

**City Commission**

Enid Weisman, Mayor  
Teri Holzberg, Commissioner  
Denise Landman, Commissioner  
Dr. Linda Marks, Commissioner  
Marc Narotsky, Commissioner  
Robert Shelley, Commissioner  
Howard Weinberg, Commissioner



**City Manager**

Eric M. Soroka, ICMA-CM

**City Clerk**

Ellisa L. Horvath, MMC

**City Attorney**

Weiss Serota Helfman  
Cole & Bierman

**CITY COMMISSION MEETING AGENDA  
NOVEMBER 1, 2016  
Following the Local Planning Agency Meeting  
at 6:00 p.m.**

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

1. **CALL TO ORDER/ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **ELECTION OF VICE MAYOR**
4. **AGENDA:** Request for Deletions/Emergency Additions
5. **SPECIAL PRESENTATIONS:**
  - The Florida Police Chiefs Association Lifesaving Award Presented to Aventura Police Sergeant Robert Myers
  - Employee Service Awards
  - Recognizing the Service of City Commissioner Teri Holzberg
6. **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:**
    - October 10, 2016 Commission Regular Meeting
    - October 20, 2016 Commission 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 FOR AN EFFECTIVE DATE.**

- C. MOTION AUTHORIZING THE APPROPRIATION OF UP TO \$44,500 FOR BUILDOUT OF FLEET BAY/STORAGE ROOM AND CRIME PREVENTION SCHOLARSHIPS FROM THE POLICE FORFEITURE FUNDS IN ACCORDANCE WITH THE CITY MANAGER'S MEMORANDUM.**

**7. ORDINANCE - FIRST READING/PUBLIC HEARING:**

- A. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING SECTION 31-144 "BUSINESS ZONING DISTRICTS" OF THE CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 31-144(C)(5)A., COMMUNITY BUSINESS (B2) DISTRICT TO ALLOW INCREASED LOT COVERAGE FOR SHOPPING CENTERS WITH MORE THAN 1,000,000 SQUARE FEET OF GROSS LEASABLE AREA, WITH HEIGHT NOT GREATER THAN FIVE STORIES AND THAT ENTER INTO AN AGREEMENT WITH THE CITY TO PROVIDE MAJOR TRANSPORTATION IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**
- B. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING SECTION 31-144 "BUSINESS ZONING DISTRICTS" OF ARTICLE VII "USE REGULATIONS" OF CHAPTER 31 "LAND DEVELOPMENT REGULATIONS" OF THE CITY CODE, BY AMENDING SECTION 31-144(f) "MEDICAL OFFICE (MO) DISTRICT" OF THE CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 31-144(f)(1), "USES PERMITTED", BY AMENDING SECTION 31-144(f)(2), "CONDITIONAL USE" AND BY AMENDING SECTION 31-144(f)(3), "USES PROHIBITED"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**
- C. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2015-09 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2015/2016 FISCAL YEAR BY REVISING THE 2015/2016 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; AND PROVIDING FOR AN EFFECTIVE DATE.**

**8. ORDINANCE - SECOND READING/PUBLIC HEARING:**

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING SECTION 31-144 "BUSINESS ZONING DISTRICTS" OF THE CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 31-144(c)(2) AND SECTION 31-144(c)(5)b., COMMUNITY BUSINESS (B2) DISTRICT, TO ADD A CONDITIONAL USE FOR AUTOMOBILE PARKING GARAGES IN THE COMMUNITY BUSINESS (B2) DISTRICT WHEN LOCATED DIRECTLY ADJACENT TO AN AUTOMOBILE PARKING GARAGE LOCATED IN A MULTIFAMILY RESIDENTIAL ZONING DISTRICT AND TO CLARIFY THE HEIGHT RESTRICTION IN THE B2 DISTRICT SITE DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

**9. 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. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING A SIGN VARIANCE FOR THE BAGEL COVE RESTAURANT ON PROPERTY LOCATED AT 19001 BISCAYNE BOULEVARD, CITY OF AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.**
  
- B. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA MODIFYING THE APPROVALS GRANTED THROUGH RESOLUTION NO. 99-39 AS MODIFIED BY RESOLUTION NO. 2001-01 AND RESOLUTION NO. 2002-30 BY DELETING CONDITION NUMBER "7" IN RESOLUTION NO. 99-39 REQUIRING CONSTRUCTION OF 20 PARKING SPACES IN THE FLORIDA EAST COAST RAILWAY RIGHT OF WAY ON EAST DIXIE HIGHWAY, FOR PROPERTY LOCATED AT 20601 EAST DIXIE HIGHWAY, CITY OF AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.**
  
- C. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL TO ALLOW LOT COVERAGE OF 55.55% WHERE MAXIMUM LOT COVERAGE OF 40% IS PERMITTED BY CODE AND TO ALLOW FLOOR AREA RATIO OF 2.0 WHERE MAXIMUM FLOOR AREA RATIO OF 1.50 IS PERMITTED BY CODE; GRANTING VARIANCE APPROVAL TO ALLOW A LOT SIZE OF 1.36 ACRES FOR DEVELOPMENT IN THE MEDICAL OFFICE (MO) DISTRICT WHERE A MINIMUM LOT SIZE OF 1.5 ACRES IS REQUIRED BY CODE, ALL FOR AN OFFICE/HOTEL BUILDING TO BE CONSTRUCTED PURSUANT TO THE CITY'S GREEN BUILDING PROGRAM, LOCATED AT 2851 NE 213 STREET, CITY OF AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.**
  
- D. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL PURSUANT TO SECTION 31-144(C)(2)n. OF THE CITY CODE TO ALLOW AN AUTOMOBILE PARKING GARAGE ON A LOT LOCATED IN THE COMMUNITY BUSINESS (B2) DISTRICT THAT IS DIRECTLY ADJACENT TO AN AUTOMOBILE PARKING GARAGE IN A MULTIFAMILY RESIDENTIAL ZONING DISTRICT AND THAT DOES NOT MEET THE HEIGHT AND DISTANCE REQUIREMENTS OF SECTION 31-144(c)(5)b. OF THE CITY CODE, FOR AN OFFICE AND RETAIL DEVELOPMENT AT 2777 NE 185 STREET, CITY OF AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.**

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

**11. REPORTS**

**12. PUBLIC COMMENTS**

**13. OTHER BUSINESS:** None

**14. ADJOURNMENT**

**FUTURE MEETINGS\***

**COMMISSION INAUGURATION – NOVEMBER 10, 2016 AT 7 PM  
COMMISSION CHAMBER**

**COMMISSION WORKSHOP – NOVEMBER 17, 2016 AT 9 AM  
EXECUTIVE CONFERENCE ROOM (5<sup>TH</sup> FLOOR)**

**COMMISSION MEETING – NOVEMBER 17, 2016 AT 10 AM  
EXECUTIVE CONFERENCE ROOM (5<sup>TH</sup> FLOOR)**

\*Meeting dates and times are subject to change. Please check the City's website for the most current schedule.

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.

1. **CALL TO ORDER/ROLL CALL:** The meeting was called to order by Mayor Enid Weisman at 6:00 p.m. The roll was called and the following were present: Mayor Enid Weisman, Vice Mayor Denise Landman, Commissioner Teri Holzberg, Commissioner Dr. Linda Marks, Commissioner Marc Narotsky, Commissioner Robert Shelley, Commissioner Howard Weinberg, City Manager Eric M. Soroka, City Clerk Ellisa L. Horvath, and City Attorney David M. Wolpin. As a quorum was determined to be present, the meeting commenced.
2. **PLEDGE OF ALLEGIANCE:** The Pledge was led by Gladys Mezrahi.
3. **AGENDA: REQUESTS FOR DELETIONS/EMERGENCY ADDITIONS:** None.
4. **SPECIAL PRESENTATIONS:**
  - **Employee Service Awards:** Mr. Soroka presented Officer Jason Williams with a recognition certificate and a token of appreciation for the completion of 15 years of service with the City.
  - **Presentation of Certificates of Appointment to Arts in Public Places Advisory Board Members:** Mayor Weisman presented the following members of the Arts in Public Places Advisory Board with appointment certificates: Dr. Miles E. Kuttler, Adriana Lerner Adelson, and Marina Wecksler<sup>1</sup>.
5. **CONSENT AGENDA:** There were no requests from the public to address the Commission.

A motion to remove Item H from the Consent Agenda for discussion was offered by Commissioner Narotsky, seconded by Commissioner Shelley, and passed unanimously.

A motion to approve the remaining items on the Consent Agenda was offered by Commissioner Shelley, seconded by Commissioner Holzberg, and passed unanimously by roll call vote. The following action was taken:

**A. Minutes** were approved as follows:

- September 6, 2016 Commission Meeting (First Budget Hearing)
- September 6, 2016 Commission Regular Meeting
- September 14, 2016 Commission Meeting (Second Budget Hearing)
- September 15, 2016 Commission Workshop Meeting

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<sup>1</sup> Ms. Wecksler received her certificate at the end of the meeting.

**B. Motion was approved as follows:**

**MOTION TO RATIFY THE CITY MANAGER'S REAPPOINTMENT OF RAQUEL ROTHMAN, ESQ. AND BARBARA BUXTON, ESQ. AS SPECIAL MASTERS FOR THE CITY OF AVENTURA CODE ENFORCEMENT PROCESS**

**C. Resolution No. 2016-59 was adopted as follows:**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA RE-ADOPTING CHAPTER 6.6 OF THE ADMINISTRATIVE POLICY DIRECTIVES AND PROCEDURES MANUAL, AS ATTACHED HERETO, ENTITLED "INVESTMENT OBJECTIVES AND PARAMETERS" AS THE CITY'S INVESTMENT POLICY FOR THE MANAGEMENT OF PUBLIC FUNDS; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**D. Resolution No. 2016-60 was adopted as follows:**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDED AND LETTING A BID/CONTRACT FOR BID NO. 16-08-30-2, COUNTRY CLUB DRIVE PEDESTRIAN SAFETY IMPROVEMENTS TO HORSEPOWER ELECTRIC, INC. AT THE BID PRICE OF \$239,900; AUTHORIZING THE CITY MANAGER TO EXECUTE ASSOCIATED CONTRACTS; 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 BID AWARD; AND PROVIDING FOR AN EFFECTIVE DATE.**

**E. Motion was approved as follows:**

**MOTION AUTHORIZING THE APPROPRIATION OF UP TO \$25,000 FOR A DRONE, CRIME PREVENTION PROGRAMS, EQUIPMENT AND TRAINING FROM THE POLICE FORFEITURE FUNDS IN ACCORDANCE WITH THE CITY MANAGER'S MEMORANDUM.**

**F. Resolution No. 2016-61 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 CHILD ABDUCTION RESPONSE TEAM (CART) MUTUAL AID AGREEMENT BETWEEN THE CITY OF AVENTURA AND THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**G. Resolution No. 2016-62** 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 SUNNY ISLES BEACH 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.**

**H. Removed** for discussion:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, CALLING UPON FEDERAL AND STATE-ELECTED OFFICIALS TO COLLABORATE WITH LOCAL OFFICIALS AND FIRST RESPONDERS TO PREVENT MASS SHOOTINGS AND LARGE-SCALE HUMAN LOSS OF LIFE AND SUFFERING FROM MASS SHOOTINGS IN AMERICA BY LIMITING THE AVAILABILITY AND USE OF MILITARY GRADE, HIGH CAPACITY MAGAZINE ASSAULT WEAPONS TO LAW ENFORCEMENT AGENCIES; PROVIDING FOR AN EFFECTIVE DATE.**

**Item H:** Mayor Weisman read the following Resolution by title:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, CALLING UPON FEDERAL AND STATE-ELECTED OFFICIALS TO COLLABORATE WITH LOCAL OFFICIALS AND FIRST RESPONDERS TO PREVENT MASS SHOOTINGS AND LARGE-SCALE HUMAN LOSS OF LIFE AND SUFFERING FROM MASS SHOOTINGS IN AMERICA BY LIMITING THE AVAILABILITY AND USE OF MILITARY GRADE, HIGH CAPACITY MAGAZINE ASSAULT WEAPONS TO LAW ENFORCEMENT AGENCIES; PROVIDING FOR AN EFFECTIVE DATE.**

A motion for approval of the Resolution was offered by Commissioner Weinberg and seconded by Vice Mayor Landman.

Mr. Soroka explained the Resolution. Mr. Wolpin reviewed the language that was added after direction at the September Workshop Meeting, to clarify that lawful hand guns were not included within the scope of the Resolution.

Mayor Weisman opened the item to public comment. No comments were provided by the public.

The motion for approval of the Resolution passed (6-1) by roll call vote, with Commissioner Narotsky voting no, and **Resolution No. 2016-63** was adopted.

6. **ZONING HEARINGS: QUASI-JUDICIAL PUBLIC HEARINGS:** None.
7. **ORDINANCES - FIRST READING – PUBLIC HEARING:** None.
8. **ORDINANCES - SECOND READING/PUBLIC HEARING:** None.

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

10. **REPORTS:**

Commissioner Weinberg encouraged the Commission members to attend the Miami-Dade County League of Cities Best Practices Conference on October 14<sup>th</sup>.

Mr. Wolpin reported on the language changed in the County's proposed Workforce Housing Ordinance, which would allow municipalities to opt out of the mandatory Ordinance, if adopted as proposed. He will provide an update after the County Committee Meeting, scheduled for October 13<sup>th</sup>.

Vice Mayor Landman reported on the City's Halloween Event, scheduled for October 29<sup>th</sup> at Founders Park.

Mr. Wolpin requested an Attorney/Client Session regarding the Prive litigation and Clarke litigation, to provide an update per Commissioner Shelley's request.

11. **PUBLIC COMMENTS:** None.

12. **OTHER BUSINESS:** None.

13. **ADJOURNMENT:** There being no further business to come before the Commission, a motion to adjourn was offered by Commissioner Holzberg, seconded by Vice Mayor Landman, and unanimously approved; thus adjourning the meeting at 6:19 p.m.

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Ellisa L. Horvath, MMC, City Clerk

Approved by the Commission on November 1, 2016.



**CALL TO ORDER/ROLL CALL:** The meeting was called to order by Mayor Enid Weisman at 9:00 a.m. The following were present: Mayor Enid Weisman, Vice Mayor Denise Landman, Commissioner Teri Holzberg, Commissioner Dr. Linda Marks, Commissioner Marc Narotsky, Commissioner Robert Shelley, Commissioner Howard Weinberg, City Manager Eric M. Soroka, City Clerk Ellisa L. Horvath, and City Attorney David M. Wolpin. As a quorum was determined to be present, the meeting commenced.

1. **RED LIGHT SAFETY CAMERA PROGRAM (City Manager):** Orlando Torres, American Traffic Solutions (ATS) provided an update and overview on the program, focused on changing the way people drive.

**City Manager Summary:** No action - this item was provided for informational purposes.

It was the consensus of the Commission to take the following item out of order:

**Item 3: UPDATE/RECOMMENDATIONS FOR NORTH HOSPITAL DISTRICT ZONING (City Manager):** Mr. Soroka and Community Development Director Joanne Carr reviewed the proposed traffic/road improvements and site plan process for the MO (Medical Office) North District, in response to comments received at the September Workshop Meeting. The proposed recommendations would encourage development to improve the area, while allowing the City to gain certain items to be paid for by developers as part of the site plan approval, including curbing, pavement, street lighting, landscaping, sidewalks, etc.

The following provided comments: Jeff Bercow, Esq. (Bercow Radell & Fernandez, 200 S. Biscayne Blvd. Suite 850, Miami) and Jackie Taco.

**City Manager Summary:** It was the consensus of the City Commission to proceed with placement of the item on the Local Planning Agency and Commission Meeting Agendas.

**Item 2: GULFSTREAM CONDITIONAL USE RENEWAL UPDATE (City Manager):** Mr. Soroka provided an update on the Gulfstream Renewal Request for Conditional Use and Development Agreement and reviewed his recommended tentative agreement showing items negotiated including the acquisition of two acres of property at Gulfstream located next to Waterways Park.

**City Manager Summary:** It was the consensus of the City Commission to proceed forward with the required actions as reviewed for the items as negotiated.

4. **2017 MEETING SCHEDULE (City Manager):** Mr. Soroka reviewed the tentative schedule for the 2017 Commission meetings.

**City Manager Summary:** It was the consensus of the City Commission to proceed with the schedule presented, with the following meeting date changes: January 19<sup>th</sup> to January 18<sup>th</sup>, February 7<sup>th</sup> to February 8<sup>th</sup>, March 16<sup>th</sup> to March 21<sup>st</sup>, June 6<sup>th</sup> to June 14<sup>th</sup>, June 15<sup>th</sup> to June 22<sup>nd</sup>, and July 20<sup>th</sup> to July 18<sup>th</sup>.

**5. ANNUAL SELECTION OF REPRESENTATIVE TO THE MIAMI-DADE COUNTY LEAGUE OF CITIES (City Manager):** Mr. Soroka requested that the Commission provide the annual selection of a representative to the Miami-Dade County League of Cities, which is currently Commissioner Weinberg.

**City Manager Summary:** It was the consensus of the City Commission for Commissioner Weinberg to continue serving as the City's representative.

**6. CITY CLERK REVIEW (Mayor):** Mayor Weisman requested that this item be deferred to allow her time to go over the review with the City Clerk.

**City Manager Summary:** It was the consensus of the City Commission to defer this item until the November Workshop Meeting.

**7. SITE PLANS – AVENTURA PALM GARDENS (City Manager):** Community Development Director Joanne Carr reviewed the nursing home site plan, which included the addition of a five-story building, with 109 beds.

**City Manager Summary:** No action - this item was provided for informational purposes.

The following additional items were discussed: consensus to move the November 17<sup>th</sup> Workshop Meeting to 9:00 a.m. followed by the Commission Meeting at 10:00 a.m., Peace Park Dedication scheduled for November 7<sup>th</sup> at 10:00 a.m., Commission group photo scheduled for November 1<sup>st</sup> at 5:45 p.m., consensus to schedule an Executive Session to discuss police union negotiations for November 2<sup>nd</sup> at 6:00 p.m., and Commission Inauguration scheduled for November 10<sup>th</sup> at 7:00 p.m.

**8. ADJOURNMENT:** There being no further business to come before the Commission, a motion to adjourn was offered by Commissioner Holzberg, seconded by Commissioner Shelley, and unanimously approved; thus adjourning the meeting at 10:39 a.m.

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Elisa L. Horvath, MMC, City Clerk

Approved by the Commission on November 1, 2016

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

**MEMORANDUM**

TO: City Commission

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

DATE: October 27, 1016

SUBJECT: **Resolution Declaring Equipment Surplus**



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**November 1, 2016 City Commission Meeting Agenda Item 6B**

**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. 2016-\_\_

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 FOR 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 Teri Holzberg \_\_\_\_\_  
Commissioner Denise Landman \_\_\_\_\_  
Commissioner Dr. Linda Marks \_\_\_\_\_  
Commissioner Marc Narotsky \_\_\_\_\_  
Commissioner Robert Shelley \_\_\_\_\_  
Commissioner Howard Weinberg \_\_\_\_\_  
Mayor Enid Weisman \_\_\_\_\_

**PASSED AND ADOPTED** this 1<sup>st</sup> day of November, 2016.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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

**CITY OF AVENTURA**

**INFORMATION TECHNOLOGY DEPARTMENT**

**MEMORANDUM**

TO: Eric M. Soroka, City Manager  
FROM: Karen J. Lanke, Information Technology Director  
DATE: October 18, 2016  
SUBJECT: Surplus Computer Equipment

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I am requesting that the computer equipment listed on the attached 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**

<b>Brand</b>	<b>Model</b>	<b>Qty</b>	<b>Serial Number</b>	<b>Type</b>
Anatel	Series 800A	1	7898369270201	
APC	Back-UPS Pro 700	3		UPS
APC	Back-UPS RS800	4		UPS
APC	RBC23	1		UPS Battery
APC	SUA1000RM2U	1	AS0529231483	UPS
<b>Box full of keyboard and cables</b>				
Dell	2009Wt	1	CN-0G433H-74445-986-AJTL	Monitor
Dell	E6430	1	324KV1	Laptop
Dell	E6430	1	9X3KKV1	Laptop
Dell	Optiplex 780	1	1JQ2KM1	Desktop
Dell	Optiplex 780	1	3T7JKN1	Desktop
Dell	Optiplex 780	1	3T8JKN1	Desktop
Dell	Optiplex GX620	1	4RNFK81	Desktop
Dell	Optiplex GX620	1	B5YMS91	Desktop
Dell	P2214Hb	1	CN-0KW14V-74261-47T-05HB	Monitor
Dell	P2214Hb	1	CN-0KW14V-74261-47T-33AB	Monitor
Dell	PowerEdge 1950	1	JH98QD1	Server
Harmon/Kardon	Speakers and Subwoofer	1		Speaker System
Honeywell	HD273	1	T079000129	CCTV Camera
HP	C7790D	1	MY5953C00S	Printer
HP	OfficeJet 6700	1	CN27H3QGP6	Printer
HP	OfficeJet 7612	1	CN5173M03W	Printer
IBM	BladeCenter E	1	42C9710	Server
Panasonic	WV-BP334	1	0XW00985	CCTV Camera
Panasonic	WV-BP334	1	0XW00986	CCTV Camera
Polycom	Microphone	1	02D8FE	Microphone
Polycom	Microphone and Cables	1	02DCE0	Microphone
Polycom	PVS-1419	1	03C094	Polycom
Polycom	PVS-1419	1	03C366	Polycom
Polycom	Viewsonic Remote	17		Remotes
Sony	SDM-X95F	1	6603187	Monitor
Sony	SDM-X95F	1	6603188	Monitor
U.S. Robotics	5686	1	2ABLXB1D3053	Modem
Vicon	V1300X-DVC	1	28858	

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

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

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

**DATE:** 27 October 2016

**SUBJECT:** Surplus Property

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I would like to have the below 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:

Please see attached list of Segway's for surplus.

10/25/16  
@

**CITY OF AVENTURA**

**POLICE DEPARTMENT**

**MEMORANDUM**

To: Commander Fogelgren

From: Captain Castronovo *AC*

Subject: Request to Surplus Property

Date: October 25, 2016

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I am respectfully requesting to surplus the following inoperable Segways:

- S/N 032361005711 - APD 01
- S/N 032481006728 - APD 02
- S/N 052301015239 - APD 03

Repairing the Segways would not be cost effective according to Sgt. Goranitis. Please see email attached to this memorandum.

**Cosimo Castronovo**

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**From:** Chris Goranitis  
**Sent:** Sunday, October 23, 2016 2:52 PM  
**To:** Cosimo Castronovo  
**Cc:** Tom Labombarda; Charles Travis  
**Subject:** Segway Surplus

Good afternoon Captain Castronovo,

I would like to request that the following three Segway's be sent to Surplus. They do not work and repair would not be feasible. The Segways are in the fleet bay as we desperately needed the room in the Bike/Dive room. I was also wondering if we have money in the budget for one new Segway this year. These three are the older models that we originally purchased many years ago.

Thanks

Chris

#1 - ser# 032361005711 - APD 01

#2 ser# 032481006728 - APD 02

#3 ser# 052301015239- APD 03

**Sergeant Chris Goranitis**  
**City Of Aventura Police**  
**Public Information Officer**  
**305-466-8999 (8194) (Office)**  
**305-466-8974 (Fax)**  
**305-466-8999 (Emergency)**

This transmission may contain restricted or privileged information, which is intended only for use by the individual or entity to which the transmission is addressed. It should be treated as Law Enforcement Sensitive / For Official Use Only and is intended for security personnel, antiterrorism officers, and local, state, and federal law enforcement. Note: Florida Public Records Law Provides that most written communications to or from Municipal employees regarding city business are public records, available to the public and media upon request. Therefore, this e-mail message may be subject to public disclosure.

**CITY OF AVENTURA**

**OFFICE OF THE CITY MANAGER**

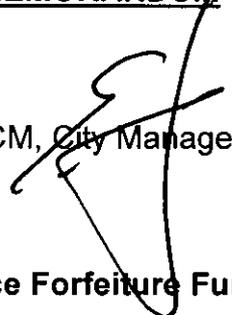
**MEMORANDUM**

TO: City Commission

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

DATE: October 28, 2016

SUBJECT: **Disbursement of Police Forfeiture Funds**



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November 1, 2016 City Commission Meeting Agenda Item 6C

**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 \$44,500 for buildout of fleet bay / storage room and crime prevention scholarships from the Police Forfeiture Funds in accordance with the City Manager’s Memorandum.

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

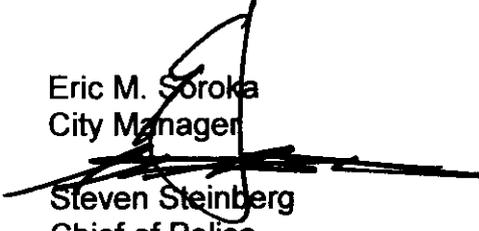
EMS/act

Attachment

CCO1955-16

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

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

**FROM:**   
Steven Steinberg  
Chief of Police

**DATE:** 10/28/16

**SUBJECT:** Use of LETF funds

---

Florida Statutes and Federal Law require that forfeiture funds be maintained in a special law enforcement trust fund and that the funds be expended only upon request of the Chief of Police to the governing body of the municipality and approval of the governing body.

I am requesting City Commission approval for the expenditure of:

1 <sup>st</sup> Generation Crime Prevention Scholarship	\$7,500
<b>TOTAL EXPENDITURE REQUEST:</b>	<b>\$7,500</b>

I certify that this requested expenditure complies with the below:

1. Funds will be used for an appropriate law enforcement purpose.
2. Funds are not being used as a normal source of revenue for the Police Department.
3. Funds were not considered in the adoption and approval of the budget of the Police Department.

**Item Description:**

**Crime Prevention Scholarship:** A donation in the amount of \$ 7,500 to the Florida International University - First Generation Scholarship Fund specifically for Aventura residents. This combined with matching funds from the state will provide scholarships to FIU students who are Aventura residents and will be the first generation in a family to attain a college degree. This program will serve to enhance crime prevention by facilitating educational and employment opportunities that would otherwise not exist, by providing tuition assistance to students with limited financial means who come from families with no prior benefit of higher education.

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

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

**FROM:** Steven Steinberg  
Chief of Police

**DATE:** 10/28/16

**SUBJECT:** Use of LETF funds

---

Florida Statutes and Federal Law require that forfeiture funds be maintained in a special law enforcement trust fund, and that the funds be expended only upon request of the Chief of Police to the governing body of the municipality and approval of the governing body.

I am requesting City Commission approval for the expenditure of:

Buildout of fleet bay/fleet storage areas \$37,000

**TOTAL EXPENDITURE REQUEST:** **\$37,000**

I certify that this requested expenditure complies with the below:

1. Funds will be used for an appropriate law enforcement purpose.
2. Funds are not being used as a normal source of revenue for the Police Department.
3. Funds were not considered in the adoption and approval of the budget of the Police Department.

**Item Description:**

**Buildout out of fleet bay/fleet storage room:** These funds are being requested to do a buildout out of the fleet bay area to install a storage system; move the ice machine to a better location; add key card access to the fleet bay area to prevent unauthorized access which prevents loss of equipment. Additionally, the funds would be used to install a storage system in the fleet bay storage room (old K9 room by entrance to city hall underground parking). Our fleet services has grown in responsibilities and equipment and more room is needed.

**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 27, 2016



SUBJECT: Application to Amend Section 31-144(c)(5)a.4 of the Land Development Regulations to add a provision for increased lot coverage for specific uses (05-LDR-16)

November 1, 2016      Local Planning Agency Agenda Item 4A  
 November 1, 2016      City Commission Meeting Agenda Item 7A  
 November 17, 2016      City Commission Meeting Agenda Item   

**RECOMMENDATION**

It is recommended that the City Commission approve the request for an amendment to Section 31-144(c)(5)a.4 of the Community Business (B2) District of the Land Development Regulations to add to that section, a provision for an increase in lot coverage by an amount up to 3 percent, to a maximum of 48% of the total lot area, for parcels that include one or more shopping center buildings that contain more than 1,000,000 square feet of gross leasable area and do not exceed five stories in height, if the parcel owner(s) enter into an agreement with the City to provide major transportation improvements that are recommended by the City Manager and that may include linkage to railway passenger service and/or other linkage to a regional transportation facility.

**THE REQUEST**

The requested increase in lot coverage results from a dispute between the two owners of the Aventura Mall parcel. Each owner is asserting development rights to its individual parcel. As a resolution to that dispute, City staff is recommending approval of an ordinance to allow a lot coverage increase from 45%, up to a maximum of 48% for parcels that include one or more shopping center buildings containing more than 1,000,000 square feet of gross leasable area and do not exceed five stories in height with the

condition that the owners enter into an agreement with the City to provide major transportation improvements that are recommended by the City Manager. The improvements may consist of a link to railway passenger service and/or other linkage to a regional transportation facility. The agreement must be in a form satisfactory to the City Manager and City Attorney and will not be effective unless approved by motion or resolution of the City Commission.

This matter was discussed at the September 15, 2016 City Commission workshop.

## **BACKGROUND**

The overall Aventura Mall site consists of approximately 97.96 acres. Approximately 85.66 acres is owned by Aventura Mall Venture and the remaining 12.30 acres is owned by Seritage Growth Properties (formerly Sears). The Aventura Mall Venture expansion is currently under construction. Seritage has applied for administrative site plan approval to redevelop its site. The two plans combined propose an overall lot coverage of 48%. Maximum lot coverage currently allowed by Section 31-144(c)(5)a.4 of the City Code is 45%.

## **DESCRIPTION OF THE PROPOSED AMENDMENT**

The proposed amendment to the Community Business (B2) District follows in underlined text:

“Section 31-144(c). Community Business (B2) District.

c) *Community Business (B2) District.* This district is intended primarily to provide for general commercial activity for a wide range of goods and services to the entire community and sub region. Such businesses generally require locations convenient for both vehicular and pedestrian traffic and would be expected to have orientation toward and direct access to arterial roadways.

...

(5) *Site development standards.*

a. *Floor area ratio and lot coverage and minimum landscaped open space requirements:*

\*\*\*

4. For parcels that include one or more shopping center buildings, the maximum lot coverage shall not exceed 45% of the total lot area, provided that such shopping center buildings contain more than 1,000,000 square feet of gross leasable area and do not exceed five stories in height and that the shopping center building provides a centralized multi-modal transportation facility which is enclosed

within a parking structure, and which may be used by: City transit providers, County transit providers, any other governmental entities requesting use of the facility and private transit providers. The maximum lot coverage may be increased by an amount up to 3 percent, to a total not exceeding 48% of the total lot area, if the parcel owner(s) enter into an agreement with the City to provide major transportation improvements that are recommended by the City Manager and that may include linkage to railway passenger service and/or other linkage to a regional transportation facility. Such agreement shall allocate the additional lot coverage obtained under this section, shall be in a form satisfactory to the City Manager and City Attorney, and shall not be effective unless approved by motion or resolution of the City Commission.

\*\*\*

## **ANALYSIS**

Staff provides the following analysis of the request using the standards for reviewing proposed amendments to the text of the Land Development Regulations contained in Section 31-77 of the City Code.

1. *The proposed amendment is legally required.*

The proposed amendment is legally required to implement the requested revision to the Code.

2. *The proposed amendment is consistent with the goals and objectives of the Comprehensive Plan.*

The proposed amendment is consistent with the goals and objectives of the Comprehensive Plan. The business and office land use designation is described in the Future Land Use Element of the City's Comprehensive Plan. This category provides that "...the specific range and intensity of uses applicable in a particular Business and Office property is dependent upon the particular land use, design, urban services, transportation, environmental and social conditions on and around the subject property, including consideration of applicable goals, objectives and policies of the Plan. The Transportation Goal in the Transportation Element of the City's Comprehensive Plan includes the goal to provide a safe and efficient multimodal transportation system to serve the needs of the City. This proposed amendment is consistent with both the language of the Business and Office future land use category and with the Transportation Goal in that the amendment requires that the parcel owner(s) enter into an agreement with the City to provide major transportation improvements that will enhance a safe and efficient transportation system within the City.

3. *The proposed amendment is consistent with the authority and purpose of the LDRs.*

The proposed amendment is consistent with the authority and purpose of the Land Development Regulations. The purpose of the LDRs is to implement further the Comprehensive Plan of the City by establishing regulations, procedures and standards for review and approval of all development and uses of land and water in the City. Further, the LDRs are adopted in order to foster and preserve public health, safety and welfare and to aid in the harmonious, orderly and progressive development and redevelopment of the City. The proposed amendment is consistent with this purpose. The proposed amendment will aid in the harmonious, orderly and progressive redevelopment of the City.

4. *The proposed amendment furthers the orderly development of the City.*

The proposed amendment furthers the orderly development of the City, for the reasons provided in Paragraph 3 above.

5. *The proposed amendment improves the administration or execution of the development process.*

The proposed amendment improves the administration or execution of the development process in that it provides for regulation and a process by which to approve development or redevelopment of a property within the Community Business District.

ORDINANCE NO. 2016-\_\_\_\_

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING SECTION 31-144 "BUSINESS ZONING DISTRICTS" OF THE CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 31-144(C)(5)A., COMMUNITY BUSINESS (B2) DISTRICT TO ALLOW INCREASED LOT COVERAGE FOR SHOPPING CENTERS WITH MORE THAN 1,000,000 SQUARE FEET OF GROSS LEASABLE AREA, WITH HEIGHT NOT GREATER THAN FIVE STORIES AND THAT ENTER INTO AN AGREEMENT WITH THE CITY TO PROVIDE MAJOR TRANSPORTATION IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Aventura ("City Commission") is desirous of amending Section 31-144 "Business Zoning Districts" of Chapter 31 "Land Development Regulations" of the Code of Ordinances ("City Code") to provide that lot coverage may be increased by an amount up to 3%, to a total of 48% of the total lot area, for parcels that include one or more shopping center buildings with more than 1,000,000 square feet of gross leasable area and do not exceed five stories in height, if the parcel owner(s) enter into an agreement with the City to provide major transportation improvements in the City; and

**WHEREAS**, the Business and Office future land use category applicable to the proposed amendment provides that "...the specific range and intensity of uses applicable in a particular Business and Office property is dependent upon the particular land use, design, urban services, transportation, environmental and social conditions on and around the subject property, including consideration of applicable goals, objectives and policies of the Plan..."; and the Transportation Goal in the Transportation Element of the City's Comprehensive Plan is "...to provide a safe and efficient multimodal transportation system to serve the needs of the City..."; and

**WHEREAS**, the City Commission finds that the proposed amendment to Section 31-144 of the City Code to provide increased lot coverage for large-scale shopping

center parcels that provide major transportation improvements is consistent with the applicable goals, objectives and policies of the City's Comprehensive Plan; and

**WHEREAS**, the City Commission has been designated as the Local Planning Agency for the City pursuant to Section 163.3174, Florida Statutes; and

**WHEREAS**, the Local Planning Agency has reviewed the proposed amendment during the required public hearing and has recommended approval to the City Commission; and

**WHEREAS**, the City Commission has reviewed the proposed amendment, and finds that it is in the best interests of the public to amend Section 31-144 of Chapter 31 "Land Development Regulations," as set forth in this Ordinance; 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 action set forth in the Ordinance and has determined that such action is consistent with the Comprehensive Plan.

