u>\$ 7,669,505</u>	<u>\$ 994,382</u>	<u>\$ 8,663,887</u>
	TOTAL AMENDMENTS - REVENUE		<u>\$ 994,382</u>	

EXPENDITURES

OBJECT CODE NO.	CATEGORY	2012/13 ADOPTED AMOUNT	2012/13 AMENDED AMOUNT	2012/13 REVISED BUDGET
	LEGAL (0601)			
	<u>CONTRACTUAL SERVICES</u>			
3120	Prof. Services - Legal	\$ 265,000	\$ 85,000	\$ 350,000
	Total Legal	<u>\$ 265,000</u>	<u>\$ 85,000</u>	<u>\$ 350,000</u>
	PUBLIC SAFETY (2001)			
	<u>CONTRACTUAL SERVICES</u>			
3190	Prof. Services - Traffic Safety Program	\$ 400,000	\$ 350,000	\$ 750,000
	Total Public Safety	<u>\$ 400,000</u>	<u>\$ 350,000</u>	<u>\$ 750,000</u>
	COMMUNITY DEVELOPMENT (4001)			
	<u>CONTRACTUAL SERVICES</u>			
3101	Building Inspection Services	\$ 800,000	\$ 267,000	\$ 1,067,000
	Total Community Development	<u>\$ 800,000</u>	<u>\$ 267,000</u>	<u>\$ 1,067,000</u>
	COMMUNITY SERVICES (5001)			
	<u>OTHER CHARGES &amp; SERVICES</u>			
4854	Summer Recreation	\$ 300,000	\$ 98,000	\$ 398,000
	Total Community Services	<u>\$ 300,000</u>	<u>\$ 98,000</u>	<u>\$ 398,000</u>
	CAPITAL OUTLAY - (80XX)			
	<u>Public Safety - 20-521</u>			
6418	Buffer Zone	\$ -	\$ 194,382	\$ 194,382
	Total Capital Outlay	<u>\$ -</u>	<u>\$ 194,382</u>	<u>\$ 194,382</u>
	TOTAL AMENDMENTS - EXPENDITURES		<u>\$ 994,382</u>	

**ORDINANCE NO. 2014-01**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2012-13 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2012/2013 FISCAL YEAR BY REVISING THE 2012/2013 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, upon the periodic review and analysis of current budgetary commitments and obligations, and based upon the projected needs and requirements of the City and upon the recommendations of the City Manager (and the concurrence of the Finance Director as to Accounting Principles), it is deemed necessary to adjust, amend and implement the 2012/2013 Operating and Capital Budget as set forth in Exhibit "A" attached hereto and made a part hereof.

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

**Section 1.** The recitals contained in the preamble to this Ordinance are incorporated by reference herein.

**Section 2.** The City Commission hereby authorizes the amendment of Ordinance No. 2012-13, which Ordinance adopted a budget for the 2012/2013 fiscal year, by revising the 2012/2013 budget as set forth on the attached Exhibit "A" which exhibits are deemed incorporated by reference as though set forth in full herein.

**Section 3.** The City Manager is hereby authorized to do all things necessary to carry out the aims of this Ordinance.

**Section 4. Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading and shall be applicable retroactively from and after October 1, 2012.

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

Commissioner Enbar Cohen	<u>yes</u>
Commissioner Teri Holzberg	<u>yes</u>
Commissioner Billy Joel	<u>yes</u>
Commissioner Michael Stern	<u>yes</u>
Commissioner Luz Urbàez Weinberg	<u>absent</u>
Vice Mayor Howard Weinberg	<u>yes</u>
Mayor Susan Gottlieb	<u>yes</u>

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 Luz Urbàez Weinberg	_____
Vice Mayor Howard Weinberg	_____
Mayor Susan Gottlieb	_____

**PASSED AND ADOPTED** on first reading this 5<sup>th</sup> day of November, 2013.

**PASSED AND ADOPTED** on second reading this 7<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
SUSAN GOTTLIEB, MAYOR

\_\_\_\_\_  
TERESA M. SOROKA, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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