**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. City Code Amended.** That Section 31-144 "Business Zoning Districts" of Article VII "Use Regulations" of Chapter 31 "Land Development Regulations" of the City Code is hereby amended to read as follows<sup>1</sup>:

\* \* \*

**Sec. 31-144. – Business Districts.**

\*\*\*

*(c) Community Business (B2) District.* This district is intended primarily to provide for general commercial activity for a wide range of goods and services to the entire community and sub region. Such businesses generally require locations convenient for both vehicular and pedestrian traffic and would be expected to have orientation toward and direct access to arterial roadways.

\*\*\*

*(5) Site development standards.*

a. *Floor area ratio and lot coverage and minimum landscaped open space requirements:*

1. For all buildings: Any structure parking serving the primary use on the site shall be incorporated into the building envelope and shall be compatibly designed. Such parking structure shall comply with all minimum setback and buffer yard requirements.

2. The floor area ratio shall be 0.40 at one story and shall be increased by 0.11 for each additional story. Structure parking shall not count as part of the floor area, but shall be counted in computing building height. The total lot coverage permitted for all buildings on the site shall not exceed 40 percent of the total lot area, except as provided in Subsection 4. below. The floor area ratio shall not exceed 2.0 for all buildings in this district in conformance with the comprehensive plan.

3. For shopping center buildings with more than 1,000,000 square feet of gross leasable area that provide public amenities including, but not limited to, public plazas, fountains or other water features, seating areas and recreational walking areas and that do not exceed five stories in height, the minimum landscaped open space shall be 15 percent of the total lot area. Said open space shall be extensively landscaped with grass, trees and shrubbery in accordance with a landscape plan to be approved by the City Manager. The non-leasable

<sup>1</sup> Underlined provisions constitute proposed additions to existing text. Strikethrough provisions constitute proposed deletions to existing text.

areas within enclosed or non-enclosed malls which are landscaped with grass, trees and/or shrubbery, water areas therein, and areas therein with permanent art display areas may be used as part of the required landscaped open space provided such areas do not exceed ten percent of the required landscaped open space.

4. For parcels that include one or more shopping center buildings, the maximum lot coverage shall not exceed 45% of the total lot area, provided that such shopping center buildings contain more than 1,000,000 square feet of gross leasable area and do not exceed five stories in height, and that the shopping center building provides a centralized multi-modal transportation facility which is enclosed within a parking structure, and which may be used by City transit providers, County transit providers, any other governmental entities requesting use of the facility and private transit providers. The maximum lot coverage may be increased by an amount up to 3 percent, to a total not exceeding 48% of the total lot area, if the parcel owner(s) enter into an agreement with the City to provide major transportation improvements that are recommended by the City Manager and that may include linkage to railway passenger service and/or other linkage to a regional transportation facility. Such agreement shall allocate the additional lot coverage obtained under this section, shall be in a form satisfactory to the City Manager and City Attorney, and shall not be effective unless approved by motion or resolution of the City Commission.

\*\*\*

**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. Inclusion in the Code.** It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Aventura; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 5. Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

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

Commissioner Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Dr. Linda Marks	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Mayor Enid Weisman	_____

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 was as follows:

Commissioner Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Dr. Linda Marks	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Mayor Enid Weisman	_____

**PASSED** on first reading this 1<sup>st</sup> day of November, 2016.

**PASSED AND ADOPTED** on second reading this 17<sup>th</sup> day of November, 2016.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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

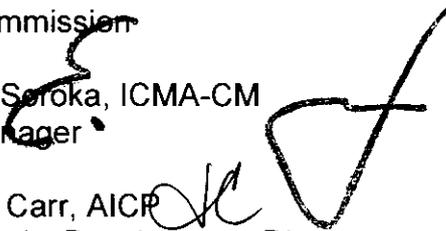
This Ordinance was filed in the Office of the City Clerk this \_\_\_\_ day of \_\_\_\_\_, 2016.

# 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 27, 2016

SUBJECT: Application to Amend Section 31-144(f)(1), Section 31-144(f)(2) and Section 31-144(f)(3) of the Land Development Regulations to amend permitted uses, to add new conditional uses and amend prohibited uses in the Medical Office (MO) zoning district (04-LDR-16)

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November 1, 2016  
November 1, 2016  
January 10, 2017

Local Planning Agency Agenda Item 4B  
City Commission Meeting Agenda Item 7B  
City Commission Meeting Agenda Item   

### RECOMMENDATION

It is recommended that the City Commission approve an amendment to Section 31-144(f)(1), Section 31-144(f)(2), and Section 31-144(f)(3) of the Medical Office (MO) District to amend permitted uses, to amend and add conditional uses and to amend prohibited uses in order to facilitate development of the district.

### BACKGROUND

The Medical Office (MO) District encompasses properties lying in the triangle between Biscayne Boulevard to east, East Dixie Highway to the west, NE 206 Street to the south and NE 214 Terrace to the north. The district regulations were adopted in July of 1999 as part of the original Land Development Regulations. This district requires a minimum lot size of 1.5 acres for the properties lying north of NE 209 Street. The original plats of the area laid out 110 long by 33 wide, or 3300 square foot, lots and although several larger parcels have been assembled over the years, most of the remaining ownerships are less than the required 1.5 acres which has resulted in slow development.

City staff review of the current ownership pattern in the north portion of the Medical Office district shows that 21 of the 29 parcels are less than 1.5 acres. These 21 parcels range in

size from 0.07 acres to 1.23 acres. In order to facilitate development, City staff is recommending the following amendments and additions to the permitted, conditional and prohibited uses in the district.

These amendments and additions were discussed at the City Commission workshop meetings of September 15, 2016 and October 20, 2016.

## **DESCRIPTION OF THE PROPOSED AMENDMENT**

The proposed amendment to Section 31-144(f)(1), *Uses Permitted*, Section 31-144(f)(2), *Conditional Use* and Section 31-144(f)(3), *Uses Prohibited*, of Chapter 31, Article VII., Use Regulations, follow. Proposed additions are shown in underlined text and proposed deletions are shown in stricken through text.

“Section 31-144 – Business Zoning Districts.

\*\*\*

(f) Medical Office (MO) District.

\*\*\*

(1) *Uses permitted*. No building or structure, or part thereof, shall be erected, altered or used, or land used in whole or part for other than one or more of the following specific uses:

- a. Business/professional offices.
- b. Hospitals (not to exceed 20 stories or 200 feet in height).
- c. Nursing homes.
- d. Medical laboratories.
- e. Laboratories for medical research and development, including the use of medical laboratory equipment and devices.
- f. Dental and medical offices.
- g. Banks, savings and loans (no drive-in tellers).
- h. Restaurants, ~~accessory to primary uses with~~ (no drive-in facilities), that are part of a non-residential or multifamily residential building
- i. Pharmacies, limited to drugs and medical supplies, except if first approved as a conditional use pursuant to Section 31-144(f)(2)o.
- j. Hotels, motels, resorts and time share units, subject to the following:
  1. The minimum plot area shall be 1.5 acres, except if first approved as a conditional use pursuant to Section 31-144(f)(2)n.
  2. The minimum floor area of a rental sleeping room in a motel or hotel, which includes all areas to be individually rented by a customer, shall be 300 square feet.
- k. Uses generally accessory to the above principal uses. Accessory uses are those uses that are associated with the principal use(s) and which provide service primarily to employees and patrons of the office park. The accumulative total of all accessory uses shall be limited to a maximum of 15

percent of the total gross interior square footage of the buildings proposed for the site. Such uses shall have no outside advertising.

I. ALF.

(2) *Conditional use.* The following uses if first approved as a conditional use:

- a. Business-related schools.
- b. Multi-family residential uses with a maximum density of 35 dwelling units per gross acre and with a minimum lot area of ~~two gross acres~~ between 1.0 to 1.5 acres, provided that a building permit for the development is obtained within 24 months of the date of conditional use approval. Failure to obtain a building permit within this time limit will void the conditional use approval.
- c. Uses that exceed the height limitations.
- d. Retail uses with a minimum lot area of two gross acres as part of a non-residential or multifamily residential development, when such retail uses do not exceed 15% of the total gross interior square footage of the building.
- e. Drive-through facility.
- f. Heliport landing site.
- g. Automobile parking garages, exceeding two stories but not over six stories in height, as a stand-alone use.
- h. All uses permitted in the CF District.
- i. For those properties lying between NE 206 Street to the south, NE 209 Street to the north, NE 28 Avenue to the east and East Dixie Highway to the west, the following additional uses may be permitted if first approved as a conditional use:
  1. Uses that exceed the maximum floor area ratio.
  2. Uses that do not meet the open space requirements of this district, upon payment of a fee-in-lieu of open space to be used for public park improvements. The amount of such fee shall be determined by the City Manager based on the appraised value of the land and the amount of reduction in open space requested, provided, however, that the amount of open space shall not be reduced below 15 percent of the total lot area and that the development complies with the Streetscape Design Standards of this section.
- j. Self-service storage facilities with a minimum lot area of 1.5 acres.
- k. For buildings that attain LEED Gold or Platinum certification as provided in article VI of chapter 14 of the City Code, increased lot coverage, provided that a green roof and/or green rooftop amenities are provided and maintained for the common benefit of building occupants; and; that increased Florida-Friendly tree canopy and Florida-Friendly plantings designed to calm the heat island effect are located on site, all in an amount equal to the requested increased lot coverage.

l. For buildings that attain LEED Gold or Platinum certification as provided in article VI of chapter 14 of the City Code, increased floor area ratio, not to exceed a floor area ratio of 2.0.

m. For multifamily residential buildings in this district that attain LEED Gold or Platinum certification as provided in article VI of chapter 14 of the City Code, increased density to a maximum of 45 dwelling units per acre.

n. Pharmacies not limited to drugs and medical supplies.

o. Uses that do not meet the minimum lot area and width in Section 31-144(f)(4)a., provided that the lot area is no less than 1.0 acres, including right of way dedications, and provided that a building permit for the development is obtained within 24 months of the date of conditional use approval. Failure to obtain a building permit within this time limit will void the conditional use approval.

p. For those properties lying between NE 213 Street to the south, NE 214 Terrace to the north, NE 29 Avenue to the east and East Dixie Highway to the west, the following reduced yard setbacks may be permitted if first approved as a conditional use and provided that a building permit for the development is obtained within 24 months of the date of conditional use approval. Failure to obtain a building permit within this time limit will void the conditional use approval.

a. Minimum front yard setback shall be ten feet in depth for the first two stories of the structure and 15 feet in depth for any additional stories.

b. Minimum street side yard setback shall be ten feet in depth for the first two stories and 15 feet for additional stories.

c. Minimum rear yard setback shall be ten feet in depth.

(3) *Uses prohibited.* Except as specifically permitted in this section, the following uses are expressly prohibited as either principal or accessory uses:

a. Adult entertainment.

b. Retail uses ~~on a lot less than two gross acres~~ as a stand alone use.

c. Industrial uses.

\*\*\*

## **ANALYSIS OF STANDARDS FOR REVIEW OF PROPOSED TEXT AMENDMENTS**

Staff provides the following analysis of the request using the standards for reviewing proposed amendments to the text of the Land Development Regulations contained in Section 31-77 of the City Code.

1. *The proposed amendment is legally required.*

The proposed amendment is legally required to implement the requested revisions and additions to the Medical Office (MO) District.

2. *The proposed amendment is consistent with the goals and objectives of the Comprehensive Plan.*

The proposed amendment is consistent with the goals and objectives of the Comprehensive Plan, specifically, Objective 1 and its measure of the Land Use Goal in the Future Land Use Element which states that “the Land Development Regulations shall provide a cohesive blueprint for development and redevelopment of the City that accommodates growth while maintaining the integrity of the built and natural environment.” The proposed amendment is also consistent with Objective 10 of the Land Use Goal which states that the City “shall continue to maintain, update and enhance the municipal code, administrative regulations and procedures, to ensure that future land use and development is consistent with the Plan and to promote better planned development and communities with well designed buildings.”

3. *The proposed amendment is consistent with the authority and purpose of the LDRs.*

The proposed amendment is consistent with the authority and purpose of the Land Development Regulations. The purpose of the LDRs is to implement further the Comprehensive Plan of the City by establishing regulations, procedures and standards for review and approval of all development and uses of land and water in the City. The proposed amendment is consistent with this purpose.

4. *The proposed amendment furthers the orderly development of the City.*

The proposed amendment furthers the orderly development of the City by establishing standards for review and approval of development of land.

5. *The proposed amendment improves the administration or execution of the development process.*

The proposed amendment improves the administration or execution of the development process in that it provides for regulation by which to approve development or redevelopment projects in the City.

**ORDINANCE NO. 2016-\_\_**

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING SECTION 31-144 "BUSINESS ZONING DISTRICTS" OF ARTICLE VII "USE REGULATIONS" OF CHAPTER 31 "LAND DEVELOPMENT REGULATIONS" OF THE CITY CODE, BY AMENDING SECTION 31-144(f) "MEDICAL OFFICE (MO) DISTRICT" OF THE CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 31-144(f)(1), "USES PERMITTED", BY AMENDING SECTION 31-144(f)(2), "CONDITIONAL USE" AND BY AMENDING SECTION 31-144(f)(3), "USES PROHIBITED"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Aventura ("City Commission") is desirous of revising Section 31-144(f) "Medical Office (MO) District" of Chapter 31 "Land Development Regulations" of the Code of Ordinances ("City Code") to amend Section 31-144(f)(1), "Uses Permitted", to amend Section 31-144(f)(2), "Conditional Use", and to amend Section 31-144(f)(3), "Uses Prohibited", to facilitate development and redevelopment of the district; and

**WHEREAS**, the City Commission finds that the proposed amendment to Section 31-144(f) of the City Code to amend permitted uses, to amend conditional uses and to amend prohibited uses in the Medical Office (MO) District is consistent with the applicable goals, objectives and policies of the City's Comprehensive Plan; and

**WHEREAS**, the City Commission has been designated as the Local Planning Agency for the City pursuant to Section 163.3174, Florida Statutes; and

**WHEREAS**, the Local Planning Agency has reviewed the proposed amendment during the required public hearing and has recommended approval to the City Commission; and

**WHEREAS**, the City Commission has reviewed the proposed amendment, and finds that it is in the best interests of the public to amend Section 31-144(f) of Chapter 31 "Land Development Regulations," as set forth in this Ordinance; 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 action set forth in the Ordinance and has determined that such action is consistent with the Comprehensive Plan.

**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. City Code Amended.** That Section 31-144 "Business Zoning Districts" of Article VII "Use Regulations" of Chapter 31 "Land Development Regulations" of the City Code is hereby amended by amending Paragraph (f) "Medical Office (MO) District", to read as follows<sup>1</sup>:

\* \* \*

"Section 31-144 – Business Zoning Districts.

\*\*\*

(f) Medical Office (MO) District.

\*\*\*

(1) *Uses permitted.* No building or structure, or part thereof, shall be erected, altered or used, or land used in whole or part for other than one or more of the following specific uses:

- a. Business/professional offices.
- b. Hospitals (not to exceed 20 stories or 200 feet in height).
- c. Nursing homes.
- d. Medical laboratories.
- e. Laboratories for medical research and development, including the use of medical laboratory equipment and devices.
- f. Dental and medical offices.
- g. Banks, savings and loans (no drive-in tellers).
- h. Restaurants, ~~accessory to primary uses with (no drive-in facilities), that~~ are part of a non-residential or multifamily residential building
- i. Pharmacies, limited to drugs and medical supplies, except if first approved as a conditional use pursuant to Section 31-144(f)(2)o.
- j. Hotels, motels, resorts and time share units, subject to the following:
  1. The minimum plot area shall be 1.5 acres, except if first approved as a conditional use pursuant to Section 31-144(f)(2)n.

<sup>1</sup> Underlined provisions constitute proposed additions to existing City Code text. ~~Stricken through~~ provisions constitute proposed deletions to existing City Code text.

2. The minimum floor area of a rental sleeping room in a motel or hotel, which includes all areas to be individually rented by a customer, shall be 300 square feet.

k. Uses generally accessory to the above principal uses. Accessory uses are those uses that are associated with the principal use(s) and which provide service primarily to employees and patrons of the office park. The accumulative total of all accessory uses shall be limited to a maximum of 15 percent of the total gross interior square footage of the buildings proposed for the site. Such uses shall have no outside advertising.

l. ALF.

(2) *Conditional use.* The following uses if first approved as a conditional use:

a. Business-related schools.

b. Multi-family residential uses with a maximum density of 35 dwelling units per gross acre and with a minimum lot area of ~~two gross acres~~ between 1.0 to 1.5 acres, provided that a building permit for the development is obtained within 24 months of the date of conditional use approval. Failure to obtain a building permit within this time limit will void the conditional use approval.

c. Uses that exceed the height limitations.

d. Retail uses ~~with a minimum lot area of two gross acres as part of a non-residential or multifamily residential development, when such retail uses do not exceed 15% of the total gross interior square footage of the building.~~

e. Drive-through facility.

f. Heliport landing site.

g. Automobile parking garages, exceeding two stories but not over six stories in height, as a stand-alone use.

h. All uses permitted in the CF District.

i. For those properties lying between NE 206 Street to the south, NE 209 Street to the north, NE 28 Avenue to the east and East Dixie Highway to the west, the following additional uses may be permitted if first approved as a conditional use:

1. Uses that exceed the maximum floor area ratio.

2. Uses that do not meet the open space requirements of this district, upon payment of a fee-in-lieu of open space to be used for public park improvements. The amount of such fee shall be determined by the City Manager based on the appraised value of the land and the amount of reduction in open space requested, provided, however, that the amount of open space shall not be reduced below 15 percent of the total lot area and that the development complies with the Streetscape Design Standards of this section.

j. Self-service storage facilities with a minimum lot area of 1.5 acres.

k. For buildings that attain LEED Gold or Platinum certification as provided in article VI of Chapter 14 of the City Code, increased lot coverage, provided that a green roof and/or green rooftop amenities are

provided and maintained for the common benefit of building occupants; and; that increased Florida-Friendly tree canopy and Florida-Friendly plantings designed to calm the heat island effect are located on site, all in an amount equal to the requested increased lot coverage.

l. For buildings that attain LEED Gold or Platinum certification as provided in article VI of Chapter 14 of the City Code, increased floor area ratio, not to exceed a floor area ratio of 2.0.

m. For multifamily residential buildings in this district that attain LEED Gold or Platinum certification as provided in article VI of Chapter 14 of the City Code, increased density to a maximum of 45 dwelling units per acre.

n. Pharmacies not limited to drugs and medical supplies.

o. Uses that do not meet the minimum lot area and width in Section 31-144(f)(4)a., provided that the lot area is no less than 1.0 acres, including right of way dedications, and provided that a building permit for the development is obtained within 24 months of the date of conditional use approval. Failure to obtain a building permit within this time limit will void the conditional use approval.

p. For those properties lying between NE 213 Street to the south, NE 214 Terrace to the north, NE 29 Avenue to the east and East Dixie Highway to the west, the following reduced yard setbacks may be permitted if first approved as a conditional use and provided that a building permit for the development is obtained within 24 months of the date of conditional use approval. Failure to obtain a building permit within this time limit will void the conditional use approval.

a. Minimum front yard setback shall be ten feet in depth for the first two stories of the structure and 15 feet in depth for any additional stories.

b. Minimum street side yard setback shall be ten feet in depth for the first two stories and 15 feet for additional stories.

c. Minimum rear yard setback shall be ten feet in depth.

(3) *Uses prohibited.* Except as specifically permitted in this section, the following uses are expressly prohibited as either principal or accessory uses:

- a. Adult entertainment.
- b. Retail uses ~~on a lot less than two gross acres~~ as a stand alone use.
- c. Industrial uses.

\*\*\*

**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. Inclusion in the Code.** It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Aventura; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 5. Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

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

Commissioner Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Dr. Linda Marks	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Mayor Enid Weisman	_____

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 was as follows:

Commissioner Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Dr. Linda Marks	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Mayor Enid Weisman	_____

**PASSED** on first reading this 1st day of November, 2016.

**PASSED AND ADOPTED** on second reading this 10<sup>th</sup> day of January, 2017.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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

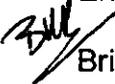
This Ordinance was filed in the Office of the City Clerk this \_\_\_\_ day of \_\_\_\_\_, 2017.

**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 28, 2016

SUBJECT: **End of Year Budget Amending Ordinance – FY 2015/16**

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**1<sup>st</sup> Reading November 1, 2016 City Commission Meeting Agenda Item 7C**  
**2<sup>nd</sup> Reading January 10, 2017 City Commission Meeting Agenda Item \_\_\_\_\_**

**RECOMMENDATION**

It is recommended that the City Commission approve the attached ordinance amending the FY 2015/16 budget.

**BACKGROUND**

At this time of year, the Finance Department is preparing the City's financial records for the FY 2015/16 year-end audit. Now that most of our year-end adjustments have been made, we have the necessary information to formally amend the FY 2015/16 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.

In order to comply with Section 166.241 (4) of the Florida Statutes, the related ordinance will appear on the November 2016 and January 2017 agendas. Although this Section requires all budget amendments be made "within 60 days following the end of the fiscal year," the second reading of the ordinance (as is consistent with past practice) will not occur until January 2017 as there is no December meeting. The ordinance however will appear on first reading prior to the November 29, 2016 deadline.

We are only required to amend budgets when a Department's total budget has been exceeded. In some cases, associated revenues may be increased to satisfy the related expenditure overage. Listed below is a summary of the amendments for the City's General Fund, by department and the underlying circumstances that support each recommendation.

**General Fund – (001) – (\$2,035,000 net increase)**

**Legal (0601) – (\$105,000 increase)**

**3120 – Prof. Services - Legal**

Requires a \$105,000 budget amendment due to higher than anticipated Legal fees primarily related to ongoing matters associated with both the Prive Development and Intersection Safety Camera Program litigation. These overages will be offset by \$56,000 in additional Half Cent Sales Tax revenue (3351800) and \$49,000 in additional Intersection Safety Camera Program revenue (3542000), respectively.

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**Community Development (4001) – (\$1,625,000 increase)**

**3101 – Building Inspection Services**

Requires a \$1,572,000 budget amendment due to higher than anticipated building/development activity experienced during the year which will be offset by additional Building Permit revenue (3221000).

**3190 – Prof. Services**

Requires a budget amendment of \$53,000 due to higher than anticipated planning review and landscape consultant services experienced during the year which will be offset by additional Development Review Fees (3425000) paid by development applicants.

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**Community Services (5001) – (\$262,000 increase)**

**1201 – Employee Salaries**

Requires a \$48,000 budget amendment primarily due to the final distributions of accrued leave benefits to the retiring Community Services Director after 20 years of service.

**3113 – Prof. Services - Comm. Cen. Inst.**

Requires a \$15,000 budget amendment primarily due to higher than anticipated after school activity participation which will be offset by additional Community Center Fees (3472500).

**3450 – Lands/Tree Maint. Svcs - Streets**

Requires a \$153,000 budget amendment primarily due to the following:

1. \$60,000 – resulting from the higher than projected Biscayne Boulevard Landscape Bid.
2. \$10,000 – for clean-up costs related to an unnamed storm that occurred on February 16, 2016.
3. \$52,000 – due to the completion of unanticipated projects in the current year (i.e., Biscayne Boulevard landscape maintenance improvements and Country Club Drive shrub replacements).
4. \$15,000 – for insect damage sustained by the Bermuda Turf at Waterways Park.
5. \$16,000 – for various Lands/Tree Maint.-related services.

**3455 – Transportation Services**

Requires a \$19,000 budget amendment primarily due to the additional costs related to the Silver Route which was added during the “season”.

**4672 – R&M - Parks**

Requires a \$27,000 budget amendment primarily due to the following:

1. \$10,000 – due to the unanticipated replacement of HVAC units at the CRC.
2. \$13,000 – due to unanticipated miscellaneous repairs.
3. \$4,000 – due to the installation of additional pedestrian crossing signs.

The overages in the Community Services Department as described above will be offset by a combination of additional; State Revenue Sharing (3351200), Half Cent Sales Tax Revenue (3351800), Community Center Fees (3472500) and Carryover (399900).

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**Arts & Cultural Center (7001) – (\$43,000 increase)**

**3190 – Prof. Services - Programming**

Requires a \$19,000 budget amendment primarily due to the cost of providing shows and performances at the AACC.

**4850 – Special Events**

Requires a \$24,000 budget amendment primarily due to the costs associated with the Anniversary Show that was featured at the AACC in October 2015.

Both overages above will be offset by additional Carryover (399900).

The budget amendments outlined above, are expected to have little to no impact on the FY 2015/16 overall budget or carryover amount that was utilized in the preparation of the FY 2016/17 budget. Based on this analysis, I recommend approval of the attached Ordinance.

**ORDINANCE NO. 2016-\_\_\_**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2015-09 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2015/2016 FISCAL YEAR BY REVISING THE 2015/2016 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; AND 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 2015/2016 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. 2015-09, which Ordinance adopted a budget for the 2015/2016 fiscal year, by revising the 2015/2016 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, 2015.

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 Teri Holzberg	___
Commissioner Denise Landman	___
Commissioner Dr. Linda Marks	___
Commissioner Marc Narotsky	___
Commissioner Robert Shelley	___
Commissioner Howard Weinberg	___
Mayor Enid Weisman	___

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 Teri Holzberg	___
Commissioner Denise Landman	___
Commissioner Dr. Linda Marks	___
Commissioner Marc Narotsky	___
Commissioner Robert Shelley	___
Commissioner Howard Weinberg	___
Mayor Enid Weisman	___

**PASSED** on first reading this 1<sup>st</sup> day of November, 2016.

**PASSED AND ADOPTED** on second reading this 10<sup>th</sup> day of January, 2017.

\_\_\_\_\_  
MAYOR ENID WEISMAN

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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

CITY OF AVENTURA  
**GENERAL FUND 001**  
 FY 2015/16 BUDGET AMENDMENT

**REVENUES**

OBJECT CODE NO.	CATEGORY	2015/16 ADOPTED AMOUNT	2015/16 AMENDED AMOUNT	2015/16 REVISED BUDGET
3221000	Building Permits	\$ 2,000,000	\$ 1,572,000	\$ 3,572,000
3351200	State Revenue Sharing	590,000	95,000	685,000
3351800	Half Cent Sales Tax	2,725,000	130,000	2,855,000
3425000	Development Review Fees	100,000	53,000	153,000
3472000	Parks & Recreation Fees	150,000	2,000	152,000
3472500	Community Center Fees	175,000	15,000	190,000
3542000	Intersection Safety Camera Program	1,300,000	49,000	1,349,000
3999900	Carryover	17,282,791	119,000	17,401,791
	Total Revenue	\$ 24,322,791	\$ 2,035,000	\$ 26,476,791
	<b>TOTAL AMENDMENTS - REVENUE</b>		<b>\$ 2,035,000</b>	

**EXPENDITURES**

OBJECT CODE NO.	CATEGORY	2015/16 ADOPTED AMOUNT	2015/16 AMENDED AMOUNT	2015/16 REVISED BUDGET
	<b>LEGAL (0601)</b>			
	<b><u>CONTRACTUAL SERVICES</u></b>			
3120	Prof. Services - Legal	\$ 275,000	\$ 105,000	\$ 380,000
	Total Legal	\$ 275,000	\$ 105,000	\$ 380,000
	<b>COMMUNITY DEVELOPMENT (4001)</b>			
	<b><u>CONTRACTUAL SERVICES</u></b>			
3101	Building Inspection Services	\$ 1,400,000	\$ 1,572,000	\$ 2,972,000
3190	Prof. Services	80,000	53,000	133,000
	Total Community Development	\$ 1,480,000	\$ 1,625,000	\$ 3,105,000
	<b>COMMUNITY SERVICES (5001)</b>			
	<b><u>OTHER CHARGES &amp; SERVICES</u></b>			
1201	Employee Salaries	\$ 1,055,196	\$ 48,000	\$ 1,103,196
3113	Prof. Services - Comm. Can. Inst.	110,000	15,000	125,000
3450	Lands/Tree Maint. Svcs - Streets	835,000	153,000	988,000
3455	Transportation Services	455,000	19,000	474,000
4672	R&M - Parks	90,000	27,000	117,000
	Total Community Services	\$ 2,545,196	\$ 262,000	\$ 2,807,196
	<b>ARTS &amp; CULTURAL CENTER (7001)</b>			
	<b><u>CONTRACTUAL SERVICES</u></b>			
3190	Prof. Services - Programming	\$ 80,000	\$ 19,000	\$ 99,000
	<b><u>OTHER CHARGES &amp; SERVICES</u></b>			
4850	Special Events	25,000	24,000	49,000
	Total Arts & Cultural Center	\$ 105,000	\$ 43,000	\$ 148,000
	<b>TOTAL AMENDMENTS - EXPENDITURES</b>		<b>\$ 2,035,000</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: August 25, 2016

SUBJECT: Application to Amend Section 31-144(c)(2) and Section 31-144(c)(5)b. of the Land Development Regulations to add a conditional use for automobile parking garages in the Community Business (B2) zoning district when located directly adjacent to an automobile parking garage located in a multifamily residential zone and to clarify the height restriction in the B2 District Site Development Standards (03-LDR-16)

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September 6, 2016      Local Planning Agency Agenda Item 4  
September 6, 2016      City Commission Meeting Agenda Item 7  
November 1, 2016      City Commission Meeting Agenda Item 8

**RECOMMENDATION**

It is recommended that the City Commission approve the request for an amendment to Section 31-144(c)(2) and Section 31-144(c)(5)b. of the Community Business (B2) District to add a conditional use automobile parking garages in the B2, Community Business, District when located directly adjacent to an automobile parking garage located in a multifamily residential zone and to clarify the height restriction in the B2 District site development standards.

**THE REQUEST**

The applicant, Aventura Corporate Center LLLP, has submitted an application to amend Sections 31-144(c)(2) and Section 31-144(c)(5)b. of Chapter 31 of the City Code to add a conditional use for automobile parking garages in the B2, Community Business, District when located directly adjacent to an automobile parking garage in a multifamily residential zoning district and to clarify the height restriction in the B2 District site development standards. (See Exhibit #1 for Letter of Intent)

## **BACKGROUND**

The applicant's request for this Code amendment results from staff review comments on the applicant's site plan approval application for construction of a 10 story, 120 foot tall, 132,690 square foot office building and attached 7 level, 68'10" tall parking garage on its property at 2777 NE 185 Street. The property is approximately 1.45 acres in size and has frontage on both NE 185 Street and NE 187 Street. The office building is designed to front on NE 187 Street in the northerly portion of the site and the parking garage is designed to front on NE 187 Street in the southerly portion of the site. First floor retail and restaurant is proposed in the parking structure on NE 185 Street.

Immediately adjacent to the east of the proposed parking structure is a property zoned RMF4, Multifamily High Density Residential District, with an approved site plan for an 18 story, 158 unit multifamily residential condominium. The 6 level, 73'8" tall parking garage for the residential building is located at the west end of the property, with pool deck and recreational amenities on the top of the parking levels. The proposed 7 level, 68'10" tall parking garage for the office building is immediately adjacent to the residential parking structure and has been designed to be approximately 5 feet shorter than the height of the residential parking structure to minimize impact on the pool deck and other recreational amenities.

The attached Exhibit #2, prepared by the applicant, shows a site plan height summary and an adjacent elevation study for the approved residential development and the proposed office development.

Section 31-144(c)(5)b. of the City Code provides that the maximum height of a structure in the B2 zoning district is 12 stories or 120 feet overall maximum height including structure parking, subject to a limitation that any portion of the building or structure within 200 feet of any residential zone is subject to a height of one foot for every two feet in distance from the residential zoned plot unless the application of this requirement would limit the building height to a minimum of 25 feet.

The residential zoning of the parcel to the east of the proposed parking garage and the distance from that residentially zoned lot results in a height limitation of 25 feet for the applicant's parking garage. The applicant's office building is not subject to this height limitation since the northerly portion of the site on which the office building is proposed is adjacent to another B2 zoned property.

## **DESCRIPTION OF THE PROPOSED AMENDMENT**

The proposed amendment to Section 31-144(c)(2) and Section 31-144(c)(5)b. of Chapter 31, Article VII., Use Regulations, follows and is shown in underlined text:

"Section 31-144 – Business Zoning Districts.

\*\*\*

(c) Community Business (B2) District.

\*\*\*

(2) *Conditional use.* The following uses if first approved as a conditional use:

\*\*\*

n. Automobile parking garages located directly adjacent to an automobile parking garage located in a multifamily residential zone that do not meet the height and distance requirement of Section 31-144(c)(5)b. and that include the following design elements:

(i) the automobile parking garage is the same height or less than an existing or approved automobile parking garage located on an adjacent residential plot and

(ii) the top level of the automobile parking garage is completely screened from view of the adjacent residential plot, and

(iii) the openings along the exterior perimeter walls of the automobile parking garage walls within 200 feet of a residential zoned plot shall be screened to minimize adverse effects on the adjacent residential lot.

\*\*\*

(5) Site development standards.

\*\*\*

b. *Maximum height:* 12 stories or 120 feet overall maximum height, including structure parking, provided that a height limitation of five stories shall apply only for shopping center buildings which are subject to subsection (5)a.4. above. That portion of the building or structure directly adjacent to and within 200 feet of any residential zone shall be subject to a height limitation of one foot for every two feet in distance from the residential zoned plot unless the application of this requirement would limit the building height to a minimum of 25 feet, excepting from this height and spacing requirement an automobile parking garage approved as a conditional use pursuant to Section 31-144(c)(2)n.

\*\*\*

## **HISTORY**

As described in the applicant's Letter of Intent attached as Exhibit #1 to this staff report, the applicant's site was originally zoned Community Business (B2) District through enactment of the City's Land Development Regulations in 1999. The property immediately to the east of the applicant's property was also originally zoned Community Business (B2) District.

In June of 2003, the applicant received Administrative Site Plan Approval for a 13 story, 176.83 foot tall hotel. The approved development did not proceed at that time but approval was extended at the applicant's request. The existing site plan approval was modified in 2008 to an 8 story, 93.5 foot tall hotel. This development also did not proceed due to market conditions at that time. These two hotel buildings were not subject to the distance and spacing requirement of the B2 zoning district, since the adjacent lot at the

time of the application was also zoned B2 and the site plan approval for the applicant's site was preserved through extensions under City Code and under State statute. The last extension of the site plan approval for the applicant's property was to January, 2015.

In September of 2003, the property adjacent to the east applied for and was granted a zoning amendment from Community Business (B2) District to Multifamily High Density Residential (RMF4) District. The approved plan for this property includes a 6 level, 73'8" tall parking garage in the westerly portion of the property adjacent to the applicant's property.

In July of 2015, the applicant submitted a new site plan application for a 10 story, 120 foot tall office building with attached 7 level, 68'10" tall parking garage. The proposed parking garage is adjacent to the approved parking garage for the residential condominium to the east and is now subject to the height and distance regulations of the B2 zoning district, which limits any portion of a commercial building within 200 feet of a residential building to one foot in height for every two feet in distance from the residential building. Based on the applicant's lot configuration, the maximum allowable height of the parking garage is 25 feet.

### **ANALYSIS OF THE REQUESTED CODE AMENDMENT**

The applicant's request is to amend the Community Business (B2) District regulations to allow, through public hearing conditional use approval process, a parking garage in the B2 district that is directly adjacent to a parking garage in a multifamily residential district and does not meet the height and distance requirements of the B2 district, with the conditions that the automobile parking garage on the B2 lot is the same height or less than an existing or approved automobile parking garage on the adjacent residential lot, that the top level of the commercial parking garage is screened from view of the residential development and that all openings of the commercial garage within 200 feet of the residential lot are also screened.

There are currently no parking garages on a B2 parcel within 200 feet of a parking garage on a multifamily residential lot. This amendment would only apply if a multifamily residential structure was developed or redeveloped with a parking garage and a B2 parcel was subsequently developed or redeveloped with a parking garage located directly adjacent to the residential parking garage.

The proposed amendment contains conditions on maximum height and screening to ensure compatibility of the two adjacent parking garages and is specific to garage adjacent to garage only. In the event a commercial building is proposed adjacent to a residential lot or in the event that there is no existing or approved parking garage on an adjacent multifamily residential lot, the distance and spacing requirements of Section 31-144(c)(5)b. will continue to apply.

## **ANALYSIS OF STANDARDS FOR REVIEW OF PROPOSED TEXT AMENDMENTS**

Staff provides the following analysis of the request using the standards for reviewing proposed amendments to the text of the Land Development Regulations contained in Section 31-77 of the City Code.

1. *The proposed amendment is legally required.*

The proposed amendment is legally required to implement the requested revision to the Code.

2. *The proposed amendment is consistent with the goals and objectives of the Comprehensive Plan.*

The proposed amendment is consistent with the goals and objectives of the Comprehensive Plan, specifically, Objective 1 and its measure of the Land Use Goal in the Future Land Use Element which states that “the Land Development Regulations shall provide a cohesive blueprint for development and redevelopment of the City that accommodates growth while maintaining the integrity of the built and natural environment.” The measure of Objective 1 above is incorporation of policy provisions in to the Land Development Regulations. This amendment incorporates a policy decision for height of parking garages in the Community Business (B2) District when they are immediately adjacent to a parking garage in a multifamily residential zoning district.

3. *The proposed amendment is consistent with the authority and purpose of the LDRs.*

The proposed amendment is consistent with the authority and purpose of the Land Development Regulations. The purpose of the LDRs is to implement further the Comprehensive Plan of the City by establishing regulations, procedures and standards for review and approval of all development and uses of land and water in the City. The proposed amendment is consistent with this purpose.

4. *The proposed amendment furthers the orderly development of the City.*

The proposed amendment furthers the orderly development of the City by establishing standards for review and approval of development of land.

5. *The proposed amendment improves the administration or execution of the development process.*

The proposed amendment improves the administration or execution of the development process in that it provides for regulation by which to approve development or redevelopment projects in the City.

**Exhibit 1  
03-LDR-16**

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

August 23, 2016

**VIA FEDEX AND E-MAIL**

Ms. Joanne Carr  
City of Aventura  
Government Center  
19200 W. Country Club Drive, 4th Floor  
Aventura, Florida 33180

**Re: Amendment to the Text of the Land Development Regulations  
Proposed Amendment to Code Section 31-144(c)(2) and (5)**

**AMENDED AND SUPPLEMENTAL LETTER OF INTENT**

Dear Ms. Carr:

This firm represents Aventura Corporate Center, LLLP. Please consider this our formal letter of intent in connection with a Public Hearing Application for Amendment to the Text of the Land Development Regulations. Specifically, this request seeks a modification of the restrictions or permitted heights of parking garages in the B2 zoning district. Our client is requesting a modification to sections 31-144(c)(2) related to Conditional Uses and 31-144(c)(5)(b) related to height only as it pertains to parking garages.

At the time of adoption of the City's land development regulations, the maximum height of structures in the B2 zoning district was 20 stories. The City subsequently amended its land development regulations in 2006 to lower the maximum height to 12 stories or 120 feet as of right, with conditional use approval for heights up to 20 stories or 200 feet. The B2 zoning district then further restricted any portion of a building or structure within 200 feet of a residentially zoned lot to 1 foot of height for each 2 feet of distance from a residentially zoned lot (with a minimum height of 25 feet).

Our client owns the Property located at 2777 N.E. 185th Street. A history of the City approvals on this Property and the adjacent property to the east is particularly instructive.

Our client's Property was originally approved in June 2003 under City of Aventura Administrative Site Plan Approval 15-SP-02 for a 13-story, 176.83 foot tall Embassy Suites hotel, including a 170 room hotel atop a parking pedestal, and located on the portion of the lot adjacent to the property to the East. The structure was within the 200 foot distance of the adjacent parcel to the east, which adjacent parcel, at that time, was similarly zoned B2.

MIAMI 5120691.2 77553/45327

Therefore, while not subject to the spacing or distance requirements at the time, the subsequently adopted changes to the land development regulations related to spacing from residential districts would not have impacted our client's development. Our client's parcel was therefore not subject to the setback and height restriction associated with commercial developments adjacent to residential property or the modified City land development regulation.

In September 2004, through ASPR 15-SP-02 (Rev), the City approved an extension of time to obtain the permit to provide additional time to obtain the consent of the then Walgreens/Pier 1 owner to the covenant in lieu of unity of title. In December 2004 our client submitted an application for a revised site plan for a 14-story office and bank building, however, due to changing market conditions, our client then sought a further modification of the prior approvals, through ASPR 01-SP-08 to revert back to a hotel use for an Aloft hotel with an 8 story structure directly adjacent to the adjacent residential parcel. The two site plan modifications were again not subject to the distance and height restrictions since they were modifications to existing approvals.

In the interim the owner of the adjacent parcel sought and received, in 2003, a voluntary rezoning from B2 commercial to residential. At the time of the rezoning of the parcel to the east, our client's Property was approved for structures adjacent to and within the setback, ranging from 8 to 20 stories. However, the voluntary rezoning of the adjacent parcel unfortunately has now served to restrict the height of commercial structures in the B2 district within 200 feet of that residential district to a height of one foot for every two foot in distance from the residential zone plot, with a minimum of 25 feet.

The rezoning of the adjacent parcel has had significant negative impacts on our client's property which is limited in depth. The consequence was to restrict a portion of our client's property, which is near the town center district and just east of Biscayne Boulevard to two stories when some of these properties previously enjoyed the ability to go up to 12 stories as of right and up to 20 stories via conditional use. In fact, the prior approvals under the B-2 zone previously allowed for an even higher development.

However, due to the changing market and need for additional Class A office buildings in the City of Aventura, our client has applied for a new site plan to seek a 12 story office building and parking garage. Because of the irregular lot configuration, the office building portion of the development is directly adjacent to another B2 zoned parcel and is therefore not subject to the one foot to two foot height and distance restriction. However, the parking garage portion of the development is now adjacent to a residentially zoned lot and is subject to that height restriction.

The result is to limit the height of the parking structure that was previously approved at up to 20 stories to no more than two stories for the portion adjacent to the residential property without receiving a variance. This change essentially artificially limited the height of our client's building to 25 feet across a significant portion of the Property. This impact not only affects the subject portion of the Property but the ability to provide required parking for the use.

If our client's Property was zoned residential, a residential parking garage or even a residential structure would be permitted within the same area as our client's proposed parking garage. There is very little difference in appearance, utilization or impact between a parking

garage servicing a commercial uses versus a parking garage servicing residential uses to justify the distinction in the code as it relates to parking structures as they are both essentially the same parking garages. The protection sought to buffer the adjacent residential structures is more understandable for the actual commercial or office use rather than the parking garage that arguably could service either residential or commercial properties. Further, in today's urban environment, many jurisdictions support the collocation of residential and commercial structures in recognition that these uses are often located in close proximity to each other to support a more walkable development. In fact the City's own Town Center district supports such collocation.

If our client's Property was designated for residential development, our client could as of right construct a twelve story residential tower next to the adjacent residential development. Further, our client could construct an twelve story, as of right, garage next to a residential development.

Therefore, we propose that the B2 Code be modified to eliminate the distinction between the same type of parking garage structure servicing a residential versus a commercial garage and allow for parking garages to be approved via conditional use in the B-2 zone so long as the parking garages are properly screened to avoid light spillage into the adjacent residential development. The proposed modified language is attached as Exhibit A.

Office buildings generally have less late evening trips at the time when the residences are being utilized. Therefore, a residential parking garage arguably has the potential to have more impact rather than less impact than the proposed commercial or office parking garage which generally has daytime office hours. Further, the parking garage portion of a commercial structure is no different than a residential parking garage and therefore, if a residential parking garage is permitted adjacent to a residential property, then a parking garage in support of a commercial use should equally be permitted so long as the commercial uses (retail stores, etc.) are not higher than the 25 feet within 200 feet of the residential property.

Finally, through the conditional use process, the Commission can evaluate in circumstances such as this where the impacted property was commercial and voluntarily sought a zone change to residential, and the inequities associated with impacting neighboring properties based on such change.

We therefore propose the attached language be added to the Code.

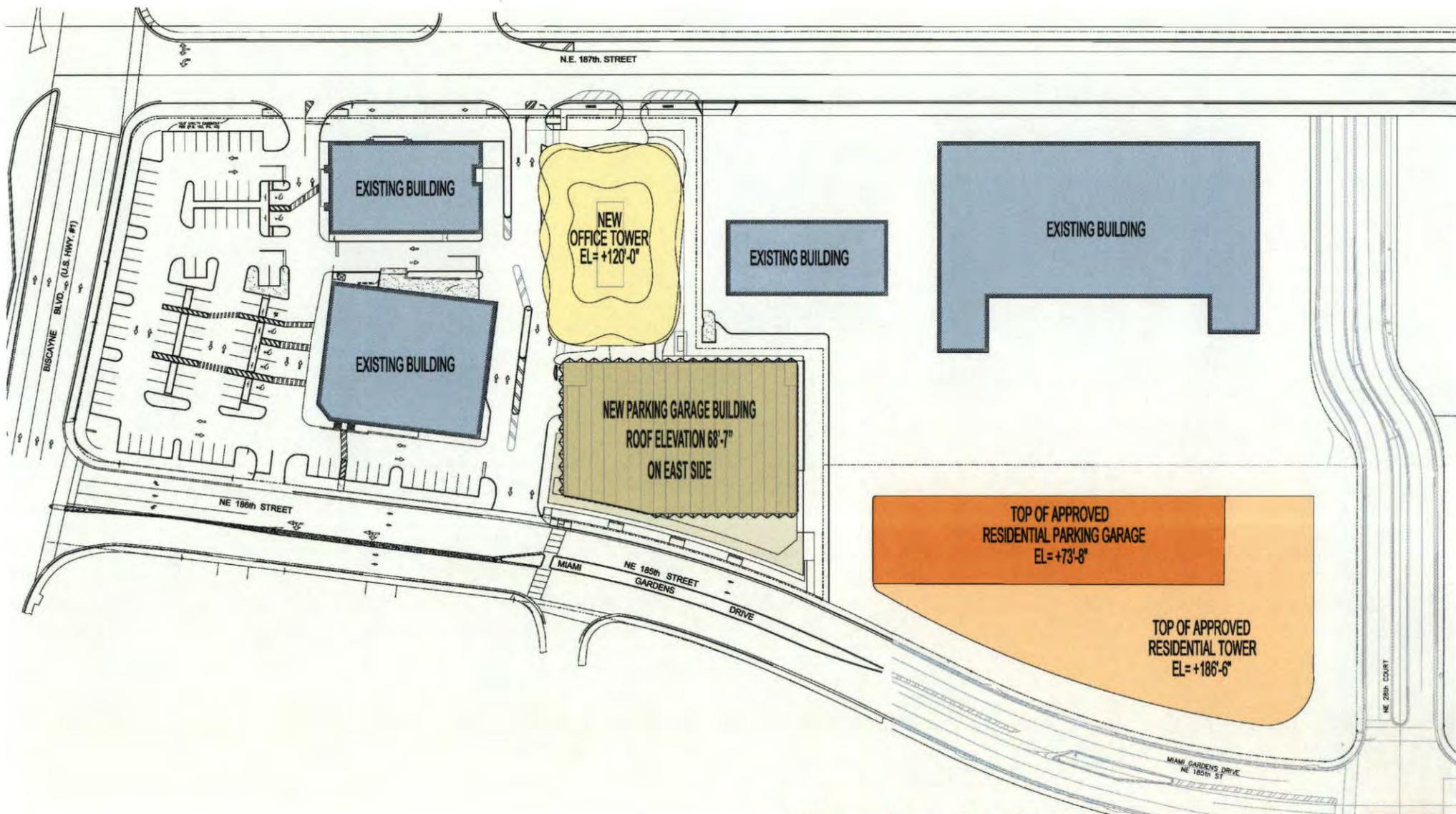
Should you have any questions regarding the above, please do not hesitate to contact me at (305) 350-2351.

Very truly yours,



Brian Adler

BSA/ebi



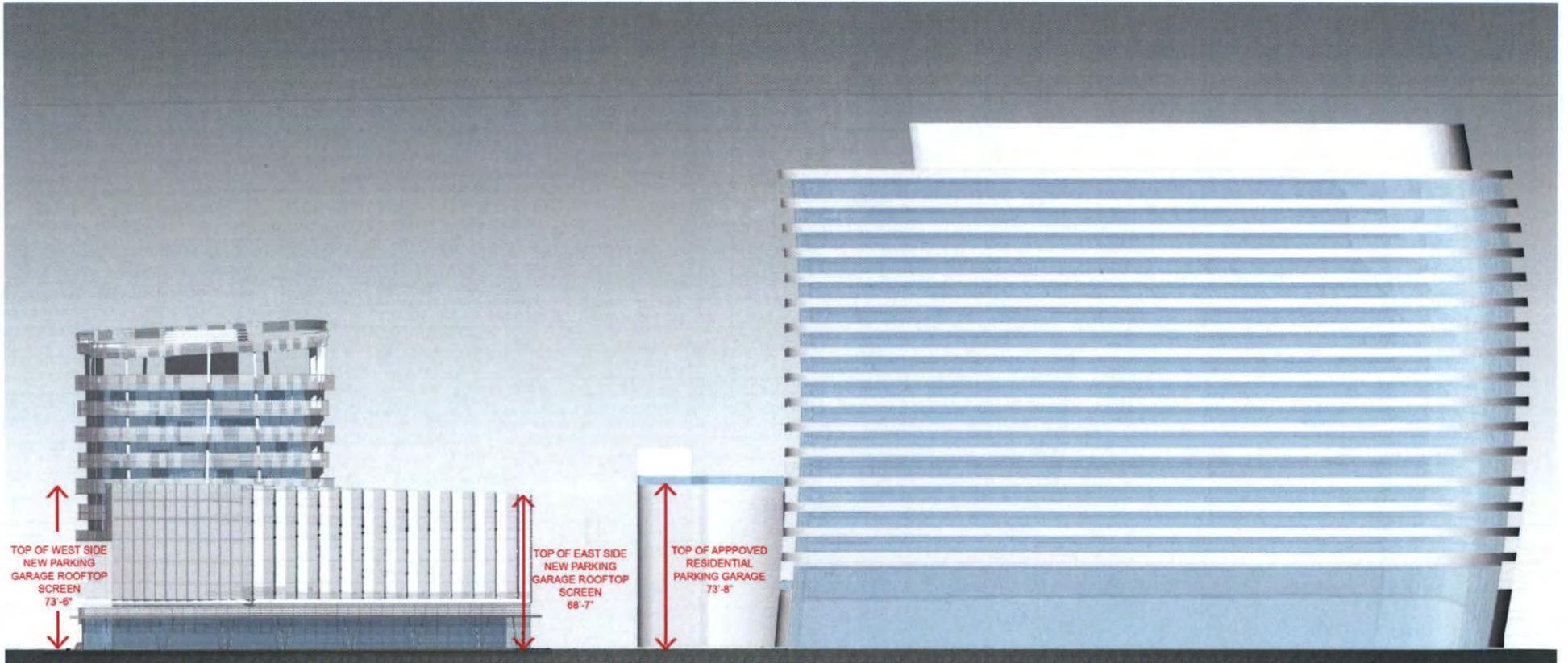
# site plan height summary

08-22-2016



Copyright 2016 by Beame Architectural Partnership

Exhibit 2  
03-LDR-16



adjacency study <sup>08-22-2016</sup>



Copyright 2016 by Beame Architectural Partnership



# 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.)
Leonel Vasquez	Authorized Signatory
Stanley S. Price	Attorney
Brian S. Adler	Attorney
Lawrence Beame	Architect
Mauricio Rodriguez	Architect

(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 22 DAY OF AUGUST 2016

AUTHORIZED REPRESENTATIVE OF APPLICANT:

By: [Signature]  
 Name: LEONEL VASQUEZ  
 Title: AUTHORIZED SIGNATORY  
 Address: 19950 W. COUNTRY CLUB DR #900  
AVENTURA FL 33180

OWNER

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Address: \_\_\_\_\_

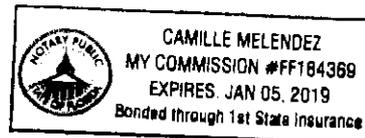
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me the undersigned authority personally appeared Leonel Vasquez 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 22<sup>nd</sup> day of August 2016

AFFIANT  
200

Notary Public State of Florida At Large  
Printed Name of Notary Camille Melendez  
My commission expires Jan 5 2019





# 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 9th DAY OF August 2016

APPLICANT REPRESENTATIVE:

By [Signature] (Signature)  
 Name: Leonel Vasquez (Print)  
 Title: Client Representative (Print)

WITNESS MY HAND THIS 11th DAY OF August 2016

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

Before me, the undersigned authority, personally appeared, Leonel Vasquez, 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 11th day of August, 2016.

[Signature]  
 Leonel Vasquez



[Signature]  
 Notary Public State of  
Camille Melendez  
 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:

Robert L. Shelley (List name of Commissioner or Advisory Board Member) who serves on the City Commission (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 venture 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<sup>th</sup> DAY OF August, 2016.

APPLICANT REPRESENTATIVE:

By: [Signature] (Signature)  
 Name: Brian S. Adler (Print)  
 Title: Attorney (Print)

WITNESS MY HAND THIS 15<sup>th</sup> DAY OF August, 2016.

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

Before me, the undersigned authority, personally appeared, Brian S. Adler 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]  
Brian S. Adler

SWORN TO AND SUBSCRIBED before me this 15<sup>th</sup> day of August, 2016.

[Signature]  
 Notary Public State of \_\_\_\_\_  
 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 venture 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 9 DAY OF August, 2016.

APPLICANT REPRESENTATIVE:

By: [Signature] (Signature)  
 Name: Lawrence Beame (Print)  
 Title: Architect (Print)

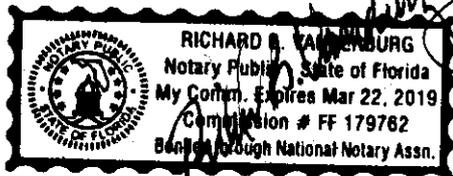
WITNESS MY HAND THIS 9 DAY OF August, 2016.

STATE OF FLORIDA        )  
 COUNTY OF MIAMI-DADE    )

Before me, the undersigned authority, personally appeared, Lawrence Beame 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]  
 Lawrence Beame

SWORN TO AND SUBSCRIBED before me this 9 day of August, 2016.



FLORIDA  
 Notary Public State of  
Richard B. Vandenburg  
 Printed Name of Notary  
 My commission expires: MAR 22, 2019



# 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 8<sup>th</sup> DAY OF Aug, 2016.

APPLICANT REPRESENTATIVE:

By: [Signature] (Signature)  
 Name: Mauricio Rodriguez (Print)  
 Title: Architect (Print)

WITNESS MY HAND THIS 8<sup>th</sup> DAY OF August, 2016.

STATE OF FLORIDA            )  
 COUNTY OF MIAMI-DADE    )

Before me, the undersigned authority, personally appeared, Mauricio Rodriguez 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]  
 Mauricio Rodriguez

SWORN TO AND SUBSCRIBED before me this 8<sup>th</sup> day of Aug, 2016.

[Signature]  
 Notary Public State of  
DIANA REGO  
 Printed Name of Notary  
 My commission expires 2/3/19





# BUSINESS RELATIONSHIP AFFIDAVIT\*

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

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

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

The nature of the Business Relationship is as follows.

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

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

### APPLICANT:

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

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

### PROPERTY OWNER

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

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

WITNESS MY HAND THIS 31 DAY OF August, 2016.

REPRESENTATIVE (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

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

Name: STAN PRICE (Print)

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

Title: ATTORNEY (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)

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

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

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

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

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

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

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

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

**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

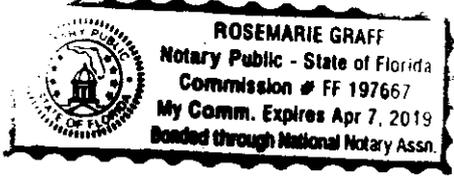
Before me, the undersigned authority, personally appeared Stan Price the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

Stan B. Price  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31 day of August, 2016.

FDL P620 782 451420  
EX 2021

Rosemarie Graff  
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: \_\_\_\_\_

**ORDINANCE NO. 2016-\_\_**

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING SECTION 31-144 "BUSINESS ZONING DISTRICTS" OF THE CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 31-144(c)(2) AND SECTION 31-144(c)(5)b., COMMUNITY BUSINESS (B2) DISTRICT, TO ADD A CONDITIONAL USE FOR AUTOMOBILE PARKING GARAGES IN THE COMMUNITY BUSINESS (B2) DISTRICT WHEN LOCATED DIRECTLY ADJACENT TO AN AUTOMOBILE PARKING GARAGE LOCATED IN A MULTIFAMILY RESIDENTIAL ZONING DISTRICT AND TO CLARIFY THE HEIGHT RESTRICTION IN THE B2 DISTRICT SITE DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 31-144(c)(5)b. of the City of Aventura Code of Ordinances ("City Code") limits the height of buildings in the Community Business (B2) District to 12 stories or 120 feet except those portions of buildings which are within 200 feet of any residential zone are limited to one foot of height for every two feet in distance from the residential zoned plot unless the application of this requirement would limit the building height to a minimum of 25 feet; and

**WHEREAS**, the City Commission of the City of Aventura ("City Commission") is desirous of amending Section 31-144 "Business Zoning Districts" of Chapter 31 "Land Development Regulations" of the Code of Ordinances ("City Code") to add a conditional use for automobile parking garages located in the Community Business (B2) District directly adjacent to an automobile parking garage located in a multifamily residential zoning district and to clarify the height restriction in the District's site development standards; and

**WHEREAS**, the City Commission finds that the proposed amendments to Section 31-144 of the City are consistent with the applicable goals, objectives and policies of the City's Comprehensive Plan; and

**WHEREAS**, the City Commission has been designated as the Local Planning Agency for the City pursuant to Section 163.3174, Florida Statutes; and

**WHEREAS**, the Local Planning Agency has reviewed the proposed amendment during the required public hearings and has recommended approval to the City Commission; and

**WHEREAS**, the City Commission has reviewed the proposed amendment, and finds that it is in the best interests of the public to amend Section 31-144 of Chapter 31 "Land Development Regulations," as set forth in this Ordinance; 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 action set forth in the Ordinance and has determined that such action is consistent with the Comprehensive Plan.

**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. City Code Amended.** That Section 31-144 "Business Zoning Districts" of Article VII "Use Regulations" of Chapter 31 "Land Development Regulations" of the City Code is hereby amended to read as follows<sup>1</sup>:

\* \* \*

**Sec. 31-144. – Business Zoning Districts.**

\*\*\*

(c) *Community Business (B2) District.* This district is intended primarily to provide for general commercial activity for a wide range of goods and services to the entire community and sub region. Such businesses generally require locations convenient for both vehicular and pedestrian traffic and would be expected to have orientation toward and direct access to arterial roadways.

\*\*\*

"Section 31-144(c) – Business Zoning Districts.

\*\*\*

(c) Community Business (B2) District.

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<sup>1</sup> Underlined provisions constitute proposed additions to existing text. Strikethrough provisions constitute proposed deletions to existing text.

(2) *Conditional use.* The following uses if first approved as a conditional use:

\*\*\*

n. Automobile parking garages located directly adjacent to an automobile parking garage located in a multifamily residential zoning district that do not meet the height and distance requirement of Section 31-144(c)(5)b. and that include the following design elements:

(i) the automobile parking garage is the same height or less than an existing or approved automobile parking garage located on an adjacent residential plot; and

(ii) the top level of the automobile parking garage is completely screened from view of the adjacent residential plot; and

(iii) the openings along the exterior perimeter walls of the automobile parking garage walls within 200 feet of a residential zoned plot shall be screened to minimize adverse effects on the adjacent residential lot.

\*\*\*

(5) Site development standards.

\*\*\*

b. *Maximum height:* 12 stories or 120 feet overall maximum height, including structure parking, provided that a height limitation of five stories shall apply only for shopping center buildings which are subject to subsection (5)a.4. above. That portion of the building or structure directly adjacent to and within 200 feet of any residential zone shall be subject to a height limitation of one foot for every two feet in distance from the residential zoned plot unless the application of this requirement would limit the building height to a minimum of 25 feet, excepting from this height and spacing requirement an automobile parking garage approved as a conditional use pursuant to Section 31-144(c)(2)n.

\*\*\*

**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. Inclusion in the Code.** It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Aventura; that the sections of this Ordinance may

be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 5. Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

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

Commissioner Teri Holzberg	<u>Yes</u>
Commissioner Marc Narotsky	<u>Yes</u>
Commissioner Robert Shelley	<u>Yes</u>
Commissioner Howard Weinberg	<u>Yes</u>
Vice Mayor Denise Landman	<u>Yes</u>
Mayor Enid Weisman	<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 Teri Holzberg	___
Commissioner Denise Landman	___
Commissioner Dr. Linda Marks	___
Commissioner Marc Narotsky	___
Commissioner Robert Shelley	___
Commissioner Howard Weinberg	___
Mayor Enid Weisman	___

**PASSED** on first reading on this 6<sup>th</sup> day of September, 2016.

**PASSED AND ADOPTED** on this 1<sup>st</sup> day of November, 2016.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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

This Ordinance was filed in the Office of the City Clerk this \_\_\_ day of \_\_\_\_\_, 2016.

**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 27, 2016

SUBJECT: Request of Parcel Cove LLC for Sign Variance  
The Bagel Cove Restaurant  
19001 Biscayne Boulevard, City of Aventura  
(03-SV-16)



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**November 1, 2016 City Commission Meeting Agenda Item 9A**

**RECOMMENDATION**

It is recommended that the City Commission approve the request for variance to permit a second wall sign measuring 25.97 square feet on the west elevation of the Bagel Cove Restaurant at 19001 Biscayne Boulevard; where one sign measuring 127 square feet is permitted by Code, with the condition that the wall sign on the west elevation substantially comply with the sign drawings submitted with this application.

**THE REQUEST**

The applicant, Parcel Cove, LLC, is requesting variance from Section 31-191(j)(2)a. of the City Code to permit a second wall sign on a one-story freestanding commercial building in the Aventura Grand Cove Shopping Plaza at 19001 Biscayne Boulevard, where one wall sign is permitted by Code. (See Exhibit #1 for Letter of Intent)

**BACKGROUND**

<b>OWNER OF PROPERTY</b>	Parcel Cove LLC
<b>APPLICANT</b>	Parcel Cove LLC
<b>LOCATION OF PROPERTY</b>	19001 Biscayne Boulevard (See Exhibit #2 for Location Map)
<b>LEGAL DESCRIPTION</b>	Part of the northeast ¼ of the northwest ¼ of the southwest ¼ of Section 3, Township 52 South, Range 42 East, City of Aventura, Miami-Dade County, Florida (See Exhibit #3 for complete legal description)
<b>ZONING</b>	
Subject property:	B2, Community Business District
Property to the North:	B2, Community Business District and TC1, Town Center District
Property to the South:	TC1, Town Center District
Property to the East:	TC1, Town Center District
Property to the West:	Biscayne Boulevard
<b>EXISTING LAND USE</b>	
Subject property:	Commercial Plaza
Property to the North:	Gas Station & Car Wash, Parking Area
Property to the South:	Commercial Plaza
Property to the East:	Commercial & Office Plaza
Property to the West:	Biscayne Boulevard

**FUTURE LAND USE** – According to the City of Aventura Comprehensive Plan, the following properties are currently designated as follows:

Subject property:	Town Center
Property to the North:	Town Center
Property to the South:	Town Center
Property to the East:	Town Center
Property to the West:	No designation – Biscayne Boulevard

**The Site** - The subject building lies within the Aventura Grand Cove Plaza on the east side of Biscayne Boulevard, south of NE 191 Street, and contains retail, restaurant and bank tenant spaces. The specific site is the Bagel Cove restaurant in the northwest corner of the plaza. There is one existing wall sign on the south elevation of the restaurant, facing the interior of the plaza, measuring 50 square feet.

**The Project** – The applicant is proposing a second wall sign on the west elevation of the existing restaurant to direct customers from Biscayne Boulevard. There is an existing 50 square foot wall sign on the south elevation, facing the interior of the plaza. The proposed wall sign on the west elevation measures 25.97 square feet. Based on the 127 lineal feet of tenant frontage, one wall sign at 127 square feet is permitted by Code.

The sign package, showing location of the existing and proposed wall signs, is attached as Exhibit #4.

**Citizen Comments** – As of the date of writing of this report, the Community Development Department has not received any written or verbal citizen comments.

## **ANALYSIS**

Section 31-191(j)(2)a. of the City Code regulates wall signs on commercial buildings. One wall sign per building is permitted, except two wall signs may be permitted for corner or through locations. Corner locations are defined by City Code as a location with frontage on two public streets. Through locations are defined by City Code as locations with customer entry/exit doors on two opposite sides of the tenant space. This is not a corner or through location. The maximum size of the sign is one square foot for each one lineal foot of building frontage. This building has a frontage of 127 lineal feet; therefore, one wall sign at 127 square feet is permitted by Code. There is one wall sign measuring 50 square feet on the south elevation of the tenant space and the applicant is requesting a second wall sign on the west elevation measuring 25.97 square feet.

The total square footage of the existing wall sign and the proposed wall sign is 75.97 square feet, which is less than the 127 square foot sign area that is permitted by Code for one wall sign.

The criteria for approval of sign variances are set out in Section 31-191(j)(8) of the City of Aventura Land Development Regulations, as follows:

*“The Sign Variance maintains the basic intent and purpose of these regulations; particularly as it affects the stability and appearance of the City and provided that the variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.”*

The proposed wall sign on the west elevation of the building will identify the restaurant for traffic on Biscayne Boulevard. The existing wall sign on the south elevation will then direct customers, once inside the plaza, to the front door of the restaurant. The area of the existing and proposed wall signs, at 75.97 square

feet, do not exceed the square footage allowed by Code for one wall sign at this location.

This request does preserve the unique character of the City and is not in conflict with the basic intent and purpose of the sign code. The signs are compatible with surrounding land uses, will not be detrimental to the community and will effectively index the environment. The two signs will direct customers to the restaurant.

*Parcel Cove, LLC*  
2627 NE 203<sup>rd</sup> Street, Suite 202  
Aventura, FL 33180  
Tel: 305 682 4991 Fax: 305 682 4992

City of Aventura  
Community Development Department  
19200 W Country Club Drive  
Aventura, FL 33180  
305-466-8940

Re: Variance Application for sign at 19001 Biscayne Blvd  
Permit: BL /EL 16-1157

Our tenant Bagel Cove has presented permit application for sign variance to the community development dept. of Aventura.

Bagel Cove is a very popular deli to the residents of the City of Aventura but on many occasions management have been informed by their visiting customers of some difficulty in finding their way due to the lack of visibility due to the one and only sign that faces south and a parking lot – Therefore, this additional sign would help enhance the presence of Bagel Cove to the passing traffic and public in the community of Aventura

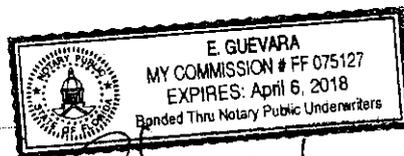
If you recall, the introduction of Jared's had the same situation and the second sign was approved with a fee of approx. \$7k for the same reason in principle

We kindly request that this review board would take the utmost consideration in granting the sign variance and trust you are happy with what we are doing in the plaza in general

Sincerely,



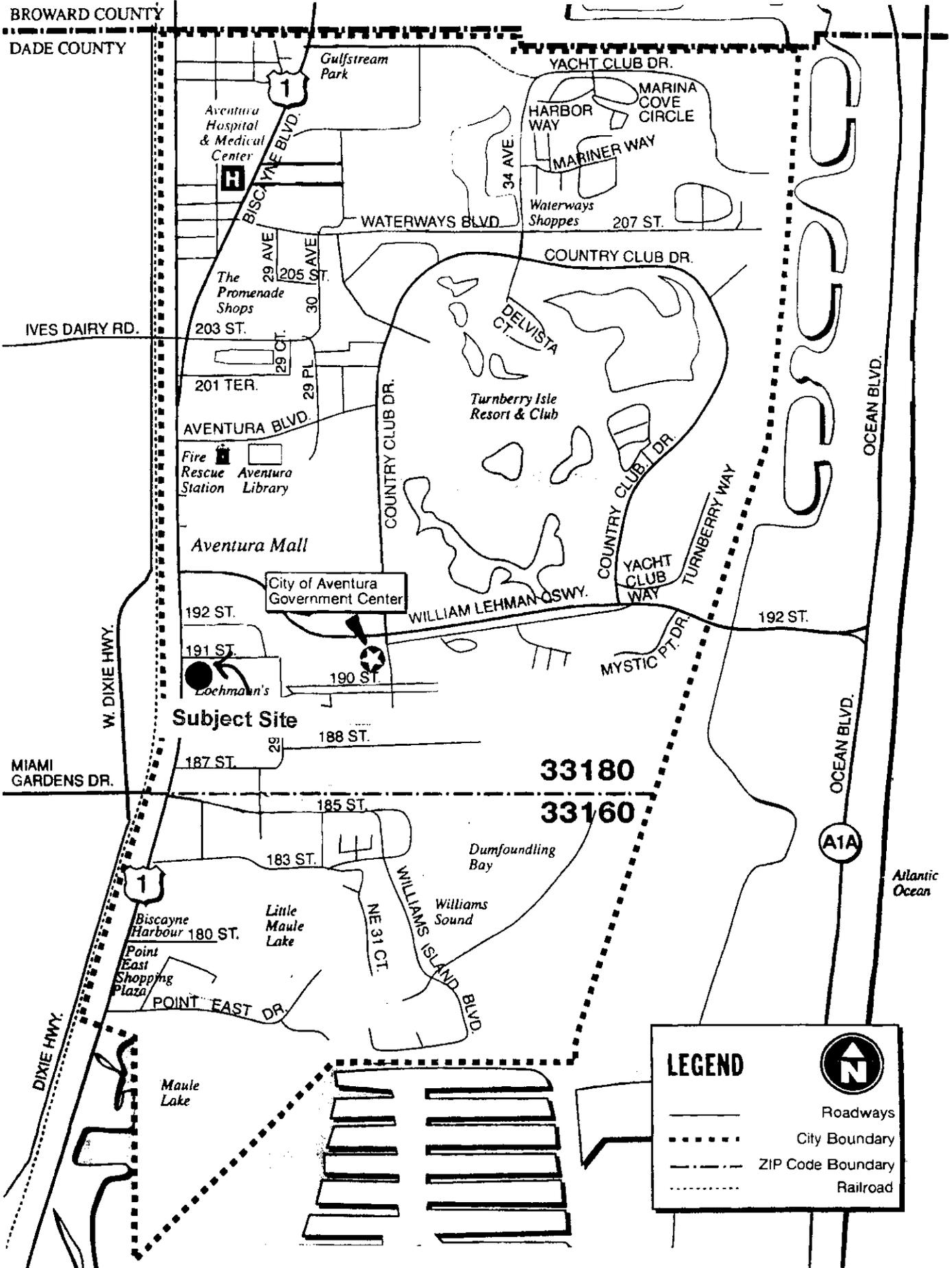
Roderick Faith  
Registered Agent



5/9/16.

Exhibit 1  
03-SV-16

BROWARD COUNTY  
DADE COUNTY



**Subject Site**

**33180**  
**33160**

**LEGEND**

- Roadways
- City Boundary
- ZIP Code Boundary
- Railroad

Exhibit 2  
03-SV-16

THAT PORTION OF THE NORTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$ , SECTION 3, TOWNSHIP 52 SOUTH, RANGE 42 EAST, MIAMI-DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

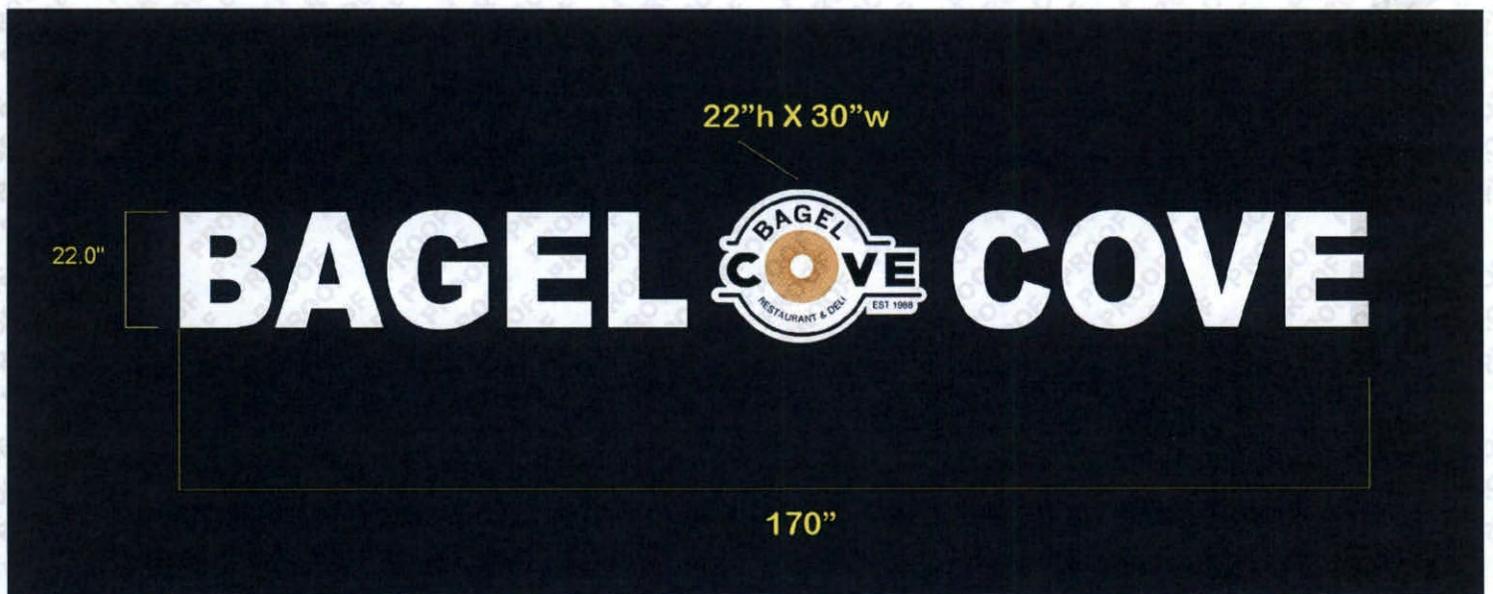
COMMENCE AT THE WEST  $\frac{1}{4}$  OF SAID SECTION 3; THENCE NORTH 86°32'30" EAST 795.49 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST  $\frac{1}{4}$  OF SECTION 3 TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF ROAD NO. 4 (U.S. HIGHWAY 1) AS PER FLORIDA'S STATE ROAD DEPARTMENT RIGHT-OF-WAY PLANS RECORDED IN BOOK 34 AT PAGE 53 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY; THENCE SOUTH 03°08'01" EAST FOR 209.97 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE NORTH 86°32'30" EAST 299.54 FEET ALONG A LINE THAT IS PARALLEL WITH AND 210.00 FEET SOUTHERLY OF SAID NORTH LINE OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 3, AS MEASURED ALONG THE EAST LINE OF THE NORTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 3; THENCE NORTH 04°23'43" EAST 10.00 FEET; THENCE NORTH 86°32'30" EAST 75.00 FEET; THENCE SOUTH 04°23'43" EAST 50.00 FEET; THENCE NORTH 86°32'30" EAST 75.14 FEET TO A LINE THAT IS PARALLEL WITH AND PERPENDICULARLY DISTANT 100.00 FEET WESTERLY OF SAID EAST LINE OF THE NORTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 3; THENCE ALONG LAST SAID PARALLEL LINE SOUTH 04°23'43" EAST 211.81 FEET TO A LINE THAT IS PARALLEL WITH AND PERPENDICULARLY DISTANT 200.00 FEET NORTHERLY OF THE SOUTH LINE OF SAID NORTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 3; THENCE ALONG LAST SAID PARALLEL LINE SOUTH 86°29'21" WEST 455.22 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF ROAD NO. 4 (U.S. HIGHWAY 1); THENCE NORTH 03°08'01" WEST 252.20 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

LESS AND EXCEPT

A PORTION OF THE NORTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 3, TOWNSHIP 52 SOUTH, RANGE 42 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE WESTERLY 138.943 METERS (455.85 FEET) OF TRACT "B", REGINA SQUARE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 113, AT PAGE 27, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, THIS POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5 (U.S. NO. 1/BISCAYNE BOULEVARD), AS SHOWN ON SAID PLAT AND ON THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP PROJECT NO. 41, NOW KNOWN AS SECTION 87030-2201, AS RECORDED IN PLAT BOOK 34, AT PAGE 53, OF SAID PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH 02°07'21" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, FOR A DISTANCE OF 76.721 METERS (251.71 FEET) TO THE POINT OF INTERSECTION WITH A LINE 64.008 METERS (210.00 FEET) SOUTHERLY OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SAID SECTION 3; THENCE RUN NORTH 87°34'55" EAST, ALONG LAST DESCRIBED PARALLEL LINE, FOR A DISTANCE OF 4.846 METERS (15.90 FEET) TO A POINT; THENCE RUN SOUTH 02°07'21" EAST FOR A DISTANCE OF 76.717 METERS (251.69 FEET) TO THE POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID WESTERLY 138.943 METERS (455.85 FEET) OF TRACT "B"; THENCE RUN SOUTH 87°32'01" WEST ALONG LAST DESCRIBED NORTHERLY LINE, FOR A DISTANCE OF 4.846 METERS (15.90 FEET) TO THE POINT OF INTERSECTION WITH SAID EASTERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 5 AND THE POINT OF BEGINNING.

TOGETHER WITH NON-EXCLUSIVE EASEMENT CREATED BY INGRESS, EGRESS AND ACCESS EASEMENT FILED IN BOOK 16366, PAGE 1027.



SIGN AREA : 22.0'H X 170.0" W= 25.97 SQR. FT.

Exhibit 4  
03-SV-16

PERMIT DRAWING



**Total: 26 Sqr.Ft.**



**B** ILLUMINATED CHANNEL LETTERS

Scale: NTS

SIGN AREA: .26 Sqr. Ft.



**DETAILS**

FACE	3/16" Acrylic White #732B	F-1	<input type="checkbox"/>
RETURN	.040 Aluminum - Black	R-1	<input checked="" type="checkbox"/>
TRIM	1" Jewelite White	T-1	<input checked="" type="checkbox"/>
LED	Designer White	L-1	<input type="checkbox"/>

**C** SIGN DETAILS  
FONT: Helvetica

Scale: NTS



19001 BISCAYNE BLVD.  
AVENTURA FL. 33180

SOUTH ELEVATION:  
SIGN AREA: 24.0" H X 300.0"W= 50 Sqr.Ft

SEE ATTACHED PROPERTY  
PROPERTY APPRAISER  
SKETCH SOUTH ELEV. 127' W



N/T SCALE

NOTE CORRECTED SIGN SIZE  
AS OF 09/14/2006

BAGEL COVE RESTAURANT & DELI 24"  
300"



# 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>CARLOS BLANCO</u>	<u>SIGN CONSULTANT</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 30 DAY OF AUGUST 2006

AUTHORIZED REPRESENTATIVE OF APPLICANT:

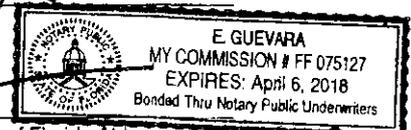
By: Carlos Blanco  
 Name: CARLOS BLANCO  
 Title: PLANS/PERMIT COORDINATOR  
 Address: 13758 SW 170<sup>TH</sup> LN  
MIAMI, FL 33177

OWNER  
 By: [Signature]  
 Name: Roderick Fauth  
 Title: AUTHORIZED REP  
 Address: 2627 NE 203<sup>RD</sup> ST, Ste 202  
Aventura, FL 33180

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me the undersigned authority personally appeared Roderick Fauth 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 30<sup>th</sup> day of AUGUST 2006 AFFIANT



Notary Public State of Florida At Large  
Printed Name of Notary Elizabeth Guevara  
My commission expires: 04-06-18



# BUSINESS RELATIONSHIP AFFIDAVIT\*

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

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

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

The nature of the Business Relationship is as follows:

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

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

APPLICANT:

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

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

PROPERTY OWNER:

By: \_\_\_\_\_ (Signature)  
 Name: ROGERIC FERRY (Print)  
 Title: REGISTERED AGENT (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 31 DAY OF AUGUST, 2006.

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: Carlos Blanco (Signature)

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

Name: CARLOS BLANCO (Print)

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

Title: Senior Consultant (Print)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**NOTARIZATION PROVISION**

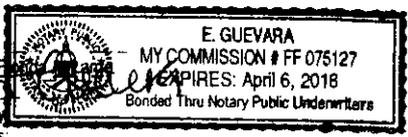
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Roseick Faith 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 3<sup>rd</sup> day of August, 20016

AFFIANT

E. Guevara  
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 Carlos Blanco 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 3 day of 31, 200    

Carlos F. Blanco  
AFFIANT

Donna L. Mussatto  
Notary Public State of Florida At Large  
Printed Name of Notary  
My commission expires: 11/11/16



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: \_\_\_\_\_

**RESOLUTION NO. 2016-\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING A SIGN VARIANCE FOR THE BAGEL COVE RESTAURANT ON PROPERTY LOCATED AT 19001 BISCAYNE BOULEVARD, CITY OF AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the property described herein is zoned B2, Community Business District; and

**WHEREAS**, the Applicant, Parcel Cove LLC, through Application No. 03-SV-16, has requested a sign variance to permit a second wall sign measuring a total of 25.97 square feet on the west elevation of the Bagel Cove Restaurant in the Aventura Grand Cove plaza located at 19001 Biscayne Boulevard, where one wall sign measuring 127 square feet is permitted by Code and one wall sign measuring 50 square feet exists on the south elevation; 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 application for the second wall sign meets the criteria of the applicable codes and ordinances to the extent the application is granted herein.

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

**Section 1.** Application No. 03-SV-16 for Sign Variance to permit a second wall sign measuring 25.97 square feet on the west elevation of the Bagel Cove restaurant in the Aventura Grand Cove plaza located at 19001 Biscayne Boulevard, legally described in Exhibit "A" to this resolution, is hereby granted exclusively to the applicant, with the conditions that the wall sign on the west elevation substantially comply with the following plans submitted with this application, as follows:

- Bagel Cove, Proposed West Elevation Sign Rendering, prepared by Future Signs & Services;
- Bagel Cove Permit Drawing, Sign Details, Page 2 of 3, prepared by Future Signs & Services;

- Bagel Cove Permit Drawing, Illuminated Channel Letters, Page 3 of 3, prepared by Future Signs & Services dated 3/17/2016;
- Bagel Cove, Existing South Elevation Sign Rendering, prepared by Future Signs & Services.

**Section 2.** The City Manager is authorized to 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 3.** Issuance of this development order by the City of Aventura does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Aventura for issuance of the development order if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the development. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

**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 Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Dr. Linda Marks	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Mayor Enid Weisman	_____

PASSED AND ADOPTED this 1<sup>st</sup> day of November, 2016.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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

This Resolution was filed in the Office of the City Clerk this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

Exhibit "A"  
Legal Description of Property

THAT PORTION OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼, SECTION 3, TOWNSHIP 52 SOUTH, RANGE 42 EAST, MIAMI-DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST ¼ OF SAID SECTION 3; THENCE NORTH 86°32'30" EAST 795.49 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST ¼ OF SECTION 3 TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF ROAD NO.4 (U.S. HIGHWAY 1) AS PER FLORIDA'S STATE ROAD DEPARTMENT RIGHT-OF-WAY PLANS RECORDED IN BOOK 34 AT PAGE 53 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY; THENCE SOUTH 03°08'01" EAST FOR 209.97 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE NORTH 86°32'30" EAST 299.54 FEET ALONG A LINE THAT IS PARALLEL WITH AND 210.00 FEET SOUTHERLY OF SAID NORTH LINE OF THE SOUTHWEST ¼ OF SECTION 3, AS MEASURED ALONG THE EAST LINE OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 3; THENCE NORTH 04°23'43" EAST 10.00 FEET; THENCE NORTH 86°32'30" EAST 75.00 FEET; THENCE SOUTH 04°23'43" EAST 50.00 FEET; THENCE NORTH 86°32'30" EAST 75.14 FEET TO A LINE THAT IS PARALLEL WITH AND PERPENDICULARLY DISTANT 100.00 FEET WESTERLY OF SAID EAST LINE OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 3; THENCE ALONG LAST SAID PARALLEL LINE SOUTH 04°23'43" EAST 211.81 FEET TO A LINE THAT IS PARALLEL WITH AND PERPENDICULARLY DISTANT 200.00 FEET NORTHERLY OF THE SOUTH LINE OF SAID NORTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 3; THENCE ALONG LAST SAID PARALLEL LINE SOUTH 86°29'21" WEST 455.22 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF ROAD NO.4 (U.S. HIGHWAY 1); THENCE NORTH 03°08'01" WEST 252.20 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

LESS AND EXCEPT A PORTION OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 3, TOWNSHIP 52 SOUTH, RANGE 42 EAST, MIAMI-DADE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE WESTERLY 138.943 METERS (455.85 FEET) OF TRACT "B", REGINA SQUARE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 113, AT PAGE 27, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, THIS POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO.5 (U.S. NO. 1/BISCAYNE BOULEVARD). AS SHOWN ON SAID PLAT AND ON THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP PROJECT NO. 41, NOW KNOWN AS SECTION 87030-2201, AS RECORDED IN PLAT BOOK 34, AT PAGE 53, OF SAID PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH 02°07'21" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, FOR A DISTANCE OF 76.721 METERS (251.71 FEET) TO THE POINT OF INTERSECTION WITH A LINE 64.008 METERS (210.00 FEET) SOUTHERLY OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 3; THENCE RUN NORTH 87°34'55" EAST, ALONG LAST DESCRIBED PARALLEL LINE, FOR A DISTANCE OF 4.846 METERS (15.90 FEET) TO A POINT; THENCE

RUN SOUTH 01'07'21" EAST FOR A DISTANCE OF 76.717 METERS (251.69 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID WESTERLY 138.943 METERS (455.85 FEET) OF TRACT "B"; THENCE RUN SOUTH 87'32'01" WEST ALONG LAST DESCRIBED NORTHERLY LINE, FOR A DISTANCE OF 4.846 METERS (15.90 FEET) TO THE POINT OF INTERSECTION WITH SAID EASTERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 5 AND THE POINT OF BEGINNING.

TOGETHER WITH NON-EXCLUSIVE EASEMENT CREATED BY INGRESS, EGRESS AND ACCESS EASEMENT FILED IN BOOK 16366, PAGE 1027.

**CITY OF AVENTURA**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**MEMORANDUM**

TO: City Commission

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

BY: Joanne Carr, AICP  
Community Development Director

DATE: October 21, 2016

SUBJECT: Request of Aventura IMP LLC for Revision to Parking Variance Approval granted through Resolution No. 99-39, Resolution No. 2001-01 and Resolution No. 2002-30  
20601 East Dixie Highway, City of Aventura  
(04-VAR-99 REV3)

---

**November 1, 2016 City Commission Meeting Agenda Item 9B**

**RECOMMENDATION**

It is recommended that the City Commission approve the requested revision to the parking variance approvals granted through Resolution No. 99-39, Resolution No. 2001-01 and Resolution No. 2002-30 to delete the requirement for 20 off-street parking spaces within the FEC Railway right of way.

**REQUEST**

The applicant is requesting that Condition No. 7 of Resolution No. 99-39 be deleted. This condition requires construction and maintenance of 20 off-street parking spaces in an area leased from the FEC Railway on the west side of East Dixie Highway and designed to provide parking for patrons and employees of the medical office building at 20601 East Dixie Highway, City of Aventura. (See Exhibit #1 for Letter of Intent from applicant)

## **BACKGROUND**

The applicant was granted approval of certain variances, conditional use and abandonment of right-of-way by Resolution No. 99-39 passed and adopted on August 3, 1999. These approvals were granted to permit the construction of a four-story professional and medical office building on East Dixie Highway between NE 206 Street and NE 207 Street. The applicant subsequently revised the site plan which necessitated modification to the previous approvals. The modifications were approved by Resolution No. 2001-01 adopted on January 2, 2001. The site plan was then further revised which again necessitated modification to the previous approvals. The second modifications were approved by Resolution No. 2002-30 adopted on June 4, 2002.

(See Exhibit #2 for Location Plan, Exhibit #3 for Aerial Photograph, Exhibit #4 for Resolution No. 99-39, Exhibit #5 for Resolution No. 2001-01 and Exhibit #6 for Resolution No. 2002-30)

One of the variance requests was a reduced number of on-site parking spaces. The building required 130 parking spaces by Code and 126 parking spaces were proposed. The parking variance was approved on the condition that on-street, parallel parking spaces were constructed, with 6 spaces on the north side of NE 206 Street, 1 space on the south side of NE 207 Street and 14 spaces on the west side of East Dixie Highway, as well as 20 off-street parking spaces in the FEC Railway right of way, for a total of 167 parking spaces. The parking spaces on NE 206 Street, NE 207 Street and East Dixie Highway were to be available to both users of the medical office building and users of adjacent properties. All of the required on-site, on-street and off-street parallel parking areas were built as part of the original building construction.

The applicant advises that the 20 parking spaces constructed in the area leased from the FEC Railway are not used by building patrons and that the remaining 147 on-site and on-street parking spaces accommodate all parking needs for the medical office building. The applicant is therefore requesting that this condition of approval be deleted. If the request is approved, the applicant will terminate its lease with FEC Railway and remove the parking area. The existing 126 on-site parking spaces and the 21 parallel parking spaces on NE 206 Street, NE 207 Street and East Dixie Highway will remain in place.

The applicant has submitted a Parking Utilization Study prepared by SurveyPros, Inc. which is attached as Exhibit #7 to this report. The study counts parking spaces in use every half-hour from 6:30 a.m. to 6:30 p.m. for three consecutive days. The study shows a maximum parking space utilization of 117 spaces at midday. The study also notes that the FEC lot was empty when these parking counts were taken.

<b>OWNER OF PROPERTY</b>	Aventura IMP LLC
<b>NAME OF APPLICANT</b>	Aventura IMP LLC
<b>ADDRESS OF PROPERTY</b>	20601 East Dixie Highway
<b>SIZE OF PROPERTY</b>	1.22 Acres
<b>LEGAL DESCRIPTION</b>	Lots 12 through 30, Block 8 of HALLANDALE PARK NO. 8 according to the plat thereof, as recorded in Book 20, Page 49 of the Public Records of Miami-Dade County, Florida.
<b>ZONING</b>	MO (Medical Office District)
<b>FUTURE LAND USE</b>	Business and Office

**ANALYSIS**

Condition No. 7 of Resolution No. 99-39 states that:

...

*"7. The applicant shall enter into a lease with Florida East Coast Railway (FEC) and construct twenty (20) parking spaces on the leased area. Permit plans must be approved by the Community Development Department and construction of the spaces completed prior to Certificate of Occupancy. The applicant must continue the lease on an annual basis in good faith effort."*

The City Code requires 130 parking spaces for this medical office building, where 126 spaces are provided on site, 21 parallel parking spaces are provided on NE 206 Street, NE 207 Street and East Dixie Highway and 20 spaces are provided in a parking area on the FEC Railway right of way, for a total of 167 spaces. The applicant has submitted a Parking Utilization Study that shows a maximum demand of 117 spaces. The requested deletion of the condition and removal of the 20 existing parking spaces in the FEC Railway parking area results in a total of 147 spaces on-site and on-street. This resulting number of spaces exceeds both the City Code requirement of 130 spaces and the maximum demand of 117 spaces shown in the Parking Utilization Study.

City of Aventura  
Community Development Department  
19200 W Country Club Drive  
Aventura, FL 33180

SEP 12 2016

June 9, 2016

German Fraynd  
Manager of Aventura IMP LLC  
1380 NE Miami Gardens Drive, Suite 125  
North Miami Beach, FL 33179

To whom it may concern,

I, German Fraynd, managing member of Aventura IMP, LLC, hereby submit a letter of intent to modify Condition No. 7 of Resolution No. 99-39 as it applies to the property located on 20601 E Dixie Hwy Aventura, FL 33180.

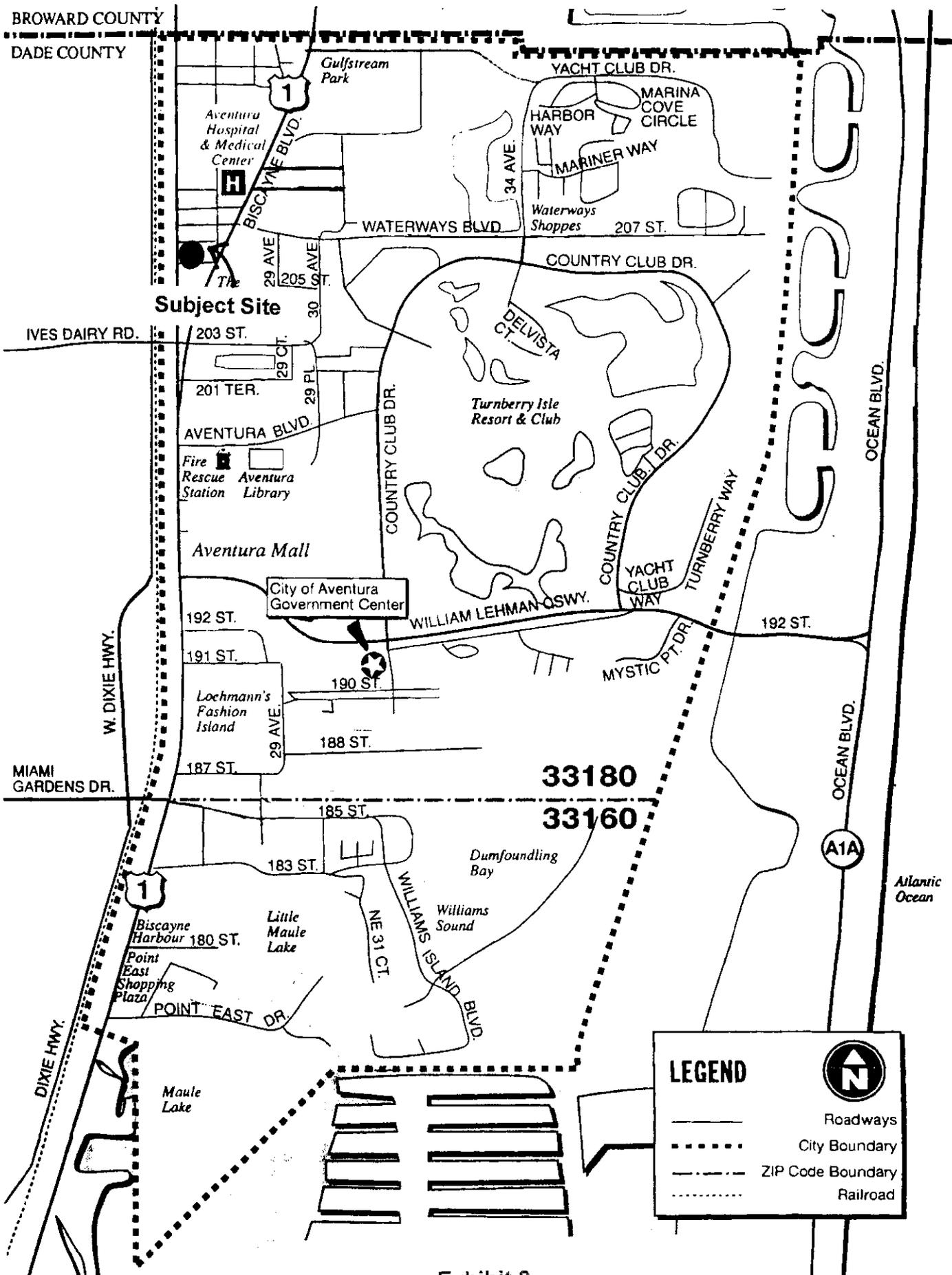
The forenamed condition requires Aventura I.M.P. to hold a Lease Agreement with the Florida East Coast Railroad (FEC) in order to provide additional parking. However, since entering into the Lease Agreement in September of 2001 the parking located in the FEC right of way does not get occupied. The on-site parking found on the ground floor and second floor of the building have proven to provide sufficient parking for the tenant as well as visitor. We kindly request the City of Aventura review our documents supporting our claim regarding the parking and that the condition be removed.

Sincerely,

German Fraynd M.D., F.A.C.S  
Phone: 786-472-3584  
Email: avc.atrium@gmail.com

**Exhibit 1  
04-VAR-99 (REV3)**

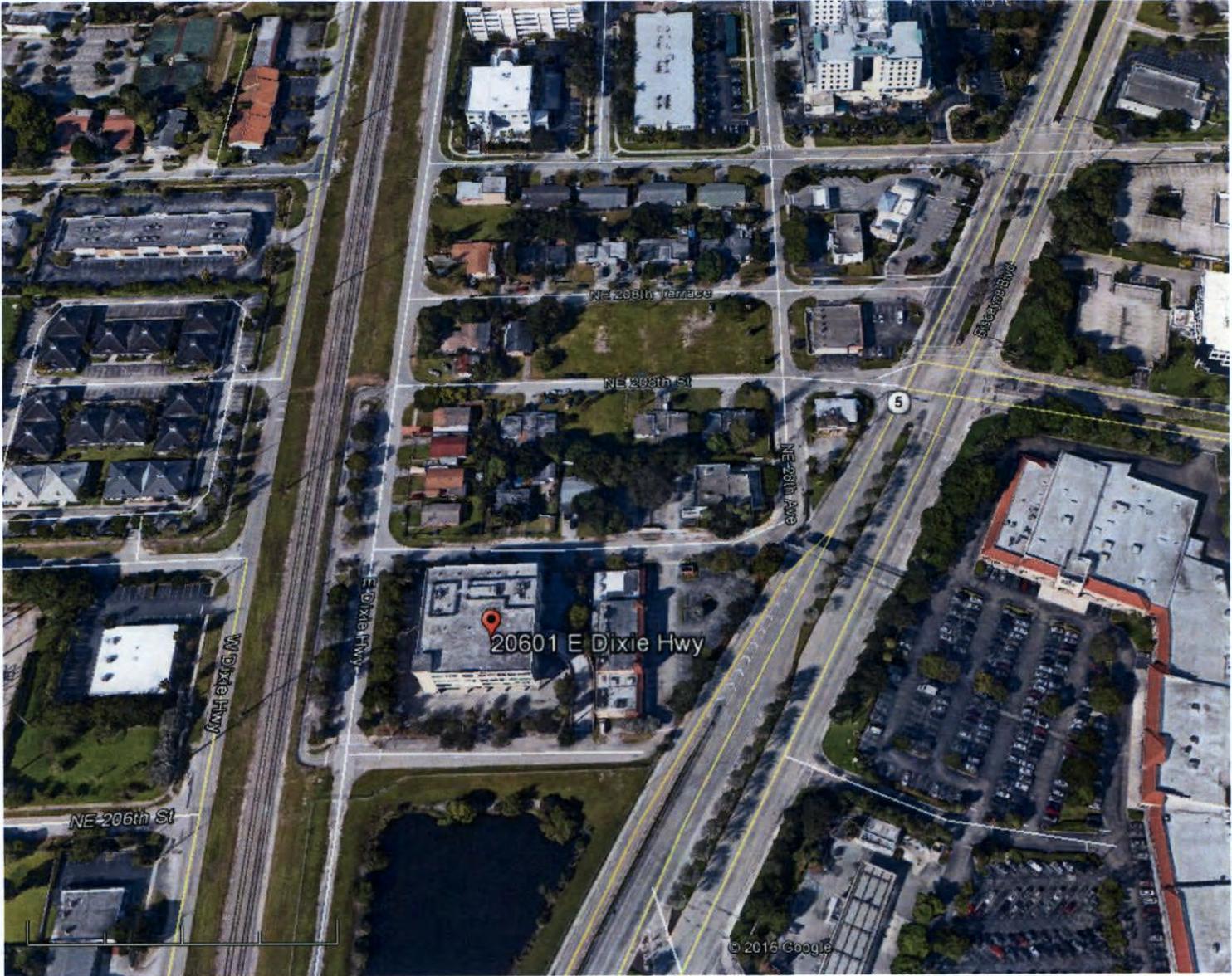
BROWARD COUNTY  
DADE COUNTY



**LEGEND**

- Roadways
- City Boundary
- ZIP Code Boundary
- Railroad

Exhibit 2  
04-VAR-99 (REV3)



Google earth

feet  
meters



Exhibit 3  
04-VAR-99 (REV3)

**RESOLUTION NO. 99-39**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING APPROVAL OF VARIANCE FROM SECTION 801.2 OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO ALLOW 112 OFF-STREET PARKING SPACES WHERE 130 OFF-STREET PARKING SPACES ARE REQUIRED; GRANTING APPROVAL OF VARIANCE FROM SECTION 704.6.1 OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO ALLOW A PLOT AREA OF 1.22 ACRES WHERE 1.5 ACRES IS REQUIRED; GRANTING CONDITIONAL USE APPROVAL TO ALLOW TWO (2) DRIVE-THROUGH TELLER LANES AT A BANK ON THE GROUND FLOOR OF A PROPOSED OFFICE BUILDING; GRANTING APPROVAL OF THE ABANDONMENT OF APPROXIMATELY 2,134 SQUARE FEET OF PUBLIC ALLEYWAY PLATTED IN BLOCK 8 OF THE HALLANDALE PARK NO. 8 SUBDIVISION; FOR PROPERTY LOCATED BETWEEN NE 206 STREET AND NE 207 STREET ON THE EAST SIDE OF EAST DIXIE HIGHWAY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the property described herein is zoned MO, Medical Office District;

and

**WHEREAS**, the applicant, Kenneth Marlin, through Applications No. 04-VAR-99, 01-CU-99 and 02-AR-99, is requesting the following:

1. A variance from Section 801.2 of the City's Land Development Regulations to allow 112 off-street parking spaces where 130 off-street parking spaces are required.
2. A variance from Section 704.6.1 of the City's Land Development Regulations to allow a plot area of 1.22 acres where 1.5 acres is required.
3. Conditional Use Approval to allow two (2) drive-through teller lanes at a bank on the ground floor of a proposed building. The City's Land Development Regulations

allow drive-through teller lanes at banks in the MO, Medical Office District only after Conditional Use approval.

4. Abandonment of approximately 2,134 square feet of public alleyway platted in Block 8 of the Hallandale Park No. 8 Subdivision; and

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

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

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

**Section 1.** Application No. 04-VAR-99, requesting variance from Section 801.2 of the City's Land Development Regulations to allow 112 off-street parking spaces where 130 off-street parking spaces are required on property legally described as:

Lots 12 through 30, Block 8 of HALLANDALE PARK NO. 8 according to the plat thereof, as recorded in Book 20, Page 49 of the public records of Miami-Dade County, Florida A/K/A Between NE 206 Street and NE 207 Street on the east side of East Dixie Highway Aventura, Florida

is hereby approved.

**Section 2.** Application for a variance from Section 704.6.1 of the City's Land Development Regulations to allow a plot area of 1.22 acres where 1.5 acres is required is hereby approved.

**Section 3.** Application No. 01-CU-99, requesting Conditional Use approval to allow two (2) drive-through teller lanes at a bank on the ground floor of a proposed building is hereby approved.

**Section 4.** Application No. 02-AR-99, requesting abandonment of approximately 2,134 square feet of public alleyway platted in Block 8 of the Hallandale Park No. 8 Subdivision is hereby approved, all approvals subject to conditions as follows:

1. Plans shall substantially comply with those submitted as follows:

- "Aventura Professional Office Building: Site Plan", Sheet SP-1/AP-1, prepared by Joseph B. Kaller and Associates, revised dated 7/27/99, signed and sealed 7/27/99;
- "Aventura Professional Office Building: Site Details", Sheet SP-2, prepared by Joseph B. Kaller and Associates, revised dated 6/11/99, signed and sealed 7/22/99;
- "Aventura Professional Office Building: Second Floor Plan", Sheet AP-2 prepared by Joseph B. Kaller and Associates, revised dated 6/11/99, signed and sealed 7/22/99;
- "Aventura Professional Office Building: Typical 3<sup>rd</sup> and 4<sup>th</sup> Floor Plan", Sheet AP-3, prepared by Joseph B. Kaller and Associates, revised dated 6/11/99, signed and sealed 7/22/99;
- "Aventura Professional Office Building: Roof Plan", Sheet AP-4, prepared by Joseph B. Kaller and Associates, revised dated 6/11/99, signed and sealed 7/22/99;
- "Aventura Professional Office Building: Elevations", Sheet AP-5, prepared by Joseph B. Kaller and Associates, revised dated 6/11/99, signed and sealed 7/22/99;
- "Aventura Professional Office Building: Elevations", Sheet AP-6, prepared by Joseph B. Kaller and Associates, revised dated 6/11/99, signed and sealed 7/22/99;
- "Aventura Professional Office Building: Landscape Site Plan", Sheet L-1, prepared by Joseph B. Kaller and Associates, revised dated 7/20/99.

2. The applicant shall obtain building permits within twelve (12) months of the date of the Resolution or the approvals granted shall be deemed null and void unless extended by a motion of the City Commission
3. The applicant has agreed to contribute \$9,539.00 to the City of Aventura to offset the transportation impacts of vacating 2,134 square feet of alleyway conveyed in the plat of Hallandale Park No. 8 Subdivision prior to the issuance of building permits. These funds shall be offset against the expenses applicant incurs in the installation of the right-of-way improvements specified in Condition 4 below.
4. Applicant shall install the following improvements:
  - Seven (7) on-street parallel parking spaces along NE 206 Street and six (6) on-street parallel parking spaces along NE 207 Street.
  - Curbing, gutter pan, stormwater drainage inlets and stormwater mains along NE 206 Street and NE 207 Street adjacent to the site.
  - Street lighting along NE 206 Street, NE 207 Street and East Dixie Highway adjacent to the site.
  - Eight (8) on-street parallel parking spaces along East Dixie Highway, adjacent to the site.

Applicant shall prepare an engineering plan detailing the installation of these improvements in a form acceptable to the City Manager and City Engineer prior to the issuance of building permits.

5. Applicant shall post a surety bond or other similar instrument acceptable to the City Manager in the amount of \$66,000 prior to the issuance of building permits, said

bond to be returned to the applicant after the completion of the parking, curbing, lighting and drainage improvements within the public right-of-way specified in Condition 4.

6. The applicant shall provide a Unity of Title, in a form to be approved by the City Attorney and City Manager, or replat the site, prior to issuance of a building permit for the development.
7. The applicant shall enter into a lease with Florida East Coast Railroad (FEC) and construct twenty (20) parking spaces on the leased area. Permit plans must be approved by the Community Development department and construction of the spaces completed prior to Certificate of Occupancy. The applicant must continue the lease on an annual basis in good faith effort.
8. The applicant shall prepare a covenant, in a form to be approved by the City Manager and City Attorney, allowing medical office uses not to exceed 60% of the total office uses of the building. The applicant shall record this covenant in the Public Records of Miami-Dade County, prior to issuance of a building permit. All expenses shall be borne by the applicant.
9. The applicant shall record this Resolution in the Public Records of Miami-Dade County, prior to issuance of a building permit. All expenses shall be borne by the applicant.

**Section 5.** The City Manager is authorized to 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 6.** This Resolution shall become effective immediately upon its adoption.

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

Commissioner Arthur Berger	<u>yes</u>
Commissioner Jay R. Beskin	<u>yes</u>
Commissioner Ken Cohen	<u>yes</u>
Commissioner Harry Holzberg	<u>yes</u>
Commissioner Jeffrey M. Perlow	<u>yes</u>
Vice Mayor Patricia Rogers-Libert	<u>yes</u>
Mayor Arthur I. Snyder	<u>yes</u>

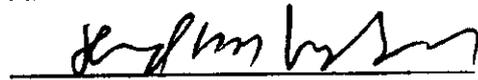
**PASSED AND ADOPTED** this 3<sup>rd</sup> day of August, 1999.

  
ARTHUR I. SNYDER, MAYOR

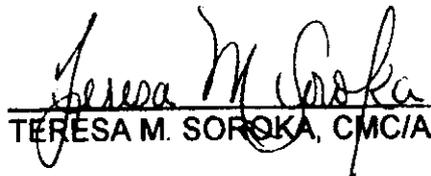
ATTEST:

  
TERESA M. SOROKA, CMC/AAE  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

  
CITY ATTORNEY

This Resolution was filed in the Office of the City Clerk this 5 day of August, 1999.

  
TERESA M. SOROKA, CMC/AAE, CITY CLERK

**RESOLUTION NO. 2001-01**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA MODIFYING THE APPROVALS GRANTED THROUGH RESOLUTION NO. 99-39 PASSED AND ADOPTED AUGUST 3, 1999; TO MODIFY THE PARKING SPACE VARIANCE; TO DELETE THE CONDITIONAL USE APPROVAL FOR A BANK IN THE MEDICAL OFFICE DISTRICT; TO MODIFY CONDITION NO. 4 OF SECTION 4 REQUIRING 8 PARALLEL PARKING SPACES ON EAST DIXIE HIGHWAY; TO DELETE CONDITION NO. 8 OF SECTION 4 REQUIRING MEDICAL USES NOT TO EXCEED 60% OF THE TOTAL OFFICE USE IN THE BUILDING, FOR PROPERTY LOCATED ON THE EAST SIDE OF EAST DIXIE HIGHWAY BETWEEN NE 206 STREET AND NE 207 STREET, AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the applicant, Kenneth Marlin, was granted miscellaneous approvals by Resolution No. 99-39 passed and adopted by the City Commission of the City of Aventura on August 3, 1999; and

**WHEREAS**, the applicant has revised the site plan, which revision necessitates modification to the previous approvals granted through Resolution No. 99-39 as follows:

1. A modification to the parking variance to provide 123 off-street parking spaces where 130 off-street parking spaces are required by Section 31-171(b)(8) of the City's Land Development Regulations. The original variance approved 112 off-street parking spaces where 130 were required by Code; and
2. Deletion of the previously approved Conditional Use approval which allowed two (2) drive-through teller lanes at a bank on the ground floor of the proposed building; and
3. Modification to Condition No. 4 of Section 4 of the resolution which required eight (8) on-street parallel parking spaces on the east side of East Dixie Highway, adjacent to the site, to provide seven (7) parallel parking spaces; and
4. Deletion of Condition No. 8 of Section 4 of the resolution which required the applicant to prepare and record a covenant stating that medical office use would not exceed 60% of the total office use in the building; and
5. Approve an extension of the approvals in Resolution No. 99-39 for an additional six (6) month period from February 3, 2001 to August 3, 2001.

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

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

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

**Section 1.** The applicant's request to modify the following variances previously granted by Resolution No. 99-39:

1) Amend current Section 1 from:

"Application No. 04-VAR-99 requesting a Variance from Section 801.2 of the City's Land Development Regulations to allow 112 off-street parking spaces where 130 parking spaces are required..." to:

"Application No. 04-VAR-99 requesting a Variance from Section 31-171(b)(8) of the City's Land Development Regulations to allow 123 off-street parking spaces where 130 off-street parking spaces are required."

2) Delete Section 3 granting Conditional Use Approval which allowed two (2) drive-through teller lanes at a bank on the ground floor of a proposed building.

3) Amend Condition No. 4 of Section 4 from:

"eight (8) on-street parallel parking spaces along East Dixie Highway, adjacent to the site" to:

"seven (7) on-street parallel parking spaces along East Dixie Highway, adjacent to the site".

4) Delete Condition No. 8 of Section 4 requiring that the applicant prepare and record a covenant limiting the medical office use to not more than 60% of the total office uses in the building.

- 5) Approve an extension of the approvals in Resolution No. 99-39 for an additional six (6) month period from February 3, 2001 to August 3, 2001.

All revisions to property legally described as:

Lots 12 through 30, Block 8 of Hallandale Park No. 8 according to the plat thereof, as recorded in Book 20, Page 49 of the public Records of Miami-Dade County, Florida,  
a/k/a  
between NE 206 Street and NE 207 Street on the east side of East Dixie Highway, Aventura, Florida

are hereby approved subject to the following conditions:

1. The applicant shall submit a revised landscape plan for approval prior to issuance of the building permit.
2. All other conditions of Resolution No. 99-39 not modified or deleted by this Resolution shall remain in full force and effect.

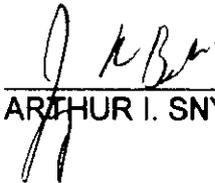
**Section 2.** The City Manager is authorized to cause the issuance of permits in accordance with the approvals and conditions herein provided and to indicate such approvals and conditions upon the records of the City.

**Section 3.** This Resolution shall become effective immediately upon its adoption.

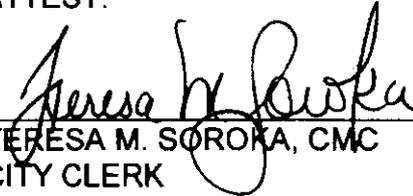
The foregoing Resolution was offered by Commissioner Rogers-Libert, who moved its adoption. The motion was seconded by Commissioner Berger and upon being put to a vote, the vote was as follows:

Commissioner Arthur Berger	yes
Commissioner Ken Cohen	yes
Commissioner Harry Holzberg	yes
Commissioner Jeffrey M. Perlow	yes
Commissioner Patricia Rogers-Libert	yes
Vice Mayor Jay R. Beskin	yes
Mayor Arthur I. Snyder	absent

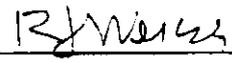
**PASSED AND ADOPTED** this 2<sup>nd</sup> day of January, 2001.

*for*   
\_\_\_\_\_  
ARTHUR I. SNYDER, MAYOR

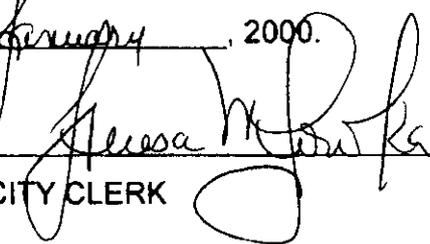
ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

This Resolution was filed in the Office of the City Clerk this 3 day of

~~January~~, 2000.  
  
\_\_\_\_\_  
CITY CLERK

**RESOLUTION NO. 2002-30**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA MODIFYING THE APPROVALS GRANTED PURSUANT TO RESOLUTION NO. 99-39 ADOPTED AUGUST 3, 1999 AND MODIFYING THE APPROVALS GRANTED PURSUANT TO RESOLUTION NO. 2001-01 ADOPTED JANUARY 2, 2001; TO MODIFY CONDITION NO. 4 OF SECTION 4 OF RESOLUTION NO. 99-39 REQUIRING 7 PARALLEL PARKING SPACES ON NE 206 STREET AND 6 PARALLEL PARKING SPACES ON NE 207 STREET; TO MODIFY ITEM 3) OF SECTION 1 OF RESOLUTION NO. 2001-01 REQUIRING 7 PARALLEL PARKING SPACES ON EAST DIXIE HIGHWAY ADJACENT TO THE SITE FOR PROPERTY LOCATED AT 20601 EAST DIXIE HIGHWAY, AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Kenneth Marlin was granted miscellaneous approvals by Resolution No. 99-39 adopted by the City Commission of the City of Aventura on August 3, 1999; and

**WHEREAS**, Kenneth Marlin was granted modifications to miscellaneous approvals by Resolution No. 2001-01 adopted by the City Commission of the City of Aventura on January 2, 2001; and

**WHEREAS**, the applicant has revised the site plan, which revision necessitates modification to the previous approvals granted by Resolution No. 99-39 and Resolution No. 2001-01 as follows:

1. Modification of Condition No. 4 of Section 4 of Resolution No. 99-39, which required seven (7) on-street parallel parking spaces along NE 206 Street and six (6) on-street parallel parking spaces along NE 207 Street.
2. Modification of Item 3) of Section 1 of Resolution No. 2001-01, which required seven (7) on-street parallel parking spaces along East Dixie Highway adjacent to the site.

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

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

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

**Section 1.** The applicant's request to modify the following variance previously granted by Resolution No. 99-39:

1) Amend Condition No. 4 of Section 4 from:

"seven (7) on-street parallel parking spaces along NE 206 Street and six (6) on-street parallel parking spaces along NE 207 Street"

to:

"six (6) on-street parallel parking spaces along NE 206 Street and one (1) on-street parallel parking space along NE 207 Street"

and the applicant's request to modify the following variance previously granted by Resolution No. 2001-01:

2) Amend Item 3) of Section 1 of Resolution No. 2001-01 from:

"seven (7) on-street parallel parking spaces along East Dixie Highway adjacent to the site"

to:

"fourteen (14) on-street parallel parking spaces along the west side of East Dixie Highway"

to property legally described as:

Lots 12 through 30, Block 8 of Hallandale Park No. 8 according to the plat thereof, as recorded in Plat Book 20, Page 49 of the Public Records of Miami-Dade County, Florida, a/k/a between NE 206 Street and NE 207 Street on the east side of East Dixie Highway, Aventura, Florida

is hereby approved subject to the following conditions:

1. Plans shall substantially comply with those submitted as follows:

- HealthSouth Surgery Center of Aventura, LP, Site Plan and South FEC Parking, Sheet SP-1, prepared by Joseph B. Kaller & Associates P.A., dated 12/12/00, last revision date 02/11/02, signed and sealed 5/20/02.
- HealthSouth Surgery Center of Aventura, LP, North FEC Parking, Sheet SP-1.1, prepared by Joseph B. Kaller & Associates P.A., dated 12/12/00, last revision date 12/11/01, signed and sealed 5/20/02.

2. All other conditions of Resolution No. 99-39 and Resolution No. 2001-01 not modified or deleted by this Resolution shall remain in full force and effect.

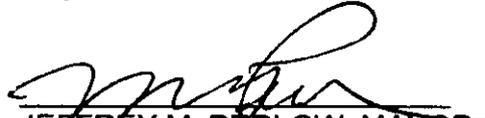
**Section 2.** The City Manager is authorized to cause the issuance of permits in accordance with the approvals and conditions herein provided and to indicate such approvals and conditions upon the records of the City.

**Section 3.** This Resolution shall become effective immediately upon its adoption.

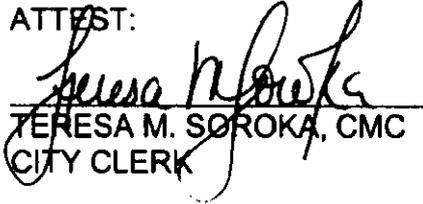
The foregoing Resolution was offered by Commissioner Holzberg, who moved its adoption. The motion was seconded by Commissioner Rogers-Libert, and upon being put to a vote, the vote was as follows:

Commissioner Jay R. Beskin	yes
Commissioner Ken Cohen	yes
Commissioner Manny Grossman	yes
Commissioner Harry Holzberg	yes
Commissioner Patricia Rogers-Libert	yes
Vice Mayor Arthur Berger	yes
Mayor Jeffrey M. Perlow	yes

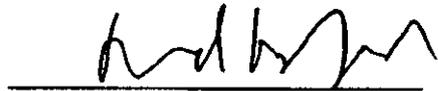
**PASSED AND ADOPTED** this 4<sup>th</sup> day of June, 2002.

  
\_\_\_\_\_  
JEFFREY M. PERLOW, MAYOR

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

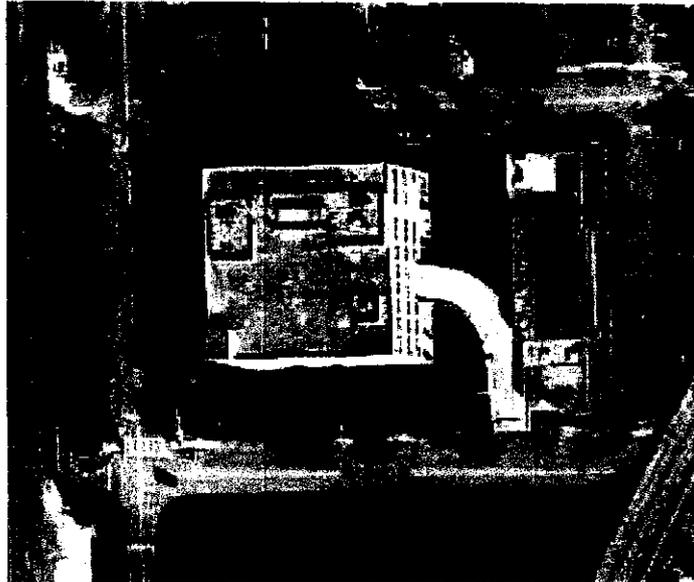
This Resolution was filed in the Office of the City Clerk this 5<sup>th</sup> day of  
June, 2002.

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

# PARKING UTILIZATION STUDY

PREPARED FOR:

AVENTURA IMP, LLC.  
20601 EAST DIXIE HIGHWAY  
AVENTURA, FL. 33180



PREPARED BY:

**SURVEY PROS**

Certificate of Authorization # LB 8023

8306 MILLS DRIVE, SUITE 148  
MIAMI, FL. 33183  
(305) 767-6802  
[www.survey-pros.com](http://www.survey-pros.com)

Exhibit 7  
04-VAR-99 (REV3)

## TABLE OF CONTENTS

INTRODUCTION & PARKING SPACE DATA	PAGE 1
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SURVEYOR'S CERTIFICATION	PAGE 8

## INTRODUCTION

Our firm prepared a Parking Utilization Study at the following location:

20601 East Dixie Highway, Aventura, Fl. 33180

The areas that were studied include:

Parking spaces on the first and second floors; street; and within the FEC right-of-way. At the time of this study the FEC lot was empty.

This study was performed on:

Day 1 – Tuesday, August 2<sup>nd</sup>, 2016

Day 2 – Wednesday, August 3<sup>rd</sup>, 2016

Day 3 – Thursday, August 4<sup>th</sup>, 2016

The study was conducted between the hours of 6:30a.m. to 6:30p.m. on each day.

Every ½ hour the parked vehicles were recorded for this study. There is a total of 126 parking spaces on the property.

ACTIVE PARKING DATA, DAY 1

6:30 a.m.	51
7:00 a.m.	70
7:30 a.m.	81
8:00 a.m.	85
8:30 a.m.	89
9:00 a.m.	111
9:30 a.m.	117
10:00 a.m.	115
10:30 a.m.	113
11:00 a.m.	115
11:30 a.m.	117
12:00 p.m.	113
12:30 p.m.	109
1:00 p.m.	106
1:30 p.m.	98
2:00 p.m.	95
2:30 p.m.	92
3:00 p.m.	92
3:30 p.m.	93
4:00 p.m.	78
4:30 p.m.	52

ACTIVE PARKING DATA, DAY 1 (continued)

5:00 p.m.	45
5:30 p.m.	30
6:00 p.m.	27
6:30 p.m.	24

ACTIVE PARKING DATA, DAY 2

6:30 a.m.	32
7:00 a.m.	43
7:30 a.m.	48
8:00 a.m.	61
8:30 a.m.	85
9:00 a.m.	94
9:30 a.m.	98
10:00 a.m.	95
10:30 a.m.	93
11:00 a.m.	91
11:30 a.m.	89
12:00 p.m.	91
12:30 p.m.	90
1:00 p.m.	89
1:30 p.m.	88
2:00 p.m.	78
2:30 p.m.	66
3:00 p.m.	66
3:30 p.m.	65
4:00 p.m.	60
4:30 p.m.	54

ACTIVE PARKING DATA, DAY 2 (continued)

5:00 p.m.	43
5:30 p.m.	28
6:00 p.m.	22
6:30 p.m.	19

## ACTIVE PARKING DATA, DAY 3

6:30 a.m.	34
7:00 a.m.	41
7:30 a.m.	47
8:00 a.m.	59
8:30 a.m.	75
9:00 a.m.	89
9:30 a.m.	100
10:00 a.m.	105
10:30 a.m.	108
11:00 a.m.	106
11:30 a.m.	103
12:00 p.m.	96
12:30 p.m.	88
1:00 p.m.	84
1:30 p.m.	82
2:00 p.m.	79
2:30 p.m.	76
3:00 p.m.	73
3:30 p.m.	71
4:00 p.m.	67
4:30 p.m.	55

ACTIVE PARKING DATA, DAY 3 (continued)

5:00 p.m.	47
5:30 p.m.	34
6:00 p.m.	26
6:30 p.m.	22

SURVEYOR'S CERTIFICATION

*I hereby certify that this parking utilization study is true and correct to the best of my knowledge and belief as recently studied and prepared under my direction.*

*Authentic copies of this study shall bear the original signature and raised seal of the attesting registered surveyor and mapper.*



---

NICOLAS DEL VENTO  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA LIC # 6945

SEAL



# 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 <small>(i.e. Attorneys, Architects, Landscape Architects, Engineers, Lobbyists, Etc.)</small>
<u>Paul Fraund</u>	<u>Attorney</u>
<u>German Fraund</u>	<u>Owner</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 23 DAY OF September, 2016

AUTHORIZED REPRESENTATIVE OF APPLICANT:

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

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

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

Address: \_\_\_\_\_

OWNER

By: [Signature]  
(Signature)

Name: GERMAN FRAUND  
(Print)

Title: MANAGER

Address: \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me the undersigned authority personally appeared German Fraund 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 23 day of September, 2016.

[Signature]  
 AFFIANT

[Signature]  
 Notary Public, State of Florida At Large  
 Printed Name of Notary Mariapanela Reda  
 My commission expires: 8/25/2017





# 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 23 DAY OF September, 2000.

APPLICANT:

By: [Signature] (Signature)  
 Name: Serman Fraylich (Print)  
 Title: Manager (Print)

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000.

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 23 DAY OF September, 20016

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: PAUL FRAYNO (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)

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

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

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

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

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

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

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

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

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

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

**NOTARIZATION PROVISION**

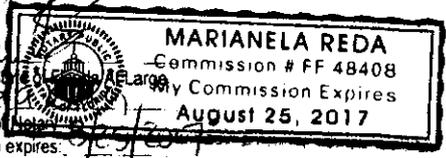
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared German Freund 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 23 day of September, 20016

[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 Paul Freund 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 23 day of September, 20016

[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.

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



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:

Table with 2 columns: Name, Relationship (i.e. Attorneys, Architects, Landscape Architects, Engineers, Lobbyists, Etc.)

(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 19 DAY OF OCTOBER 2006

AUTHORIZED REPRESENTATIVE OF APPLICANT:

By: [Signature]
Name: MARK GOLDSTEIN
Title: ATTORNEY
Address: 1380 NE MIAMI GARDENS DR. MIAMI, FL 33179

OWNER
By: [Signature]
Name: GERMAN FRAYND
Title: OWNER
Address: 1380 NE MIAMI GARDENS DR. #125 N.M.B., FL 33179

STATE OF FLORIDA )
COUNTY OF MIAMI-DADE)

Before me the undersigned authority personally appeared GERMAN FRAYND and Mark Goldstein 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 19 day of October 2006



Meditha Rock
Notary Public State of Florida At Large
Printed Name of Notary Meditha Rock
My commission expires: 01/18/2017



# 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)

CHECK  
Box 1 OR  
2,  
WHATEVER  
APPLIES

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

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

The nature of the Business Relationship is as follows:

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

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

APPLICANT:

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

WITNESS MY HAND THIS 19 DAY OF OCTOBER, 20016

PROPERTY OWNER:

By:  (Signature)  
 Name: TERESA F. MARTIN (Print)  
 Title: OWNER (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 19 DAY OF OCTOBER, 2006 ← INSERT DATE

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature) ← SIGN HERE  
Name: MARK GOLDSTEIN (Print)  
Title: ATTORNEY (Print)

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

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

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

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

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

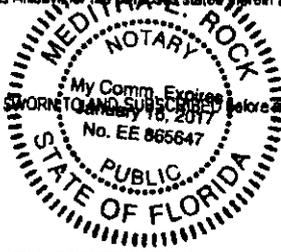
NOTE: 1) Use duplicate sheets if disclosure information for Representative varies

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 MARK GOLDSTEIN 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.



MARK GOLDSTEIN ← MARK GOLDSTEIN  
AFFIANT SIGNS HERE

SWORN TO AND SUBSCRIBED before me this 19 day of October, 2016

← INSERT DATE.  
Meditha Rock  
Notary Public State of Florida At Large  
Meditha Rock ← NOTARILY SIGNS  
Printed Name of Notary  
My commission expires: 01/18/2017 HERE

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: \_\_\_\_\_



# 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 <small>(i.e. Attorneys, Architects, Landscape Architects, Engineers, Lobbyists, Etc.)</small>
<u>Paul Fraund</u>	<u>Attorney</u>
<u>German Fraund</u>	<u>Owner</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 23 DAY OF September, 2016

AUTHORIZED REPRESENTATIVE OF APPLICANT:

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

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

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

Address: \_\_\_\_\_

OWNER

By: [Signature]  
(Signature)

Name: GERMAN FRAUND  
(Print)

Title: MANAGER

Address: \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me the undersigned authority personally appeared German Fraund 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 23 day of September, 2016

[Signature]  
 AFFIANT

[Signature]  
 Notary Public, State of Florida At Large  
 Printed Name of Notary Marianela Reda  
 My commission expires: 8/25/2017





# 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 23 DAY OF September, 2000.

APPLICANT:

By: [Signature] (Signature)  
 Name: German Frajnda (Print)  
 Title: Manager (Print)

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000.

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 23 DAY OF September, 20016

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: PAUL FRAYNE (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)

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

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

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**NOTARIZATION PROVISION**

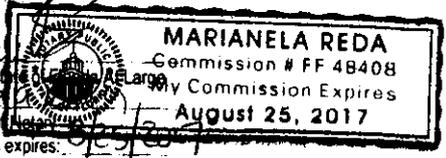
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared German Freynd 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 23 day of September, 2006

[Signature]  
Notary Public State of Florida At Large  
Printed Name of Notary: Mariela  
My commission expires: 8/25/2017



STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Paul Freynd 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 23 day of September, 2006

[Signature]  
Notary Public State of Florida At Large  
Printed Name of Notary: Maria  
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: \_\_\_\_\_

**RESOLUTION NO. 2016-\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA MODIFYING THE APPROVALS GRANTED THROUGH RESOLUTION NO. 99-39 AS MODIFIED BY RESOLUTION NO. 2001-01 AND RESOLUTION NO. 2002-30 BY DELETING CONDITION NUMBER "7" IN RESOLUTION NO. 99-39 REQUIRING CONSTRUCTION OF 20 PARKING SPACES IN THE FLORIDA EAST COAST RAILWAY RIGHT OF WAY ON EAST DIXIE HIGHWAY, FOR PROPERTY LOCATED AT 20601 EAST DIXIE HIGHWAY, CITY OF AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the applicant, Kenneth Marlin, was granted miscellaneous approvals by Resolution No. 99-39 adopted by the City Commission of the City of Aventura on August 3, 1999 as modified by Resolution No. 2001-01 adopted on January 2, 2001 and as further modified by Resolution No. 2002-30 adopted on June 4, 2002; and

**WHEREAS**, the applicant has requested deletion of Condition number "7" in Resolution No. 99-39; 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 Application meets the criteria of the applicable codes and ordinances, to the extent the Application is granted herein.

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

**Section 1.** The applicant's request to delete Condition number "7" in Resolution No. 99-39 for property legally described as Lots 12 through 30, Block 8 of Hallandale Park No. 8 according to the plat thereof, as recorded in Book 20, Page 49 of the Public Records of Miami-Dade County, Florida, with municipal address of 20601 East Dixie Highway, City of Aventura, is hereby granted.

**Section 2.** All other conditions of Resolution No. 99-39, Resolution No. 2001-01 and Resolution No. 2002-30 not modified or deleted by this Resolution shall remain in full force and effect.

**Section 3.** The City Manager is authorized to 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.** Issuance of this development order by the City of Aventura does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Aventura for issuance of the development order if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the development. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

**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 Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Dr. Linda Marks	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Mayor Enid Weisman	_____

**PASSED AND ADOPTED** this 1<sup>st</sup> day of November, 2016.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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

This Resolution was filed in the Office of the City Clerk this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

**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 27, 2016

SUBJECT: Request by Shalev Development Group LLC for (1) Conditional Use approval pursuant to Chapter 14, Article VI. Green Building Program and pursuant to Section 31-144(f) (2) k. and l. of the City's Land Development Regulations to permit increased lot coverage and increased floor area ratio and (2) Variance from Section 31-144(f)(4)a. of the City's Land Development Regulations to permit development on a 1.36 acre lot, where a minimum lot size of 1.5 acres is required by Code, all for a LEED® Gold Certified office and hotel building at 2851 NE 213 Street, City of Aventura (02-CU-16 and 03-VAR-16)

---

**November 1, 2016 City Commission Meeting Agenda Item 9C**

**RECOMMENDATION**

It is recommended that the City Commission approve the conditional use and variance requests by Shalev Development Group LLC for a LEED® Gold office and hotel development located in the north portion of the MO, Medical Office, District, with municipal address 2851 NE 213 Street, subject to the conditions listed in this staff report.

**THE REQUEST**

The applicant, Shalev Development Group LLC, is requesting the following approvals:

1. Conditional use approval pursuant to Chapter 14, Article VI., Green Building Program and pursuant to Section 31-144(f)(2)k. and l. of the City's Land Development Regulations to permit lot coverage of 55.55% where a maximum of 40% is permitted by

Code and to permit a floor area ratio of 2.0, where a floor area ratio of 1.50 is permitted by Code; and

2. Variance from Section 31-144(f)(4)a. of the City Code to permit development on a 1.36 acre lot, where a minimum 1.5 acres is required by Code

for a proposed 11 story, 119.5 foot tall office and hotel building on a lot in the north portion of the MO, Medical Office District, fronting on NE 213 Street at NE 28 Court, City of Aventura.

(See Exhibit #1 for Letter of Intent)

**BACKGROUND**

**OWNER OF PROPERTY** Jasmin Investments, LLC as to Parcel 1  
and  
Harold F. Kahn and Albina Angela Kahn  
Dickinson, Trustees as to Parcel 2

**APPLICANT** Shalev Development Group LLC

**ADDRESS OF PROPERTY** 2851 NE 213 Street  
(See Exhibit #2 for Location Map)

**SIZE OF PROPERTY:** Approximately 1.36 acres

**LEGAL DESCRIPTION** Parcel 1: Lots 1-5 and 10, Block 37 and Lots 7 and 7, Block 38, Hallandale Park, Plat Book 12, Page 37  
Parcel 2: Lot 10, Block 29, Lots 6 and 7, Block 30, Lots 8 and 9, Block 37, Lots 8-10, Block 38, Lot 1, Block 39, Lots 1-3, Block 38, Lots 4 and 5, Block 38, Hallandale Park, Plat Book 12, Page 37, Public Records of Miami-Dade County (complete legal description provided in Exhibit #3)

**Zoning –**

Subject Property:	MO	Medical Office District
Properties to the North:	MO	Medical Office District
Properties to the South:	MO	Medical Office District
Properties to the East:	MO	Medical Office District
Properties to the West:	MO	Medical Office District

**Existing Land Use –**

Subject property:	Single family and duplex residential structures
Properties to the North:	Single family residential structure

Properties to the South: Vacant land (approved for office development)  
Properties to the East: Single family residential structure  
Properties to the West: Vacant Land (office development under construction)

**Future Land Use** - According to the City of Aventura Comprehensive Plan, the following properties are designated as follows:

Subject property: Business and Office  
Property to the North: Business and Office  
Property to the South: Business and Office  
Property to the East: Business and Office  
Property to the West: Business and Office

**The Site** - The site is a 1.36 acre parcel of land located in the MO, Medical Office, District with existing single family and duplex residential structures. These structures will be demolished if the development is approved. The parcel has approximately 299 feet of frontage on NE 214 Street, approximately 240 feet of frontage on NE 213 Street and approximately 220 feet of frontage on NE 28 Court. The applicant has entered into an agreement to purchase the land, comprised of various lots on two blocks of a recorded plat, from two existing landowners. The applicant will be required to prepare and record a Unity of Title to join these lots into one development parcel.

**The Project** - The applicant proposes to construct a LEED® Gold certified office and hotel consisting of an 11-story, 119.5 foot tall, 118,778 square foot building with 17,244 square feet of lobby and accessory use space on Level 1, 405 parking spaces on Levels 2 through 6, 37,109 square feet of office space on Levels 7 and 8 and 99 hotel rooms on Levels 9, 10 and 11. The hotel amenities are located on an outdoor plaza on Level 7. The building will have a 7,800 square foot green rooftop amenity with plaza deck. Florida friendly canopy trees and Florida friendly plantings are proposed on site. The applicant will be dedicating road widenings to the City on NE 28 Court and on NE 214 Street. Road improvements, including pavement, sidewalks, streetlighting and landscaping will be constructed by the applicant on all roadways adjacent to its property.

**City of Aventura Green Building Program** – The City Commission enacted a Green Building Program for the City through Ordinance No. 2009-18 passed on October 6, 2009, now Chapter 14, Article VI. of the City Code. This program recognizes that green building construction results in benefits to the environment, economy and health of the community. The City Commission determined that due to these benefits, it was in the best interests of City residents to provide an incentive program for private new development constructed to LEED® standards. The LEED® program is the Leadership in Energy and Environmental Design Green Building Rating System developed by the US Green Building Council. This program has certified, silver, gold and platinum certification levels based on design elements incorporated into the building.

The incentives provided in the City's Green Building Program are based on the level of certification attained by the building. Certified and silver level buildings are awarded expedited site plan and building permit review, marketing incentives and administrative variances by the City. Gold and Platinum level buildings are awarded all of the above incentives and may be awarded increased floor area ratio and increased lot coverage using the conditional use approval criteria in Section 31-73 of the City Code.

This development is proposed to attain at least LEED® Gold certification. The applicant is requesting increased floor area ratio and lot coverage through conditional use approval application.

The Green Building Program provides that a lot coverage bonus may be awarded when a green roof and/or green rooftop amenities are provided and maintained for the common benefit of building occupants and that increased Florida Friendly tree canopy and Florida Friendly plantings designed to calm the heat island effect are located on site, all in an amount equal to the requested increase in lot coverage.

The Green Building Program requires that, prior to award of incentives for Gold and Platinum buildings, the applicant must register the development with the US Green Building Council for LEED® certification, provide the City with the project's checklist of certification details and confirm by written agreement and covenant that those checklist items will be incorporated into the development, shown or noted on the application for City building permit and maintained in perpetuity. The applicant must also provide the City with a performance bond to guarantee the proposed certification level, in an amount equal to 1% to 5% of construction costs as approved by the City. The range in percentage levels of the bond is based on the increased percentage of lot coverage or floor area ratio requested by the applicant.

The Administrative Site Plan Approval application is under review by City staff. The administrative approval is subject to approval by the City Commission of the requested conditional use and variance.

## **ANALYSIS**

**Consistency with Comprehensive Master Plan** – The development proposal is consistent with the City of Aventura's Comprehensive Plan. The future land use designation for the parcel is Business and Office.

**Citizen Comments** – As of the date of writing of this report, the Community Development Department has received no written citizen comments. Notice of the time, place and nature of the public hearing will be advertised in a newspaper of general circulation and mailed to all property owners within a 300 foot radius of the site as a courtesy not less than 10 days prior to the hearing. The property will be posted not later than 10 days prior to the hearing by a sign containing information concerning the application and public hearing.

## Community Development Department Analysis

### I. Conditional Use and Variance approval requests

The development parcel is located in the Medical Office (MO) zoning district. The office and hotel uses are permitted uses in the MO zone. The 11 story, 119.5 foot tall height of the building meets the height criteria of the zoning district. Lot coverage permitted is 40% of lot area. The applicant is requesting conditional use approval for lot coverage of 55.55%, or 15.55% additional lot coverage, with mitigation of 22.03% of the lot area in the green rooftop amenity and open landscaped plaza. This meets the criteria for increased lot coverage under the Green Building Program.

The applicant is requesting conditional use approval for a floor area ratio of 2.0, or 118,778 square feet of floor area, where 1.50, or 89,083.50 square feet of floor area, is permitted by Code. Floor area ratio is calculated based on number of stories of the building. The City Code provides that a maximum height of 12 stories or 120 feet may be built in the MO zoning districts. Based on the proposed height of 11 stories, maximum permitted floor area would be .40 of the site for the first story and an additional .11 of the site for each additional story, or 1.50.

The applicant is further requesting variance approval for a lot size of 1.36 acres, where a minimum 1.5 acre lot size is required by Code.

### II. Compliance with Green Building Program

The applicant has submitted its LEED® registration checklist attached as Exhibit #4 to this report. It proposes the following:

- |                                    |                            |
|------------------------------------|----------------------------|
| • Sustainable Sites Category       | 6-9 of 11 possible points  |
| • Water Efficiency Category        | 2-7 of 11 possible points  |
| • Energy and Atmosphere Category   | 9-15 of 33 possible points |
| • Materials and Resources Category | 5-11 of 14 possible points |
| • Indoor Environmental Quality     | 4-8 of 10 possible points  |
| • Innovation and Design Category   | 4-7 of 7 possible points   |
| • Regional Priority Category       | 1-2 of 4 possible points   |
| • Local and Transportation         | 4-9 of 20 possible points  |

The proposed checklist results in a pre-certification estimate of 68 possible points, which is LEED® Gold level. The applicant will be required to enter into and record on title to the parcel, prior to issuance of a building permit by the City, the form of Agreement and Covenant attached as Exhibit #5 to confirm the building's registration with the LEED® program, the proposed certification level, maintenance of the green design elements and amount of performance bond.

**REQUEST 1 – Conditional Use Approval pursuant to Chapter 14 of the City Code, Article VI, Green Building Program and pursuant to Section 31-144(f)(2)k and l. of the City’s Land Development Regulations to permit lot coverage of 55.55% where a maximum of 40% is permitted by Code and to permit a floor area ratio of 2.0, where a maximum floor area ratio of 1.50 is permitted by Code.**

The applicant is requesting conditional use approval for lot coverage of 55.55%, or 15.55% additional lot coverage. The Green Building Program lot coverage incentive requires that a green roof or green rooftop amenities be provided in an amount equal to the requested increase in lot coverage. There is a 7,800 square foot green rooftop amenity and a 5,285 square foot roof garden terrace on Level 7. These areas total 22.03%, where 15.55% is required to meet the criteria for this bonus. Increased Florida-friendly plantings are proposed on the surface landscaped areas and on the terraces. The trees and shrubs on site are designed to reduce the heat island effect. This meets the criteria for a request of increased lot coverage under the Green Building Program.

The applicant is also requesting a floor area ratio of 2.0, or 118,778 square feet of floor area, under the provisions of Chapter 14, Green Building Program which provides for a floor area ratio bonus of up to 2.0 when the building achieves LEED® Gold or Platinum certification. Without the bonus, a floor area ratio of 1.50, or 89,083.50 square feet of floor area, is permitted by Code based on the building height of 11 stories.

Based on the percentage of lot coverage and floor area ratio bonus requested, the bond amount will be 5% of construction costs of \$26,380.00 or \$1,319,000.00.

**Criteria**

The following is staff’s evaluation of the proposed use using the criteria for approval of conditional uses found in Section 31-73(c) of the City’s Land Development Regulations.

1. *The proposed use shall be consistent with the Comprehensive Plan.*

The proposed use is consistent with the City of Aventura Comprehensive Plan. The future land use designation for this parcel is Business and Office.

2. *The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare.*

The establishment, maintenance and operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare. The green building design elements will enhance the public health, safety and general welfare.

3. *The proposed use shall be consistent with the community character of the immediate neighborhood of the proposed use.*

The immediate neighborhood of the proposed use is comprised of office, medical, commercial and low density residential uses. The proposed medical office

development is consistent with the community character of the immediate neighborhood.

- 4. Utilities, roadway capacity, drainage and other necessary public facilities, including police, fire and emergency services shall exist at the City's adopted levels of service or will be available concurrent with demand as provided for in the requirement of these LDR's.*

Utilities, roadway capacity, drainage and other necessary public facilities, including police, fire and emergency services exist at the City's adopted levels of service or will be available concurrent with demand as provided for in the City's Land Development Regulations.

- 5. Adequate measures exist or shall be taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets.*

Adequate measures have been taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets. Ingress and egress to the office/hotel building is by way of entry/exits on NE 213 Street and on NE 214 Street.

- 6. The establishment of the conditional use shall not impede the development of surrounding properties for uses permitted in the zoning district.*

The establishment of this use will not impede the development of surrounding properties for uses permitted in the zoning district. The applicant's construction of the road improvements on NE 28 Court, NE 213 Street and NE 214 Street will be a benefit to the community and for development of other vacant lands in this area of the City.

- 7. The design of the proposed use shall minimize adverse effects, including visual impacts of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.*

The design of the proposed use minimizes adverse effects, including visual impacts of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria. The architectural design is compatible with existing buildings in the area. The seventh level open plaza and the green rooftop amenity will provide a green view both on-site and from adjacent buildings. The site is landscaped with Florida friendly canopy trees and plantings. The green building design elements will minimize adverse effects on the environment.

**REQUEST 2 – Variance from Section 31-144(f)(4)a. of the City Code to permit a 1.36 acre lot size, where a minimum 1.50 acre lot size is required by Code.**

This site has frontage on three public streets; NE 213 Street, NE 28 Court and NE 214 Street. It is an assembly of the remaining lots in the block of land between East Dixie Highway to the west, NE 28 Court to the east, NE 214 Street to the north and NE 213

Street to the south. All other land in this block is developed or under construction. The size of the lot is therefore constrained by existing development, ongoing development and existing public streets.

The applicant is requesting a variance to allow this development on a 1.36 acre lot, where the minimum lot size in this district is 1.5 acres.

**Criteria** - The standards of review for variance requests are found in Section 31-76(e)(1) through (5) inclusive of the City's Land Development Regulations. The City Code states that "*a variance shall be granted only where competent and substantial evidence presented in the particular case shows that all of the following [standards of review] are met...*"

The following is an analysis of Section 31-76(e) of the City Code as it relates to this request.

- (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 applicant advises that the physical condition and shape of the site; that is, the frontage on three separate public streets results in a particular hardship in meeting the required 1.5 acre lot size.

- (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.*

The applicant advises that the conditions upon which the request for variance is based are unique to this parcel and would not be generally applicable to other property within the vicinity. The applicant advises that the location of the site with three frontages on public streets is unique.

- (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 applicant advises that the hardship is not economic as it does not affect the intensity or height of the project but relates to the physical limitations of the actual site which cannot be ameliorated in any other way.

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

will result in a better designed project and will improve the welfare of the surrounding properties and road improvements will enhance circulation in the area.

- (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 variance will not substantially increase traffic congestion or increase the danger of fire or endanger the public safety or substantially diminish or impair property values.

### **CONDITIONS OF APPROVAL**

1. Plans submitted for building permit shall substantially comply with those submitted as follows:
  - “Shalev Development”, Cover Sheet, Drawing 000, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - “Shalev Development”, Alta/NSPS Land Title Survey, Sheet 1 of 2, prepared by Fortin Leavy Skiles Inc., dated 2/9/16, signed and sealed .
  - “Shalev Development”, Alta/NSPS Land Title Survey, Sheet 2 of 2, prepared by Fortin Leavy Skiles Inc., dated 2/9/16, signed and sealed.
  - “Shalev Development”, Zoning Map and Project Development Data, Drawing A001, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - “Shalev Development”, Floor Area Tabulation Diagrams, Drawing A002, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - “Shalev Development”, Context Maps, Drawing A003, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - “Shalev Development”, Context Photos, Drawing A004, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - “Shalev Development”, Off-Site Sketch, Drawing A005, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - “Shalev Development”, Building Facades, Drawing A006, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - “Shalev Development”, Building Façade Materials, Drawing A007, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - “Shalev Development”, Site Plan, Drawing A100, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - “Shalev Development”, Floor Plan Level 1, Drawing A301, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - “Shalev Development”, Floor Plan Level 2, Drawing A302, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - “Shalev Development”, Floor Plan Level 2, Drawing A302, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.

- “Shalev Development”, Floor Plan Levels 3-5, Drawing A303, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Floor Plan Level 6, Drawing A306, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Floor Plan Level 7, Drawing A307, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Floor Plan Level 8, Drawing A308, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Floor Plan Levels 9-11, Drawing A309, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Floor Plan Level 12, Roof, Drawing A312, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Building Elevation, Drawing A401, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Building Elevation, Drawing A402, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Building Section, Drawing A5.00, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Landscape Plan, Drawing L-100, prepared by Curtis and Rogers Design Studio Inc., signed and sealed.
- “Shalev Development”, Planting Plan Details, Drawing L-102, prepared by Curtis and Rogers Design Studio Inc., signed and sealed.
- “Shalev Development”, Civil Plans Cover Sheet, Drawing C-1, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Notes, Drawing C-2, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Paving and Marking Plan, Drawing C-3, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Grading and Drainage Plan, Drawing C-4, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Water and Sewer Plans, Drawing C-5, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Stormwater Pollution Prevention Plan, Drawing C-6, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Sections and Details, Drawing C-7, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Sections and Details, Drawing C-8, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.

2. Building permits shall be obtained within 12 months of the date of this Resolution, failing which this approval shall be deemed null and void. The City Commission may, upon written request for such extension by the applicant within the initial 12 month approval period, grant one extension of up to six months by resolution or motion at a regular meeting, for good cause shown by the applicant; and

3. Prior to issuance of a building permit by the City for the proposed development, the applicant shall:

- (i) enter into and record in the Public Records of Miami-Dade County, at its expense, and in form satisfactory to the City Manager and City Attorney, the Agreement and Covenant in fulfillment of all requirements of the City's Green Building Program in Chapter 14, Article VI. of the City Code; and
- (ii) provide to the City a performance bond or other security approved by the City Manager and City Attorney in the amount of 5% of building construction costs as approved by the City's Building Official to guarantee attainment of LEED® Gold certification by the US Green Building Council; and
- (iii) record, in form satisfactory to the City Manager and City Attorney, a Unity of Title joining the lots comprising the parcel into one development site; and
- (iv) submit and receive approval from the City Manager of a detailed job-site plan as required by City of Aventura Ordinance No. 2006-05; and
- (v) record in the Public Records of Miami-Dade County, at its expense, in form satisfactory to the City Manager and City Attorney, a right of way deed to the City for the road widenings on NE 28 Court and NE 214 Street.
- (vi) obtain a Public Works Permit from the City for all proposed roadway improvements and driveways onto NE 213 Street, NE 214 Street and NE 28 Court.

6. Prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, the applicant shall:

- (i) provide an as-built survey and Elevation Certificate in form approved by the City; and
- (ii) provide to the City, evidence of compliance with City Code Section 31-242 regarding public safety radio system protection; and
- (iii) complete, to the satisfaction of the City Manager, the intersection and roadway improvements shown on the approved plans submitted with this application. Improvements include pavement, sidewalks, streetlighting, landscaping on NE 213 Street, NE 214 Street and NE 28 Court, along with intersection improvement at NE 214 Street and East Dixie Highway.



**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 11, 2016

**Exhibit 1**  
**02-CU-16 & 03-VAR-16**

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

Re: Conditional Use and Site Plan Approval for Shalev Development Group, LLC

Dear Joanne:

This law firm represents Shalev Development Group, LLC (the "Applicant"), with regard to an application to approve certain conditional uses, variance and a site plan for the Shalev Development project (the "Project"). The Applicant seeks to redevelop the property located southwest corner of the intersection of NE 214 Street and NE 28 Court (the "Property") for the Project.

Property. The Property is identified by nine (9) Miami-Dade County Folio Numbers: 28-1234-004-1220, 28-1234-004-1290, 28-1234-004-1300, 28-1234-004-1320, 28-1234-004-1350, 28-1234-004-1360, 28-1234-004-1380, 28-1234-004-1390, and 28-1234-004-1400. The majority of the Property is currently vacant; the non-vacant portions of the Property appear to contain residential uses. The Property is approximately 1.36 acres in size and located within the City of Aventura (the "City") Medical Office (MO) zoning district.<sup>1</sup>

Proposed Development. The Applicant seeks to develop an eleven (11) story professional office and hotel building with 118,778 gross square feet of floor area as well as a parking structure with 405 parking spaces. Further, the Applicant seeks to avail itself of the City's "green" building incentives by obtain the LEED Gold standard

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<sup>1</sup> A Variance will be required and requested to legalize the nonconforming lot size.

certification. According to Article VI of Chapter 14 of the City Code, buildings which attain LEED Gold certification are permitted expedited site plan review; expedited building permit review; marketing incentives; and administrative variances to allow orientation of the buildings to take full advantage of available natural resources, including setbacks, landscape buffers, driveways and/or architectural design standards needed to support the proposed design in the opinion of the City Manager or his designee, plus FAR and lot coverage bonuses through the City's conditional use process. Specifically, FAR bonuses are permitted for properties in the Business and Office Future Land Use category, like the Property, up to a maximum FAR of 2.0. Additional lot coverage is permitted if a green roof and/or green rooftop amenities are provided and maintained, and increased Florida-Friendly tree canopy and Florida-Friendly plantings designed to calm the heat island effect are located on site in an amount equal to the requested increased lot coverage.

Conditional Use Requests. Based on the City's green building regulations, the Applicant respectfully makes the following Conditional Use requests:

1. *FAR.* The permitted FAR is 0.40 for the first story and 0.11 for each additional story. However, additional FAR, up to a maximum of 2.0 for all buildings, may be approved in conformance with the Comprehensive Plan. With LEED Gold certification, the Applicant respectfully requests approval of an FAR of 2.0 for the Project, where an FAR of 1.61 is permitted as of right.
2. *Lot Coverage.* The total lot coverage permitted for all buildings on the site may not exceed forty percent (40%) of the total lot area, as of right. With LEED Gold certification, the Applicant respectfully requests lot coverage of 32,988 square feet (55.55%) where 23,755 square feet (40%) is permitted. The difference between the required lot coverage (40%) and the proposed lot coverage (55.55%) amounts to approximately thirteen percent (15.55%). Pursuant to the City's green building standards, green areas above the ground level have been created to compensate for this increased lot coverage. A total of approximately twenty-six percent (22.03%) of landscaped open space at upper levels of the structure is proposed.<sup>2</sup>

Conditional Use Criteria. Pursuant to the City's Land Development Regulations, the following standards should be considered when reviewing a request for conditional use approval:

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<sup>2</sup> It should be noted that due to lot size and location constraints the Applicant will be requesting variances for lot size, front setback, and landscaped open space provided at the ground floor. The landscaped open space proposed for the proposed development's upper levels is designed to also compensate for provision of less than the minimum amount of landscaped open space required for the ground floor.

- (1) **The proposed use shall be consistent with the Comprehensive Plan.**

The application is consistent with the goals and objectives of the Comprehensive Plan, specifically the City's objectives of environmental stewardship and responsible development.

- (2) **The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare;**

The proposed medical office development will not be detrimental to or endanger public health, safety or general welfare. To the contrary, the development of the Project will bring activity to under-utilized parcels with uses contemplated by the City's Zoning Code. Further, the proposed medical office use is compatible with the existing context and conforms to the City's vision for this area pursuant to the Comprehensive Plan.

- (3) **The proposed use shall be consistent with the community character of the immediate neighborhood of the proposed use;**

The Property is consistent with community character of the immediate neighborhood. In fact, the Property is nearly surrounded by other medical office uses, consistent with the area's zoning.

- (4) **Utilities, roadway capacity, drainage, and other necessary public facilities, including police, fire and emergency services, shall exist at the City's adopted levels of service, or will be available concurrent with demand as provided for in the requirements of these LDRs;**

The Project is not expected to result in a failure of the City's adopted levels of service. The Project complies with the City's zoning regulations, which implies that the City has envisioned and anticipated this type of development on this particular parcel.

- (5) **Adequate measures exist or shall be taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets;**

The Applicant has engaged traffic engineers to work with the City to ensure that the Project is developed in a manner that minimizes traffic congestion and considers the optimal ingress and egress locations for the Project and the surrounding neighborhood.

- (6) **The establishment of the conditional use shall not impede the development of surrounding properties for uses permitted in the zoning district; and**

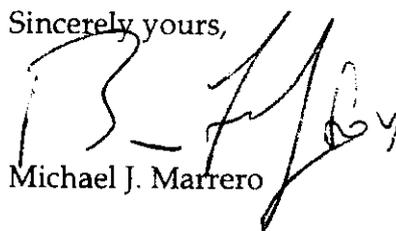
There is nothing to suggest that the approval of the Project and its conditional uses will have any detrimental effect on the ability of surrounding properties to develop for uses permitted in their zoning districts.

- (7) **The design of the proposed use shall minimize adverse effects, including visual impacts, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.**

The Applicant and its architects have worked diligently to ensure that zoning regulations have been complied with to the greatest extent possible and appropriate landscaping and buffering will minimize any adverse effects that might arise from the development. In fact, the Applicant has availed itself of the incentives adopted by the City to promote "green" and LEED certified development within the City.

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



**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 11, 2016

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

Re: Variance Application for Shalev Development Group, LLC

Dear Joanne:

This law firm represents Shalev Development Group, LLC (the "Applicant"), with regard to an application to approve certain conditional uses, variance and a site plan for the Shalev Development project (the "Project"). The Applicant seeks to redevelop the property located southwest corner of the intersection of NE 214 Street and NE 28 Court (the "Property") for the Project.

Property. The Property is identified by nine (9) Miami-Dade County Folio Numbers: 28-1234-004-1220, 28-1234-004-1290, 28-1234-004-1300, 28-1234-004-1320, 28-1234-004-1350, 28-1234-004-1360, 28-1234-004-1380, 28-1234-004-1390, and 28-1234-004-1400. The majority of the Property is currently vacant; the non-vacant portions of the Property appear to contain residential uses. The Property is approximately 1.36 acres in size and located within the City of Aventura (the "City") Medical Office (MO) zoning district.

Proposed Development. The Applicant seeks to develop an eleven (11) story professional office and hotel building with 118,778 gross square feet of floor area as well as a parking structure with 405 parking spaces. Further, the Applicant seeks to avail itself of the City's "green" building incentives by obtain the LEED Gold standard certification.

Variance Requests. The Applicant respectfully makes the following variance requests:

*Minimum Lot Size.* The lot area within the Medical Office ("MO") District is required to be a minimum of 1.5 acres, inclusive of right of way dedications. See Section 33-144(f)(4)a., Aventura Code of Ordinances. The Property is currently approximately 1.36 acres. However, the Property is surrounded by streets on three sides: on the south by NE 213 Street, the east by NE 28 Court, and on the north by NE 214 Street. It should be noted that each of the abutting streets requires dedication of part of the Property for right of way purposes, which further reduces the size of the Property.

Variance Criteria. 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.**

Unlike many other parcels within the City, the Property is bound by streets on three sides. Most other parcels have one, possibly two, frontages. The Property has three frontages, each of which requires dedication of part of the Property. Additionally, the Property faces dimensional challenges based on the size and shape of the component lots. A total of nine (9) separate substandard properties have been aggregated to form the Property. Redevelopment of these parcels, to a use more in line with the City's vision for this area, is not possible without the granting of these variances. The variances are not intended to increase the intensity of the project, simply to address the site challenges.

- (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 unusual conditions of having three street frontages and being an assemblage of so many undersized, existing parcels, the reasons for the variance are unique to the Property. These reasons would only be applicable to other oddly situated and assembled parcels and not generally applicable to other properties within the vicinity.

Ms. Joanne Carr  
October 11, 2016  
Page 3

- (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 as it does not affect the intensity or height of the project. The requested variances relate 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.**

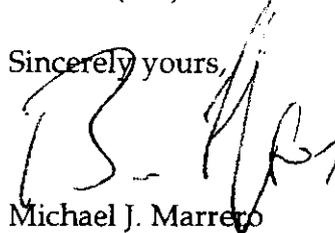
The granting of these variances will result in a better designed project and will improve the welfare of surrounding properties and circulation within the site.

- (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. 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

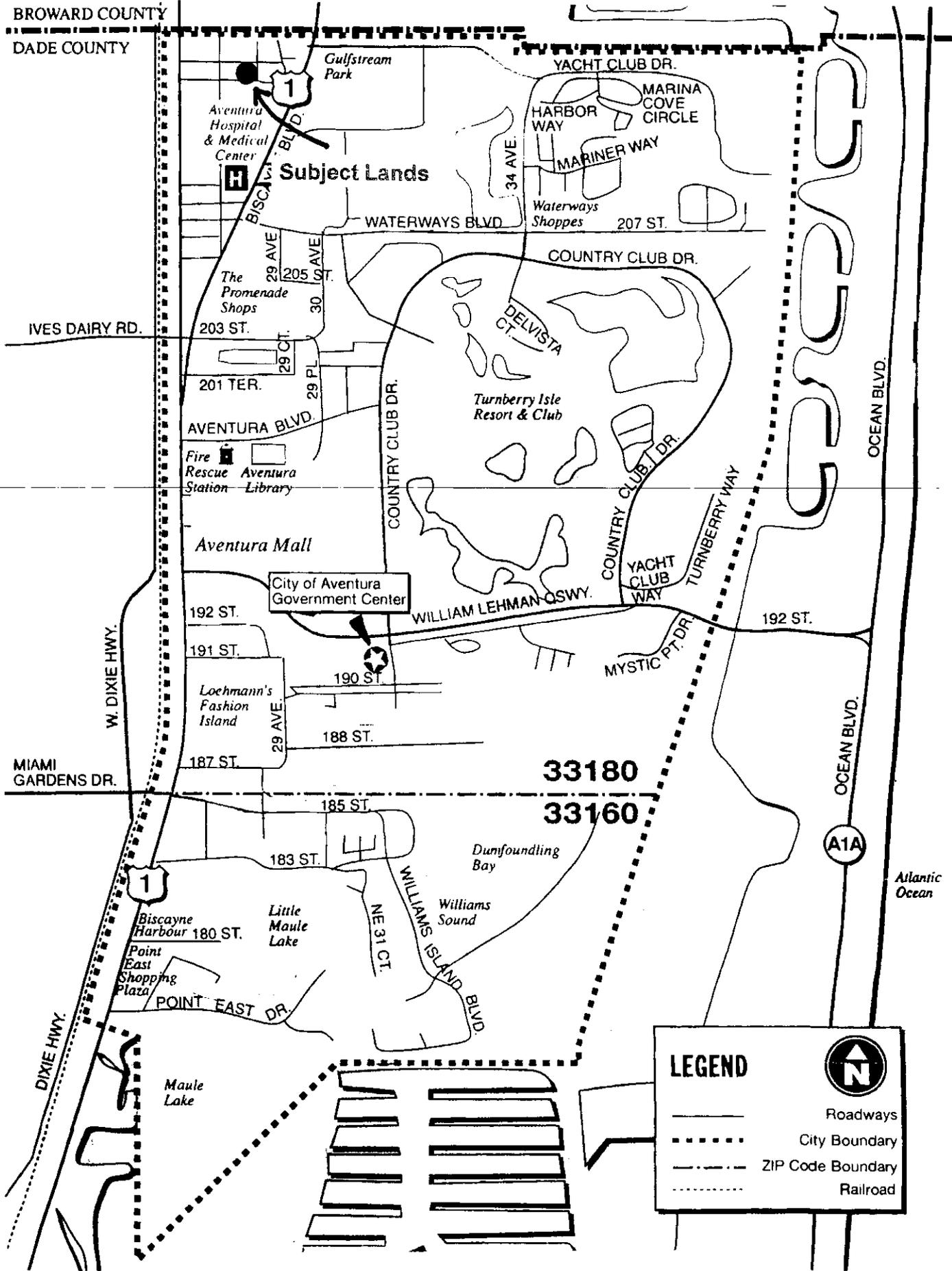


Exhibit 2  
02-CU-16 & 03-VAR-16

**Legal Description of Property**  
**2851 NE 213 Street, City of Aventura**

**Parcel 1 – Jasmin Investments LLC**

Lots 1, 2, 3, 4, 5 and 10 in Block 37 and Lots 6 and 7 in Block 38 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida.

**Parcel 2 – Kahn Trustees**

Lot 10, Block 29 and Lots 6 and 7, Block 30 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

Lots 8 and 9 in Block 37 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

Lots 8, 9 and 10 in Block 38 and Lot 1 in Block 39 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

Lots 1, 2 and 3 in Block 38 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

Lots 4 and 5 in Block 38 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida



**LEED v4 for BD+C: Core and Shell**  
Project Checklist

Project Name: SHALEV DEVELOPMENT  
Date: 3/14/2016

Y	?	N			
1			Credit	Integrative Process	1
<b>4</b>	<b>5</b>	<b>11</b>		<b>Location and Transportation</b>	<b>20</b>
	0		Credit	LEED for Neighborhood Development Location	20
	2		Credit	Sensitive Land Protection	2
	3		Credit	High Priority Site	3
1	2	3	Credit	Surrounding Density and Diverse Uses	6
2	2	2	Credit	Access to Quality Transit	6
	1		Credit	Bicycle Facilities	1
	1		Credit	Reduced Parking Footprint	1
1			Credit	Green Vehicles	1
<b>6</b>	<b>3</b>	<b>2</b>		<b>Sustainable Sites</b>	<b>11</b>
Y			Prereq	Construction Activity Pollution Prevention	Required
1			Credit	Site Assessment	1
	2		Credit	Site Development - Protect or Restore Habitat	2
	1		Credit	Open Space	1
1	2		Credit	Rainwater Management	3
2			Credit	Heat Island Reduction	2
1			Credit	Light Pollution Reduction	1
1			Credit	Tenant Design and Construction Guidelines	1
<b>2</b>	<b>5</b>	<b>4</b>		<b>Water Efficiency</b>	<b>11</b>
Y			Prereq	Outdoor Water Use Reduction	Required
Y			Prereq	Indoor Water Use Reduction	Required
Y			Prereq	Building-Level Water Metering	Required
	1	1	Credit	Outdoor Water Use Reduction	2
1	2	3	Credit	Indoor Water Use Reduction	6
1	1		Credit	Cooling Tower Water Use	2
	1		Credit	Water Metering	1
<b>9</b>	<b>6</b>	<b>18</b>		<b>Energy and Atmosphere</b>	<b>33</b>
Y			Prereq	Fundamental Commissioning and Verification	Required
Y			Prereq	Minimum Energy Performance	Required
Y			Prereq	Building-Level Energy Metering	Required
Y			Prereq	Fundamental Refrigerant Management	Required
2	2	2	Credit	Enhanced Commissioning	6
5	2	11	Credit	Optimize Energy Performance	18
	1		Credit	Advanced Energy Metering	1
	2		Credit	Demand Response	2
	3		Credit	Renewable Energy Production	3
1			Credit	Enhanced Refrigerant Management	1
1	1		Credit	Green Power and Carbon Offsets	2

5	6	3			
Y			Prereq	Storage and Collection of Recyclables	Required
Y			Prereq	Construction and Demolition Waste Management Planning	Required
2	2	2	Credit	Building Life-Cycle Impact Reduction	6
	1	1	Credit	Building Product Disclosure and Optimization - Environmental Product Declarations	2
1	1		Credit	Building Product Disclosure and Optimization - Sourcing of Raw Materials	2
1	1		Credit	Building Product Disclosure and Optimization - Material Ingredients	2
1	1		Credit	Construction and Demolition Waste Management	2

4	4	2			
Y			Prereq	Minimum Indoor Air Quality Performance	Required
Y			Prereq	Environmental Tobacco Smoke Control	Required
1	1		Credit	Enhanced Indoor Air Quality Strategies	2
2	1		Credit	Low-Emitting Materials	3
1			Credit	Construction Indoor Air Quality Management Plan	1
	1	2	Credit	Daylight	3
	1		Credit	Quality Views	1

4	3	0			
3	2		Credit	Innovation	5
1			Credit	LEED Accredited Professional	1
	1		Credit	PILOT POINT	1

1	1	2			
1			Credit	Regional Priority: Specific Credit	1
	1		Credit	Regional Priority: Specific Credit	1
		1	Credit	Regional Priority: Specific Credit	1
		1	Credit	Regional Priority: Specific Credit	1

<b>35</b>	<b>34</b>	<b>42</b>	<b>TOTALS</b>	Possible Points:	<b>111</b>
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Certified: 40 to 49 points, Silver: 50 to 59 points, Gold: 60 to 79 points, Platinum: 80 to 110

**This instrument was prepared by:**  
City of Aventura  
19200 West Country Club Drive  
Aventura, FL 33180

(Reserved for Clerk)

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**RESTRICTIVE COVENANTS AND AGREEMENT  
PURSUANT TO CITY OF AVENTURAGREEN BUILDING PROGRAM  
CHAPTER 14, ARTICLE VI., CITY CODE**

*KNOW ALL BY THESE PRESENTS* that the undersigned Owner hereby makes, declares and imposes on the land herein described, this agreement and covenant running with the land, which shall be binding on the Owner, all heirs, successors and assigns, personal representatives, mortgagees, lessees, and against all persons claiming by, through or under them;

RECITALS

WHEREAS, Shalev Development Group LLC, ("Owner"), holds fee simple title to the land in the City of Aventura, Miami-Dade County, Florida, more specifically described in Exhibit "A", attached hereto, and hereinafter called the "Property", and

WHEREAS, the City Commission of the City of Aventura ("City") adopted a Green Building Program by Ordinance No. 2009-18 on October 6, 2009, now Chapter 14, Article VI. of the City Code, and

WHEREAS the Green Building Program provides incentives to the Owner to attain LEED® certification by the Green Building Certification Institute and the Owner has filed an application to the City Commission for award of those incentives through the Conditional Use Approval process in the City Code; and

WHEREAS the City Code requires that any Green Building Program Participant requesting award of incentives shall provide its LEED® certification checklist to the City and that the checklist and certification details shall be confirmed through a written agreement between the property owner and the City and through a covenant recorded in the Public Records, and

WHEREAS, the Owner is desirous of developing the Property for commercial and religious purposes and wants to assure the City that the development will be built in accordance with proffered plans consistent with the City Code, and specifically, that the building will be constructed so as to attain LEED® Gold or Platinum certification by the Green Building Certification Institute, and

WHEREAS, the Owner has proposed the manner of compliance with LEED® Gold or Platinum certification pursuant to the checklist attached as Exhibit "B" and wishes to assure the City that these checklist items will be incorporated into the development, shown or noted on the building permit plans and maintained in perpetuity.

NOW THEREFORE, in consideration of the foregoing recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner hereby agrees and covenants, for themselves, their heirs, successors and assigns as follows:

1. **Recitals.** The above recitals are true and correct and are adopted by the Owner and are incorporated as part of this Agreement.
2. **Covenant Running With The Land.** This Restrictive Covenant and Agreement (hereinafter referred to as the "Covenant") on the part of the Owner shall constitute a covenant running with the land and will be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the heirs, successors and assigns of the respective parties hereto.
3. **Site Plan.** The Property will be developed in accordance with the site plan entitled "Shalev Development under Case File No. 04-SP-16 ("Site Plan").
4. **Green Building Design Elements.** The owner proposes to construct the building with green building design elements shown on Exhibit "B" so as to attain LEED® for Core and Shell Gold or Platinum certification by the Green Building Certification Institute.
5. **Building Permit.** The owner shall cause all LEED® checklist items listed in Exhibit "B" to this Covenant to be shown or noted on the construction plans submitted to the City for Building Permit application.
6. **Maintenance of the Green Building Design Elements.** The green building design elements as listed on the LEED® checklist and constructed pursuant to the Building Permit shall be maintained by the owner or subsequent owner(s) in perpetuity.
7. **Performance Bond.** Prior to issuance of a building permit for this development, the Owner shall provide to the City a performance bond or other security in form approved by the City Manager and City Attorney in the amount of 5% of the value of the proposed costs of construction as approved by the City's Building Official to guarantee LEED® Gold or Platinum certification of the building by the US Green Building Certification Institute. The bond or security shall be subject to call by the City one hundred and eighty (180) days from the issuance of the certificate of occupancy or certificate of completion, whichever first occurs, if LEED® certification has not been achieved by that time. Reasonable extensions of time, up to a maximum of one (1) year from the issuance of the certificate of occupancy or certificate of completion, whichever first occurs, may be granted by the City Manager

or his designee for good cause. If the Owner fails to complete LEED® certification as committed within one (1) year from the issuance of the certificate of occupancy or certificate of completion, then the City Manager or his designee shall deem such bond or security forfeited to the City for any lawful governmental purpose identified by the City Commission. If the development receives LEED® certification at the level committed by the Owner prior to the expiration of the one hundred and eighty (180) day period provided for above, or extensions of time as granted by the City Manager or his designee, and the bond or security has not been forfeited as provided above, then the bond or security may be released following submittal to the City of written proof of level of LEED® certification awarded by the Green Building Certification Institute.

8. **Term.** The provisions of this Covenant shall become effective upon their recordation in the public records of Miami-Dade County, Florida, and shall continue in effect for a period of thirty (30) years after the date of such recordation, after which time they shall be extended automatically for successive periods of ten (10) years each, unless released in writing by the then Owners of the Property or portion of the Property for which the release is sought, and by the City Manager upon the demonstration that the same is no longer necessary to preserve and protect the Property for the purpose herein intended.
9. **Multiple Ownership.** In the event multiple ownerships are created subsequent to site plan approval, each of the subsequent owners, mortgagees, heirs, assigns and other parties in interest shall be bound by the terms, provisions and conditions of this Declaration.
10. **Modification or Release.** The individual Parcels within the Property may be modified or released from this Declaration should the approved building be demolished or destroyed and a new building erected in its place that does not apply for incentives under the City of Aventura Green Building Program set out in Chapter 14, Article VI. of the City Code; provided, however, that any release or modification shall be approved by the City Manager as described in Section 8 hereof.
11. **Enforcement.** Enforcement shall be by action against any parties or persons violating or attempting to violate any of these covenants. The prevailing party in any action or suit arising out of or pertaining to this Covenant shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may determine to be reasonable for the services or his attorney. This enforcement provision is in addition to any other remedy at law, in equity or both.
12. **Severability.** Invalidation of any one of these Declarations, by judgment of Court, shall not affect any of the other provisions, which shall remain in full force and effect.
13. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.



City Clerk

Approved as to form and legal sufficiency on this \_\_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
City Attorney

## **EXHIBIT "A"**

### Legal description of Property:

#### Parcel 1 – Jasmin Investments LLC

Lots 1, 2, 3, 4, 5 and 10 in Block 37 and Lots 6 and 7 in Block 38 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida.

#### Parcel 2 – Kahn Trustees

Lot 10, Block 29 and Lots 6 and 7, Block 30 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

Lots 8 and 9 in Block 37 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

Lots 8, 9 and 10 in Block 38 and Lot 1 in Block 39 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

Lots 1, 2 and 3 in Block 38 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

Lots 4 and 5 in Block 38 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

**EXHIBIT "B"**

LEED® Certification Checklist

SHALEV DEVELOPMENT GROUP, INC. 2199 NE 163RD STREET, SUITE 309 TAMARAC, FLORIDA 33321  
 ALL DRAWINGS ON THESE OR THESE DRAWINGS OR ANY OF THESE DRAWINGS SHALL BE THE PROPERTY OF SHALEV DEVELOPMENT GROUP, INC.



2851 NE 213th STREET  
CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA

## SITE PLAN APPROVAL APPLICATION NO. 04-SP-16 (REVISION 2)

DRAWINGS INDEX	
000	COVER SHEET & DRAWINGS INDEX
<b>SURVEYS</b>	
SV-2016-004.1	BOUNDARY & TOPOGRAPHIC SURVEY
SV-2016-004.2	ADDITIONAL R.O.W. TOPOGRAPHIC INFORMATION
<b>ARCHITECTURAL DRAWINGS</b>	
A001	ZONING MAP & PROJECT DEVELOPMENT DATA
A002	FLOOR AREA TABULATION DIAGRAMS
A003	CONTEXT MAPS
A004	CONTEXT PHOTOS
A005	OFF-SITE SKETCH
A006	BUILDING FACADES
A007	BUILDING FACADES MATERIALS
A100	SITE PLAN
A301	FLOOR PLAN - LEVEL 1
A302	FLOOR PLAN - LEVEL 2
A303	FLOOR PLAN - LEVELS 3-5
A306	FLOOR PLAN - LEVEL 6
A307	FLOOR PLAN - LEVEL 7
A308	FLOOR PLAN - LEVEL 8
A309	FLOOR PLAN - LEVELS 9-11
A312	ROOF PLAN
A400	BUILDING ELEVATION-SOUTH
A401	BUILDING ELEVATION-NORTH
A402	BUILDING ELEVATION-EAST-WEST
A500	BUILDING SECTION
A501	BUILDING SECTION
<b>LANDSCAPE DRAWINGS</b>	
L-100	PLANTING PLAN - GROUND FLOOR
L-101	PLANTING PLANS - ELEVATED PLANTERS
L-102	PLANTING NOTES & DETAILS
<b>CIVIL ENGINEERING DRAWINGS</b>	
C-1	COVER SHEET
C-2	NOTES
C-3	PAVING & MARKING PLAN
C-4	GRADING & DRAINAGE PLAN & SECTIONS
C-5	WATER & SEWER PLAN
C-6	STORM WATER POLLUTION PREVENTION PLAN & DETAILS
C-7	SECTIONS & DETAILS
C-8	SECTIONS & DETAILS
C-9	SECTIONS & DETAILS
<b>TRAFFIC ENGINEERING DRAWINGS</b>	
TE 1	VEH. MANEUVERING STUDY-LOADING-INGRESS
TE 2	VEH. MANEUVERING STUDY-LOADING-EGRESS
TE 3	VEH. MANEUVERING STUDY-PARKING GARAGE
<b>ELECTRICAL ENGINEERING DRAWINGS</b>	
E0.00	SYMBOL LEGEND & GENERAL NOTES - ELECTRICAL
E1.00	SITE PLAN - ELECTRICAL
E1.11	SITE PLAN - PHOTOMETRIC - ELECTRICAL



**DEVELOPER**  
**SHALEV DEVELOPMENT GROUP, LLC**  
 2199 NE 163rd STREET  
 NORTH MIAMI BEACH, FLORIDA 33162  
 T: 305.704.3483

**ARCHITECT**  
**RODRIGUEZ PETERSON & PORRAS ARCHITECTS, INC.**  
 5801 NW 151st STREET, SUITE 202  
 MIAMI LAKES, FLORIDA 33014  
 T: 305.822.1020

**LANDSCAPE ARCHITECT**  
**CURTIS & ROGERS DESIGN STUDIOS, INC.**  
 7520 S. RED ROAD, SUITE M  
 SOUTH MIAMI, FLORIDA 33143  
 T: 305.442.1774

**SURVEYING & CIVIL ENGINEERING**  
**FORTIN, LEAVY, SKILES, INC.**  
 180 NE 168th STREET  
 NORTH MIAMI BEACH, FLORIDA 33162  
 T: 305.653.4493

**TRAFFIC ENGINEERING**  
**TRAF ENGINEERING, INC.**  
 8400 N. UNIVERSITY DRIVE, SUITE 309  
 TAMARAC, FLORIDA 33321  
 T: 954.582.0988

**STRUCTURAL ENGINEERING**  
**ARBAB ENGINEERING, INC.**  
 3363 NE 163 STREET, SUITE 701  
 NORTH MIAMI BEACH, FLORIDA 33160  
 T: 305.940.3088

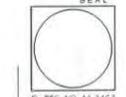
**M.E.P. ENGINEERING**  
**LOUIS J. AGUIRRE AND ASSOCIATES PA**  
 9150 SOUTH DADELAND BLVD., SUITE 900  
 MIAMI, FLORIDA 33156  
 T: 305.670.0141

DATE PLOTTED:	11/1
DATE ISSUED:	MAY 28, 2016
PROJECT NO:	1166
FILE NO:	
<b>REVISIONS:</b>	
7/25/2016	

Engineering / Specialty Consultant:

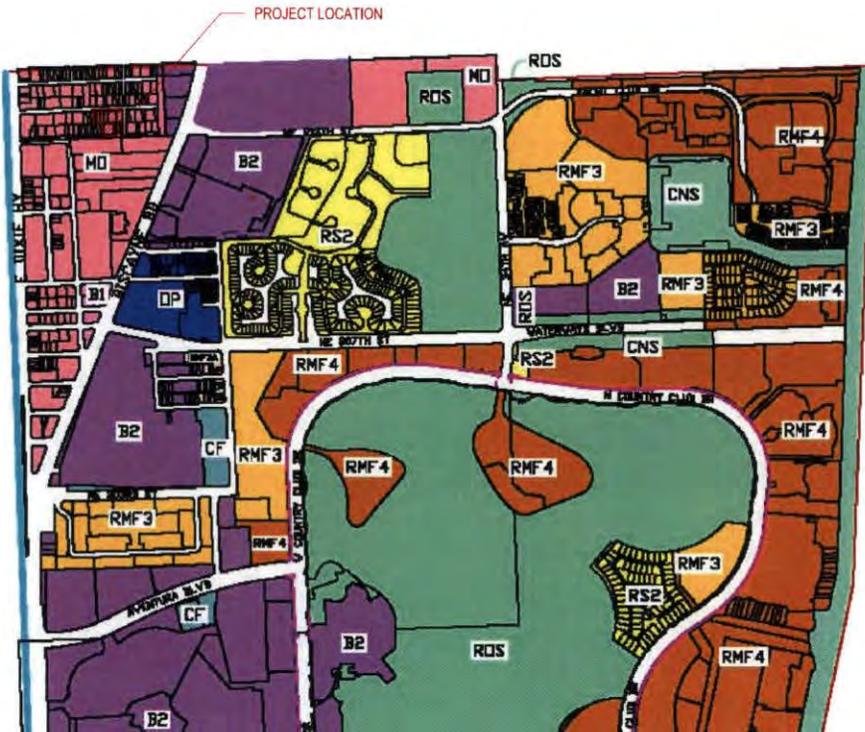


**Project name:** SHALEV DEVELOPMENT  
**2851 NE 213TH STREET**  
**CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA**  
**Owner:** SHALEV DEVELOPMENT GROUP, LLC  
**2199 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162**



**RODRIGUEZ PETERSON & PORRAS**  
**ARCHITECTS**  
 5801 NW 151st Street, Suite 202, Miami Lakes, Florida 33014  
 Phone: 305-822-1020 Fax: 305-822-1020  
 www.rpandp.com FL REG. NO. 16000-0001-0001

**DRAWING NO.**  
**000**



1 CITY OF AVENTURA ZONING MAP (PARTIAL)  
N.T.S.

ON-SITE PARKING REQUIREMENT CALCULATIONS (31-171 CITY CODE)										
OCCUPANCY / USE TYPE	PARKING CALCULATIONS					TOTAL	PARKING FACTOR	PARKING REDUCTION FACTOR	PARKING SPACES REQUIRED	SCHEDULED
	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5					
BUSINESS & PROFESSIONAL OFFICES	8,138	7,414	14,742			33,294	300	1	11,130	
ACCESSORY USES TO BUSINESS & OFFICES										
PHARMACY	1,000					1,000	300	1	333	
RESTAURANT, COFFEE SHOPS, BAKERY SHOP	1,800					1,800	300	1	600	
CONFERENCE, MEETING ROOMS	2,000					2,000	300	1	667	
RETAIL - CONVENIENCE STORES	400					400	300	1	133	
RETAIL - OTHER	1,400					1,400	300	1	467	
HOTEL (TRANSIENT LODGING)				33	33	66	1	1	66	
ACCESSORY USES TO HOTEL										
RESTAURANT, COFFEE SHOPS, BAKERY SHOP	1,300					1,300	300	35.00%	226	
COCKTAIL LOUNGE / NIGHT CLUBS	1,300					1,300	100	35.00%	477	
CONFERENCE, MEETING ROOMS	2,000					2,000	300	35.00%	233	
OFFICES	2,250					2,250	300	35.00%	279	
RETAIL - CONVENIENCE STORES	400					400	300	35.00%	67	
RETAIL - OTHER	3,000					3,000	300	35.00%	430	
BEAUTY SHOPS	400					400	150	35.00%	93	
<b>TOTALS</b>	<b>15,500</b>	<b>18,200</b>	<b>10,740</b>	<b>66</b>	<b>66</b>	<b>33,294</b>			<b>204,600</b>	

**ZONING INFORMATION**

PROJECT INFORMATION	PROPOSED	REQUIRED / ALLOWED				
<b>PROJECT INFORMATION</b>						
OWNER / DEVELOPER	SHALEV DEVELOPMENT GROUP, LLC					
TAX PLOT NO.	28-1234-004-1200, 28-1234-004-1300, 28-1234-004-1300, 28-1234-004-1300, 28-1234-004-1300, 28-1234-004-1300, 28-1234-004-1400					
TAX PLOT NO.	28-1234-004-1200, 28-1234-004-1300, 28-1234-004-1300, 28-1234-004-1300, 28-1234-004-1300, 28-1234-004-1300, 28-1234-004-1400					
LEGAL DESCRIPTION	LOTS 1 THROUGH 5, 8 & 9 AND 10, BLOCK 37 AND LOTS 1 THROUGH 18, BLOCK 38, HALLANDALE PARK, PH 12, PD 37, PUBLIC RECORDS OF MANASSA COUNTY, FLORIDA					
ADDRESS	3051 NE 317TH STREET, CITY OF AVENTURA, MANASSA COUNTY, FLORIDA					
FLOOD ZONE / FLOOD ELEVATION	+8.54 MVD (1' ABOVE HIGHEST CROWN OF ROAD)	ZONE X / AE ELEV. 8.0 MVD				
ZONING DISTRICT	NO BUSINESS - MEDICAL OFFICES	NO BUSINESS - MEDICAL OFFICES				
SITE FRONTAGE (WIDTH - LF)	247 @ 217TH ST	NO REQUIREMENT				
SITE DEPTH - LF	220	NO REQUIREMENT				
SITE AREA - GROSS (SF)	16,389	65,306				
SITE AREA - GROSS (ACRES)	1.36	1.50 MIN. - VARIANCE REQUIRED				
SITE AREA - NET AFTER PROPOSED R.O.W. DEDICATIONS (SF)	14,020					
<b>LAND USES</b>						
EXISTING LAND USE	SINGLE FAMILY RESIDENTIAL					
PROPOSED PRIMARY LAND USE (BUILDING OCCUPANCY TYPE)	PROFESSIONAL OFFICES (GROUP B) / HOTEL (GROUP B-1)	ALLOWED				
ACCESSORY USES	FOOD SERVICE, LOUNGE, AMENITIES (GROUPS 8 & 9); PARKING GARAGE - (OPEN GARAGE - G-2)	15% OF FLOOR AREA ALLOWED; ALLOWED				
<b>BUILDING HEIGHT</b>	110.3 TO ROOF SLAB / 11 STORES	130 TO ROOF LEVEL - 15 STORES				
<b>SITE DEVELOPMENT DATA / CRITERIA</b>	<b>PROPOSED</b>	<b>REQUIRED / ALLOWED</b>				
<b>BUILDING AREA</b>						
BUSINESS / OFFICE - GSF	37,106					
HOTEL (TRANSIENT LODGING) - GSF	64,425					
ACCESSORY USES (UNTEGRATED B GROUP) - GSF	6,258	14.52%				
ACCESSORY USES (UNTEGRATED M GROUP) - GSF	19,885					
<b>TOTAL BUILDING GROSS FLOOR AREA - GSF</b>	<b>127,674</b>	<b>15% OF FLOOR AREA ALLOWED</b>				
<b>PARKING STRUCTURE (G-2 GROUP) - GSF</b>	<b>155,505</b>	<b>FAR ALLOWED = 2.2 WITH LEED GOLD (0.38) &amp; 2.2 = 114,778 (G-2)</b>				
<b>TOTAL BUILDING AREA INCL. PARKING STRUCTURE - GSF</b>	<b>274,200</b>					
<b>LOT COVERAGE</b>						
BUILDING PERIMETER PROJECTED TO GROUND - SF	33,888 SF	65.05%				
ROOF TOP OPEN GREEN AREAS AND AMENITIES - LEVEL 1	5,285 SF	9.90%				
ROOF TOP OPEN GREEN AREAS AND AMENITIES - LEVEL 2 (MAIN ROOF)	7,800 SF	13.17%				
NET LOT COVERAGE - SF (ADJUSTED WITH ROOF TOP OPEN GREEN AREAS)	18,900 SF	33.9%				
<b>CONVENTIONAL USE APPROVAL - SECTION 31.71 OF CITY CODE</b>						
<b>PAVEMENTS</b>						
PAVEMENTS - NON PERMEABLE						
PAVEMENTS - PERMEABLE						
<b>TOTAL PAVEMENT AREA</b>						
<b>GREEN AREAS / OPEN SPACES</b>						
GROUND LEVEL GREEN AREAS WITHIN NET LOT BOUNDARIES - SF	15,854 SF	26.34%				
GROUND LEVEL GREEN AREAS WITHIN DEDICATED ROW - SF	4,874 SF	8.86%				
ROOF TOP GREEN AREAS - SF	13,080 SF	23.09%				
<b>TOTAL GREEN AREAS - SF / PERCENTAGE OF GROSS LOT AREA</b>	<b>33,810 SF</b>	<b>55.29%</b>				
<b>TOTAL GREEN AREAS - SF / PERCENTAGE OF NET LOT AREA</b>	<b>32,810 SF</b>	<b>60.74%</b>				
<b>BUILDING SETBACKS</b>						
FRONT YARD (21TH STREET)	40.0'	5' (VARIANCE REQUIRED)				
SIDE STREET YARD (20TH COURT)	20.0'	5'				
REAR YARD (NE 214TH STREET)	25.0'	5'				
SIDE SETBACK YARDS	5.0'	5'				
<b>VEHICULAR PARKING</b>						
REGULAR SPACES	371					
ACCESSIBLE SPACES - CAR	8					
ACCESSIBLE SPACES - VAN	2	1 OF EACH ACCESSIBLE SPACES PROVIDED = 2 PS				
ACCESSIBLE SPACES - TOTAL	10	2% OF PARKING SPACES PROVIDED = 40 & 32 = 48 PS				
ACCESSIBLE SPACES - STROLLERS	4	UP TO 500 PS = 2 PS (FLORIDA STATUTE HC 55)				
CAR POOLING SPACES	6					
VAN POOLING SPACES	6					
ELECTRIC CARS	12					
TOTAL VEHICULAR PARKING	405	237 (REFER TO PARKING CALCULATIONS)				
LOADING DOCKS	1	1 / 1 FIRST 400 SF + 1 / 1 EACH ADDITIONAL 400 SF + 3				
BICYCLES PARKING	18	2% OF PARKING SPACES PROVIDED = 405 & 30 = 1215 PS + 1378				
<b>BUILDING FLOOR AREA TABULATION (20,380 SF GROSS LOT AREA &amp; 2.0 FAR = 110,776 SF GROSS BUILDING FLOOR AREA ALLOWED)</b>						
<b>FLOOR LEVEL</b>	<b>BUILDING FLOOR AREA (SF)</b>	<b>TENANT SPACES (GROSS FLOOR AREA) (SF)</b>	<b>PARKING GROSS FLOOR AREA (SF)</b>	<b>OPEN GREEN AREAS &amp; AMENITIES (SF)</b>	<b>ON-SITE PARKING SPACES</b>	<b>ACCESSORY USES</b>
1ST LEVEL (GROUND LEVEL) MAIN LOBBY / ACCESSORY USES / OFFICES	15,530	7,800	0	16,738	0	6,462
2ND FLOOR LEVEL (PARKING)	636	0	28,977	0	73	0
3RD FLOOR LEVEL (PARKING)	795	0	31,872	0	92	0
4TH FLOOR LEVEL (PARKING)	795	0	31,872	0	92	0
5TH FLOOR LEVEL (PARKING)	795	0	31,872	0	92	0
6TH FLOOR LEVEL (PARKING)	795	0	31,872	0	92	0
7TH FLOOR LEVEL (PROMENADE / ACCESSORY USES / AMENITIES)	16,286	16,286	0	5,285	0	16,762
8TH FLOOR LEVEL (OFFICES)	16,470	16,470	0	0	0	0
9TH FLOOR LEVEL (HOTEL - 33 ROOMS) (MIN. HOTEL ROOM AREA = 300 SF EACH)	21,475	21,475	0	0	0	0
10TH FLOOR LEVEL (HOTEL - 33 ROOMS) (MIN. HOTEL ROOM AREA = 300 SF EACH)	21,475	21,475	0	0	0	0
11TH FLOOR LEVEL (HOTEL - 33 ROOMS) (MIN. HOTEL ROOM AREA = 300 SF EACH)	21,475	21,475	0	0	0	0
ROOF LEVEL	88	88	0	2,809	0	0
<b>TOTAL AREA</b>	<b>116,779</b>	<b>104,621</b>	<b>105,305</b>	<b>33,810</b>	<b>405</b>	<b>12,244</b>

DATE PLOTTED: 6/14  
DATE ISSUED: 6/14 2:30 PM  
PROJECT NO: 310  
FILE NO:  
**REVISIONS:**  
7/25/2016

Engineering / Specialty Consultant:

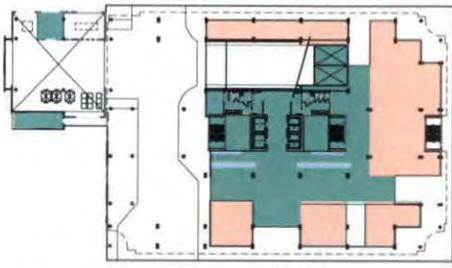


Project Name: **SHALEV DEVELOPMENT**  
3051 NE 317TH STREET  
CITY OF AVENTURA, MANASSA COUNTY, FLORIDA  
Owner: **SHALEV DEVELOPMENT GROUP, LLC**  
217W NE 103RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

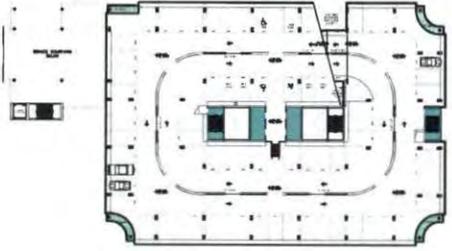


**RODRIGUEZ PETERSON & PORRAS**  
ARCHITECTS  
5901 N.W. 15th Street, Suite 202, Miami Lakes, Florida 33014  
Phone: 305-537-1100 Fax: 305-537-2020  
Orlando, FL 32839 - FLA. REG. NO. AC00013449  
www.rppgroup.com

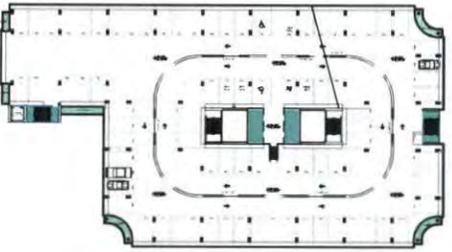
FLOOR AREA TABULATION DIAGRAMS (NTS) SHALL BE THE PROPERTY OF THE ARCHITECT.



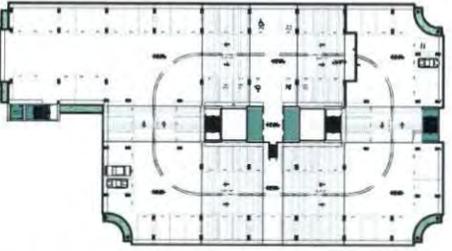
① LEVEL 1 - GROUND LEVEL - LOBBY/ACCESSORY USES



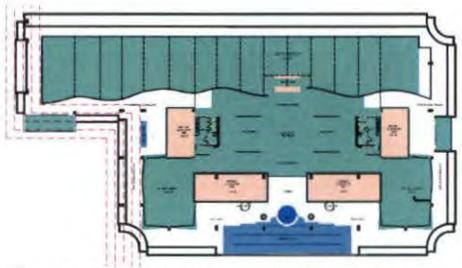
② LEVEL 2 - PARKING



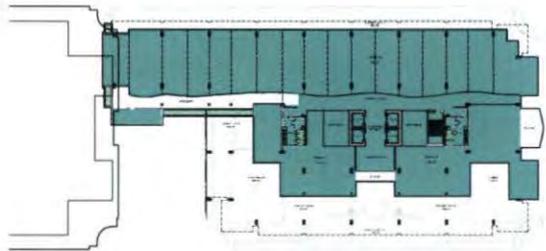
③ LEVELS 3 THROUGH 5 - PARKING  
LEVEL 3 SHOWN, LEVELS 4, 5 & 6 SIMILAR



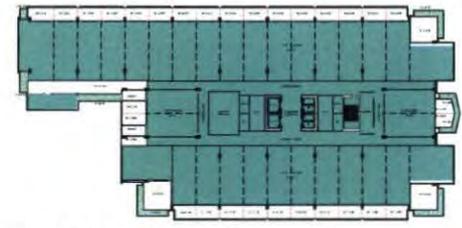
④ LEVEL 6 - PARKING



⑤ LEVEL 7 - OFFICES / AMENITIES / PROMENADE DECK



⑥ LEVEL 8 - OFFICES



⑥ LEVELS 9 THROUGH 11 - OFFICES  
LEVEL 9 SHOWN, LEVELS 10 & 11 SIMILAR

USE	AREA (SQ FT)	PERCENTAGE	TOTAL AREA (SQ FT)	PERCENTAGE	TOTAL AREA (SQ FT)
17' DIA. PROMENADE DECK (SEE PLAN SHEET 01)	5,200	1.0%	5,200	1.0%	5,200
OFFICE (SEE PLAN SHEET 01)	100,000	20.0%	100,000	20.0%	100,000
PROMENADE DECK (SEE PLAN SHEET 01)	10,000	2.0%	10,000	2.0%	10,000
PARKING (SEE PLAN SHEET 01)	450,000	90.0%	450,000	90.0%	450,000
TOTAL	565,200	100.0%	565,200	100.0%	565,200

**OCCUPANCY CLASSIFICATION NOTES:**  
 1. ALL INTERIOR SPACES UNDER THIS PRINT SHALL BE CLASSIFIED AS GENERAL OFFICE USE OCCUPANCY.  
 2. PROMENADE DECK, VARIANDAS, TERRAZAS, BALCONES, AND SIMILAR EXTERIOR SPACES SHALL BE CLASSIFIED AS EXTERIOR (OPEN SPACES) ALLOWED USE.

FLOOR AREA TABULATION DIAGRAMS (NTS)

DATE PLOTTED: 07/11/2014  
 DATE ISSUED: 07/11/2014  
 PROJECT NO: 1000  
 FILE NO:

Engineering / Specialty Consultant:

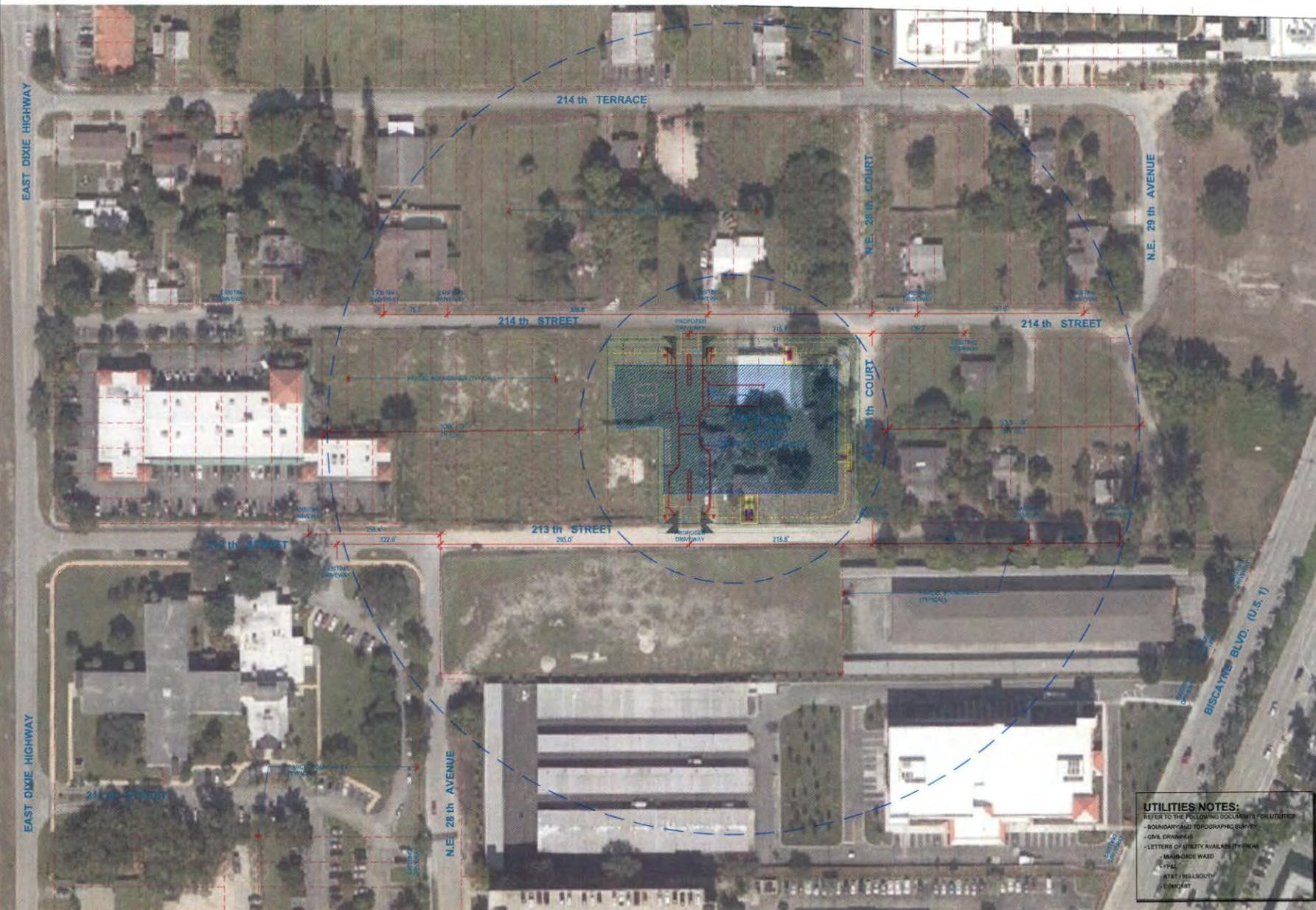


Project Name: SHALEV DEVELOPMENT  
 2841 NE 21ST STREET  
 CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
 Owner: SHALEV DEVELOPMENT GROUP, LLC  
 2189 NE 16TH STREET, NORTH MIAMI BEACH, FLORIDA 33142



**RODRIGUEZ PETERSON & PORRAS**  
 ARCHITECTS  
 5000 N.W. 15th Street, Suite 202, Miami Lakes, Florida 33014  
 Phone: 305-882-1100 / 1101 / 1102 / 1103 / 1104 / 1105 / 1106 / 1107 / 1108 / 1109 / 1110 / 1111 / 1112 / 1113 / 1114 / 1115 / 1116 / 1117 / 1118 / 1119 / 1120 / 1121 / 1122 / 1123 / 1124 / 1125 / 1126 / 1127 / 1128 / 1129 / 1130 / 1131 / 1132 / 1133 / 1134 / 1135 / 1136 / 1137 / 1138 / 1139 / 1140 / 1141 / 1142 / 1143 / 1144 / 1145 / 1146 / 1147 / 1148 / 1149 / 1150 / 1151 / 1152 / 1153 / 1154 / 1155 / 1156 / 1157 / 1158 / 1159 / 1160 / 1161 / 1162 / 1163 / 1164 / 1165 / 1166 / 1167 / 1168 / 1169 / 1170 / 1171 / 1172 / 1173 / 1174 / 1175 / 1176 / 1177 / 1178 / 1179 / 1180 / 1181 / 1182 / 1183 / 1184 / 1185 / 1186 / 1187 / 1188 / 1189 / 1190 / 1191 / 1192 / 1193 / 1194 / 1195 / 1196 / 1197 / 1198 / 1199 / 1200 / 1201 / 1202 / 1203 / 1204 / 1205 / 1206 / 1207 / 1208 / 1209 / 1210 / 1211 / 1212 / 1213 / 1214 / 1215 / 1216 / 1217 / 1218 / 1219 / 1220 / 1221 / 1222 / 1223 / 1224 / 1225 / 1226 / 1227 / 1228 / 1229 / 1230 / 1231 / 1232 / 1233 / 1234 / 1235 / 1236 / 1237 / 1238 / 1239 / 1240 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/ 2814 / 2815 / 2816 / 2817 / 2818 / 2819 / 2820 / 2821 / 2822 / 2823 / 2824 / 2825 /

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**UTILITIES NOTES:**  
 REFER TO THE FOLLOWING DOCUMENTS FOR UTILITIES:  
 - BOUNDARY AND TOPOGRAPHIC SURVEY  
 - CIVIL DRAWINGS  
 - LETTERS OF UTILITY AVAILABILITY FROM:  
 - MIAMI-DADE WASH  
 - FPL  
 - AT&T / BELL SOUTH  
 - COMCAST

REV	
1	MAR 26, 2024
2	
3	
4	
5	

Engineering / Specialty Consultant:



Project name: SHALEV DEVELOPMENT  
 2851 NE 237TH STREET  
 CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
 Owner: SHALEV DEVELOPMENT GROUP, LLC  
 219 NE 15TH STREET, NORTH MIAMI BEACH, FLORIDA 33182



**RODRIGUEZ PETERSON & PORRAS**  
 ARCHITECTS  
 5801 N.W. 15th Street, Suite 202, Miami, FL 33157  
 Phone: 305-452-1020 Fax: 305-452-3030  
 Division E - Surveying - P.L.C. REG. NO. AC00054629  
 www.rppa.com

OFF-SITE SKETCH 1" = 50'

DRAWING NO. A005

Public Review Period for 45-day comment period. SHALEV Development LLC with the City of Aventura, Florida.



1 S.E. VIEW - SOUTH AND EAST FACADES  
N.T.S.



2 N.E. VIEW - NORTH AND EAST FACADES  
N.T.S.



3 N.W. VIEW - NORTH AND WEST FACADES  
N.T.S.



4 S.W. VIEW - SOUTH AND WEST FACADES  
N.T.S.

BUILDING FACADES

DATE PLOTTED:  
3/14  
DATE ISSUED:  
04/13/2015  
PROJECT NO:  
1504  
FILE NO:

REVISIONS:
7/25/2015

Engineering / Specialty Consultant:



Project name: SHALEV DEVELOPMENT  
 285 NE 54TH STREET  
 CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
 Owner:  
 SHALEV DEVELOPMENT GROUP, LLC  
 2199 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

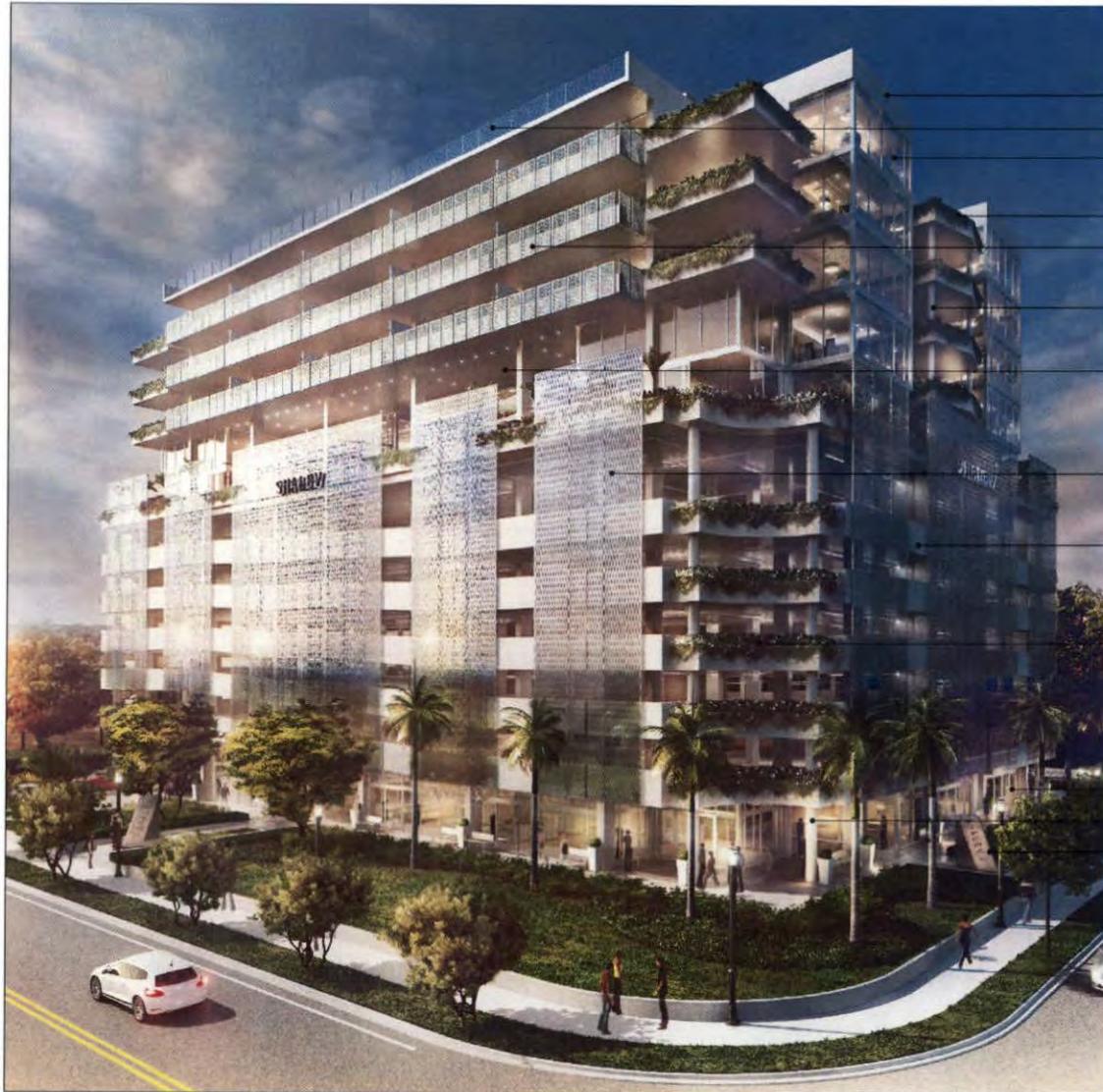


**RODRIGUEZ PETERSON & PORRAS**  
 ARCHITECTS  
 5001 NW 15th Street, Suite 202, Miami Lakes, Florida 33014  
 Phone: 305-622-1020 Fax: 305-622-2030  
 Christine K. Rodriguez - FLA. REG. NO. AK-00154429  
 www.rpnaarchitects.com

DRAWING NO.  
**A006**

Renderings: Peterson and Porras Architects, Copyright 2015

All dimensions to center of face UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHALL BE WITH THE EXISTING CONDITIONS OF THE PROJECT.



A  
J  
C  
F  
D  
A  
E  
D  
A  
F  
C  
A  
G

**MATERIAL LEGEND:**

- A MASONRY WALLS FINISH: LIME PLASTER / CEMENT STUCCO. COLOR: WHITE. TEXTURE: SMOOTH
- B MASONRY WALLS LIME PLASTER / CEMENT STUCCO COLOR: LIGHT GOLDEN BEIGE TEXTURE: SMOOTH
- C ALUMINUM / GLASS WALLS CLEAR GLASS / GL FAN ANODIZED ALUMINUM
- D SUN SCREENS & RAILINGS. OMEGA 150 METAL FABRIC BY OK2 METAL FABRICS COLOR: STAINLESS STEEL
- E FABRIC SUN SHADES COLOR: GOLDEN BEIGE
- F HANGING MASONRY PLANTERS LIME PLASTER / CEMENT STUCCO FINISH COLOR: WHITE TEXTURE: SMOOTH
- G BUILDING I.D. SIGN WITH WATER FEATURE NATURAL STONE SLABS ON S.S. CABINET
- H NATURAL STONE UNIT PAVERS WHITE, LIGHT BEIGE AND COLDEN EARTHTONES
- J RAILING, ALUMINUM PIPE, WELDED JOINTS.
- K DECORATIVE LATTICE CONCRETE BLOCKS

① S.E. VIEW - SOUTH & EAST FACADES

N.T.S

BUILDING FACADE MATERIALS

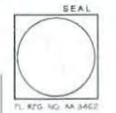
DATE PLOTTED:  
DATE ISSUED:  
PROJECT NO:  
FILE NO:

REVISIONS:  
7/25/2016

Engineering / Specialty Consultant:



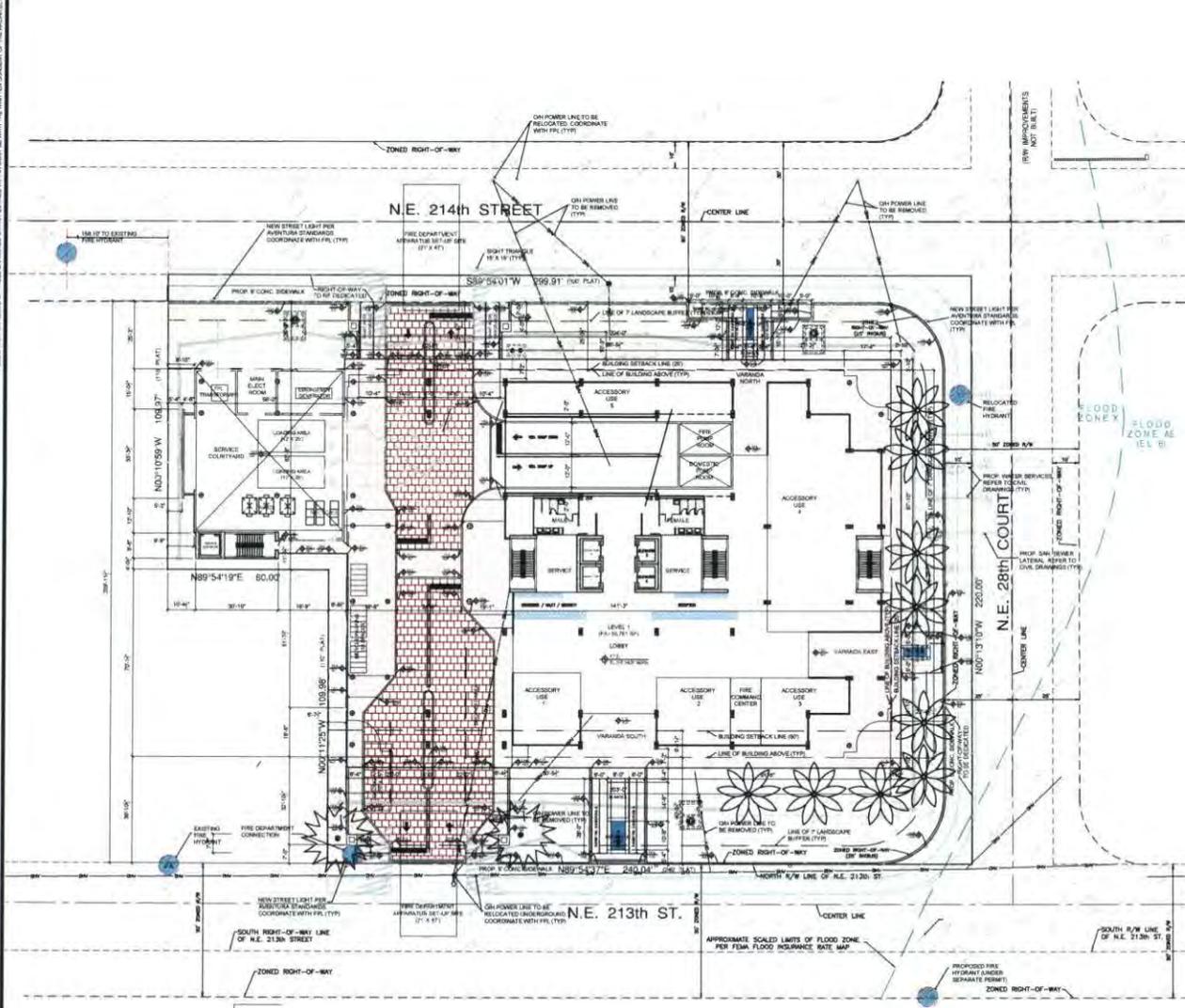
Project Name: SHALEY DEVELOPMENT  
 5865 NE 14TH STREET  
 CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
 Owner: SHALEY DEVELOPMENT GROUP, LLC  
 2199 NE 193RD STREET, NORTH MIAMI BEACH, FLORIDA 33182



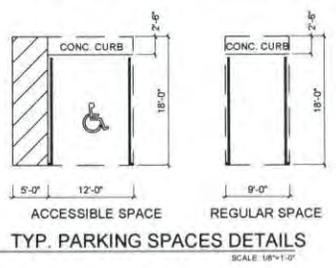
**RODRIGUEZ PETERSON & PORRAS**  
 ARCHITECTS  
 1501 N.W. 13th Street, Suite 101, Miami, FL 33136  
 Phone: 305-822-1030 Fax: 305-822-2030  
 Gerson K. Rodriguez, P.L.A. REG. NO. AK-0013-469  
 www.rpandp.com

DRAWING NO.  
**A007**

SHALEV DEVELOPMENT GROUP, INC. 2885 NE 213TH STREET, SUITE 300, AVENTURA, FLORIDA 33157  
 PROJECT NO. 1904  
 DATE PLOTTED: MAY 20, 2014  
 DATE ISSUED: MAY 20, 2014  
 PROJECT NO.: 1904  
 FILE NO.:  
 REVISIONS:  
 Engineering / Specialty Consultant:



**LEGAL DESCRIPTION:**  
 LOTS 1 THROUGH 5, 8, 9, AND 10, BLOCK 37 AND LOTS 1 THROUGH 10, BLOCK 38, OF HALLANDALE PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGE 37, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



- SITE PLAN NOTES:**
- WORK SHALL BE IN ACCORD WITH CITY OF AVENTURA AND MIAMI-DADE COUNTY STANDARDS. IN CASE OF DISCREPANCIES, THE MOST STRINGENT REQUIREMENT SHALL GOVERN.
  - EXISTING IMPROVEMENTS WITHIN PROPERTY (NOT SHOWN - REFER TO SURVEY) AND WITHIN R.O.W. FRONTING PROPERTY (UTILITIES SERVICES, FENCES, POWER POLES, ETC) SHALL BE REMOVED UNLESS INDICATED OTHERWISE. REFER TO CIVIL ENGINEERING DRAWINGS.
  - IMPROVEMENTS SHOWN WITHIN PROPERTY ARE NEW / PROPOSED UNLESS INDICATED OTHERWISE.
  - UTILITIES AND OFFSITE WORK SHOWN HEREIN ARE FOR REFERENCE ONLY. REFER TO CIVIL ENGINEERING DRAWINGS.
  - REFER TO CIVIL DRAWINGS FOR TRAFFIC MARKINGS & SIGNAGE, PAVING, DRAINAGE, WATER, & SEWER WORK.
  - TREES SHOWN HEREIN ARE FOR REFERENCE ONLY. REFER TO LANDSCAPE DRAWINGS FOR TREES AND PLANTS REQUIREMENTS.
  - REFER TO CIVIL, LANDSCAPE, AND MEP DRAWING FOR OTHER SITEWORK REQUIREMENTS NOT SHOWN ON THIS DRAWING.
  - UNIT PAVERS SURFACES SHALL HAVE SRI VALUE OF 29 OR GREATER TO MEET LEED REQUIREMENTS AND REDUCE THE HEAT ISLAND EFFECT.
  - BUILDING I.D. SIGNS SHOWN ARE CONCEPTUAL AND FOR LOCATION REFERENCE ONLY. SIGNAGE SHALL COMPLY WITH CITY OF AVENTURA SIGNAGE REGULATIONS AND SHALL BE REVIEWED AND APPROVED UNDER A SEPARATE PERMIT APPLICATION.
  - THE 3 S UTILITY EASEMENTS RUNNING EAST-WEST THROUGH THE PROPERTY WILL BE VACATED. REFER TO SURVEY FOR EASEMENTS LOCATION.
  - CONSTRUCTION AREA MUST BE POSTED, FENCED AND MARKED DURING CONSTRUCTION.

- RADIO BI-AMPLIFICATION SYSTEM INFRASTRUCTURE:**
- PROVIDE A ONE INCH CONDUIT THAT IS ACCESSIBLE ON EACH LEVEL OF THE BUILDING FROM THE GROUND LEVEL TO ANTENNA CONTROL ROOM LOCATED AT LEVEL 12 - MAIN ROOF.
  - PROVIDE A ONE INCH CONDUIT FROM ANTENNA CONTROL ROOM TO RADIO ANTENNA TO BE MOUNTED ON MECHANICAL PENTHOUSE ROOF ABOVE.
  - PROVIDE 110 VOLT AC POWER RECEPTACLES AT ANTENNA CONTROL ROOM AND AT ANTENNA LOCATION AT MECHANICAL PENTHOUSE ROOF ABOVE. PROVIDE 20A DEDICATED ELECTRICAL POWER CIRCUIT.
- COORDINATE INSTALLATION AND PERFORMANCE OF RADIO BI-AMPLIFICATION SYSTEM INFRASTRUCTURE DESCRIBED HEREIN WITH CITY OF AVENTURA POLICE DEPARTMENT AND THEIR APPROVED VENDORS.



DATE PLOTTED: MAY 20, 2014  
 DATE ISSUED: MAY 20, 2014  
 PROJECT NO.: 1904  
 FILE NO.:  
 REVISIONS:

Engineering / Specialty Consultant:



Project Name: **SHALEV DEVELOPMENT**  
 2885 NE 213TH STREET  
 CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
 Owner: **SHALEV DEVELOPMENT GROUP, LLC**  
 8199 NE 16RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

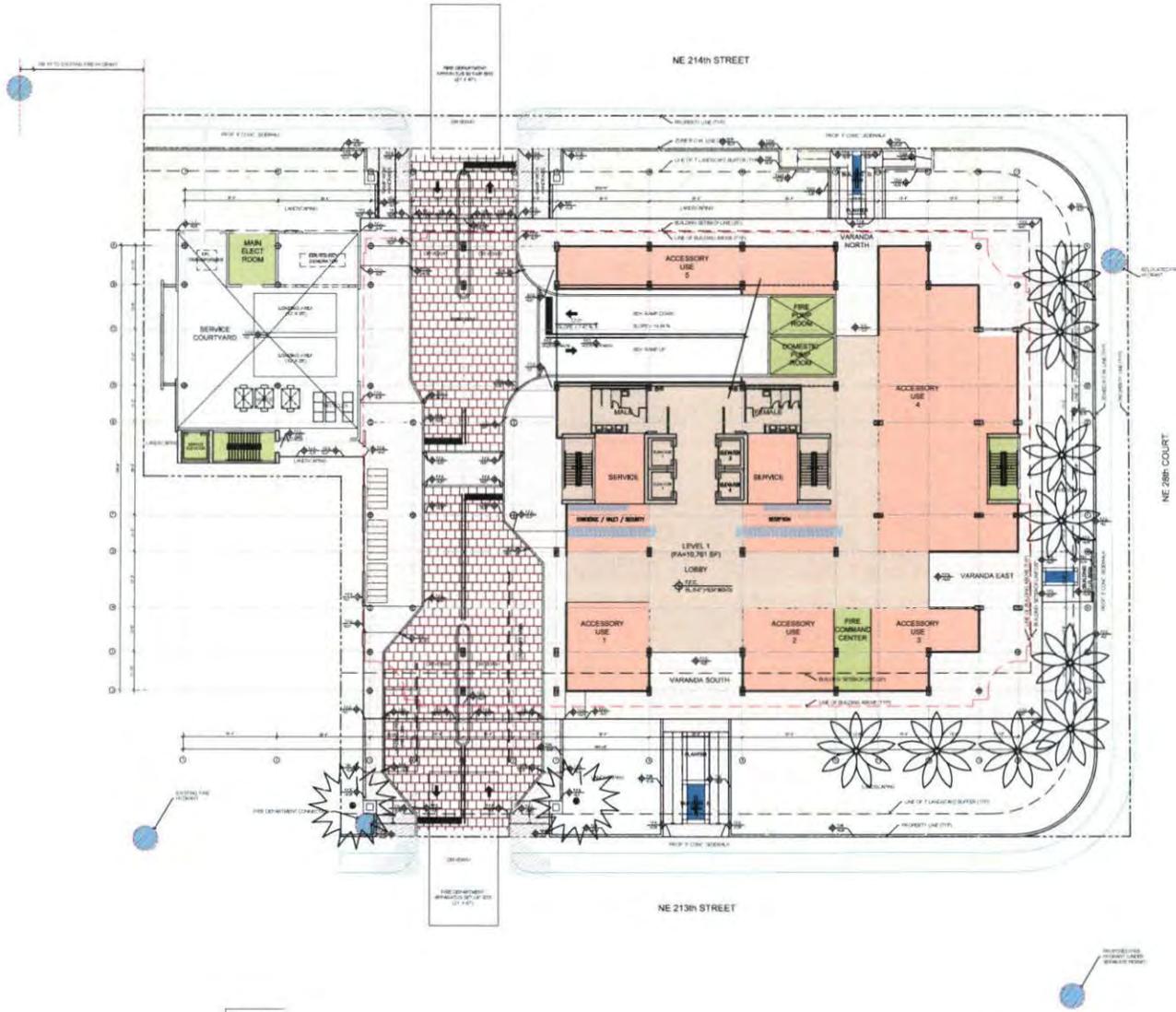


**RODRIGUEZ PETERSON & PORRAS**  
 ARCHITECTS  
 3007 N.W. 131st Street, Suite 202, Miami Lakes, Florida 33054  
 Phone: (305) 452-1070  
 Fax: (305) 452-1071  
 E-mail: info@rpandp.com  
 www.rpandp.com

DRAWING NO. **A100**

INDICATION OF REUSE OF THESE DRAWINGS OR ANY DETAILS THEREIN MUST BE WITH THE WRITTEN CONSENT OF THE ARCHITECT.

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0 16 48 80 FLOOR PLAN - LEVEL 1  
SCALE: 1/16" = 1'-0"



DRAWING NO.  
**A301**

**RODRIGUEZ PETERSON & PORRAS**  
ARCHITECTS  
200 S.W. 15th Street, Suite 100  
Miami, Florida 33135  
Phone: 305-422-1000 Fax: 305-422-2000  
Orestes R. Rodriguez - FLA REG. NO. AR-001-54129  
www.rparchitects.com

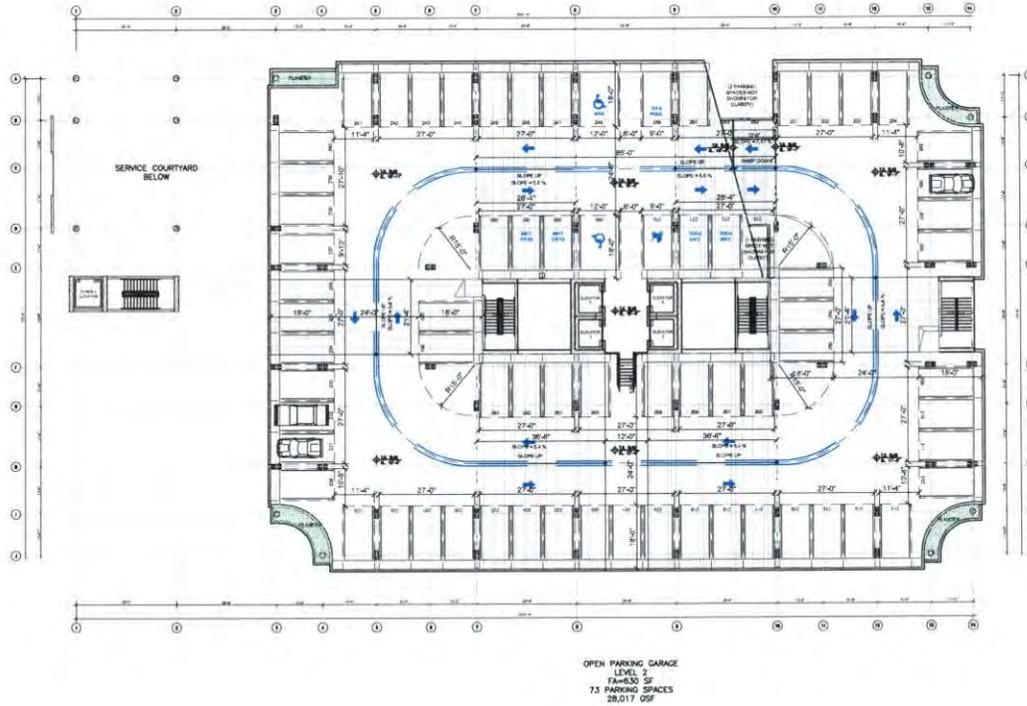


Project Name:  
**SHALEY DEVELOPMENT**  
2861 NE 213TH STREET  
CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
SHALEY DEVELOPMENT GROUP, LLC  
2199 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162



Engineering / Specialty Consultant:  
  
REVISIONS:  
7/25/2016

DATE PLOTTED:  
04  
DATE ISSUED:  
MAY 16 2016  
PROJECT NO:  
1864  
FILE NO:



FLOOR PLAN - LEVEL 2

DATE PLOTTED:	2/1/2016
DATE BRUED:	JAN 28 2016
PROJECT NO.:	1044
FILE NO.:	1044
REVISIONS:	
7/25/2016	

Engineering / Specialty Consultant:



Project Name: **SHALEV DEVELOPMENT**  
 2851 NE 233RD STREET  
 CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
 Owner: **SHALEV DEVELOPMENT GROUP, LLC**  
 2718 NE 193RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

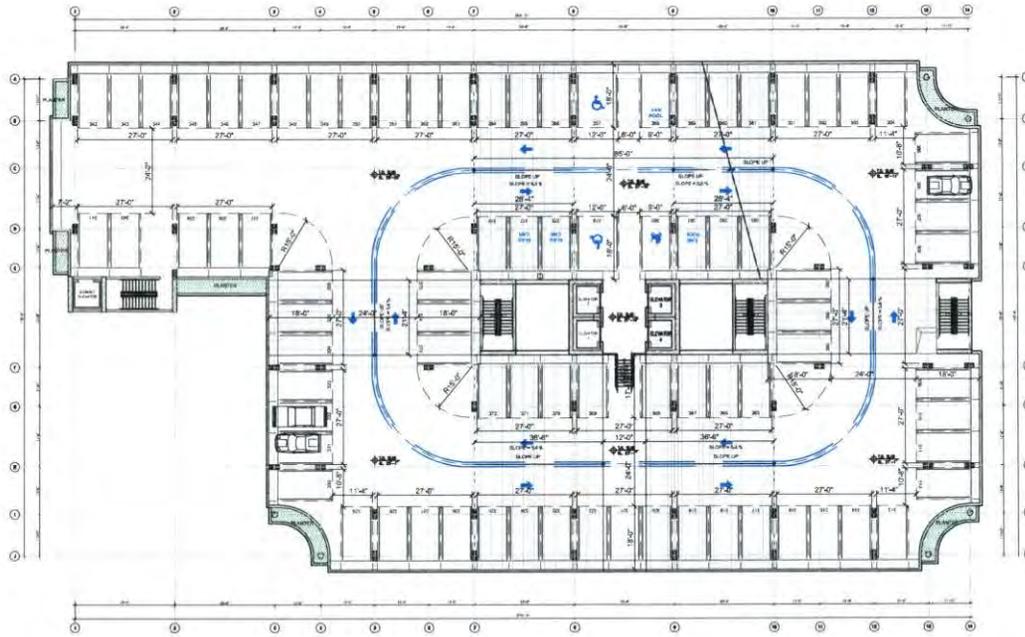


**RODRIGUEZ, PETERSON & PORRAS**  
 ARCHITECTS  
 5001 N.W. 19th Street, Suite 202, Miami Lakes, Florida 33054  
 Phone: 305-622-1010 Fax: 305-622-2030  
 Offices: Ft. Lauderdale, FL 33309 NO. 14527 NO. 14527  
 www.RODRIGUEZPETERSON.COM

DRAWING NO.  
**A302**

THIS DOCUMENT IS THE PROPERTY OF RODRIGUEZ PETERSON & PORRAS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS DOCUMENT WITHOUT THE WRITTEN CONSENT OF RODRIGUEZ PETERSON & PORRAS IS STRICTLY PROHIBITED.

RODRIGUEZ PETERSON & PORRAS, ARCHITECTS, P.A. MIAMI, FLORIDA



OPEN PARKING GARAGE  
LEVEL 3  
(LEVELS 4 & 5 SIMILAR)  
FAR=795 PSF  
83 PARKING SPACES  
31,872 GFSF



FLOOR PLAN - LEVELS 3-5  
SCALE: 1/16" = 1'-0"



DRAWING NO.  
**A303**

**RODRIGUEZ PETERSON & PORRAS**  
A. R. C. H. I. T. E. C. T. S.  
3001 N.W. 15th Street, Suite 202, Miami, James Tower 33014  
Phone: 305-629-0200 Fax: 305-629-0202  
www.rppa.com P.A. REG. NO. AR-000-04029



Project name:  
**SHALEV DEVELOPMENT**  
2851 NE 213TH STREET  
CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
Owner: SHALEV DEVELOPMENT GROUP, LLC  
2189 NE 43RD STREET, NORTH MIAMI BEACH, FLORIDA 33182

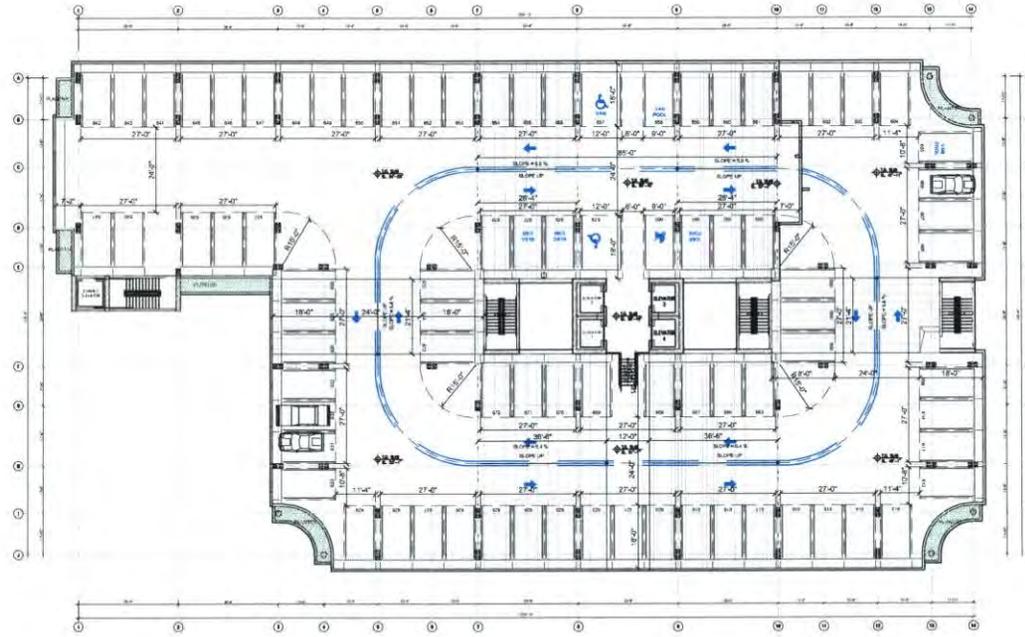


Engineering / Specialty Consultant:

DATE PLOTTED:  
1/11/16  
DATE ISSUED:  
JULY 23, 2015  
PROJECT NO:  
1004  
FILE NO:  
  
REVISIONS:  
7/25/2015

ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED SHALL BE IN FEET AND INCHES. DIMENSIONS SHALL BE GIVEN TO THE CENTERLINE UNLESS OTHERWISE SPECIFIED.

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OPEN PARKING GARAGE  
LEVEL 6  
F&W=795' F&W  
83 PARKING SPACES  
31,872 GFSF



FLOOR PLAN - LEVEL 6

SCALE: 1/16" = 1'-0"

DATE PLOTTED:	8/2
DATE ISSUED:	JULY 20, 2016
PROJECT NO.:	1000
FILE NO.:	
REVISIONS:	
7/25/2016	

Engineering / Specialty Consultant:

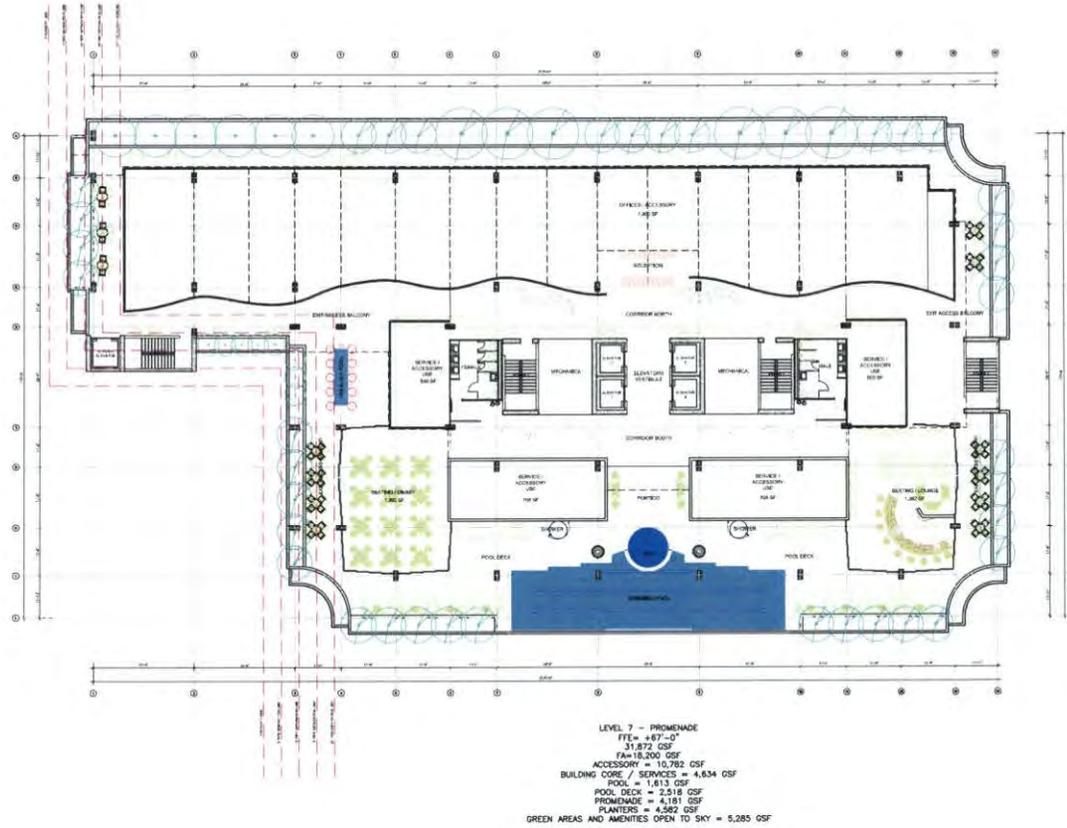


Project name:  
**SHALEV DEVELOPMENT**  
2851 NE 131TH STREET  
CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
Owner:  
SHALEV DEVELOPMENT GROUP, LLC  
2789 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33152

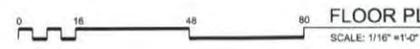


**RODRIGUEZ, PIETERSE & PORRAS**  
ARCHITECTS  
500 N.W. 151st Street, Suite 202, Miami Lakes, Florida 33014  
Phone: 305-692-1070 Fax: 305-692-2030  
Chester E. Rodriguez - F.L.A. REG. NO. AR.00013469  
www.rpiarchitects.com

DRAWING NO.  
**A306**



LEVEL 7 - PROMENADE  
 FTE = +67'-0"  
 31,872 CSF  
 FTA = 13,200 CSF  
 ACCESSORY = 10,782 CSF  
 BUILDING CORE / SERVICES = 4,834 CSF  
 POOL = 1,613 CSF  
 POOL DECK = 2,518 CSF  
 PROMENADE = 4,181 CSF  
 PLANTERS = 4,382 CSF  
 GREEN AREAS AND AMENITIES OPEN TO SKY = 5,285 CSF



FLOOR PLAN - LEVEL 7

DATE PLOTTED:  
 NO.  
 DATE ISSUED:  
 14-12-2014  
 PROJECT NO:  
 FILE NO:

REVISIONS:


Engineering / Specialty Consultant:



Project Name: SHALEV DEVELOPMENT  
 2841 NE 23TH STREET  
 CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
 Owner: SHALEV DEVELOPMENT GROUP, LLC  
 2109 NE 183RD STREET, NORTH MIAMI BEACH, FLORIDA 33182



**RODRIGUEZ PETERSON & PORRAS**  
 ARCHITECTS  
 3601 N.W. 15th Street, Suite 202, Miami Lakes, Florida 33014  
 Phone: 305-852-1020 Fax: 305-852-2030  
 Christine K. Rodriguez - F.L.A. REG. NO. AR-00113429  
 www.rpandp.com

DRAWING NO.  
**A307**



ALL DIMENSIONS UNLESS OTHERWISE NOTED. DIMENSIONS SHOWN ON THIS DRAWING SHALL BE USED FOR THE CONSTRUCTION OF THE WORK.

Rodriguez Peterson & Porras, Architects, Coral Gables, FL 33134



LEVEL 9 SHOWN  
 (LEVELS 10 & 11 SIMILAR)  
 33 HOTEL ROOMS  
 28,006 GSF  
 (MIN REQ'D. HOTEL ROOM AREA = 300 SF EACH)  
 FAN = 21,475 GSF  
 HOTEL ROOMS = 15,325 GSF  
 COMMON AREAS = 5,550 GSF  
 BALCONIES/BREEZEWAYS/PLANTERS = 6,731 GSF



FLOOR PLAN - LEVELS 9-11



DRAWING NO.  
**A309**

DATE PLOTTED:  
 8/9  
 DATE REVISION:  
 JULY 20, 2016  
 PROJECT NO:  
 1044  
 FILE NO:

Engineering / Specialty Consultant:



Project name:  
**SHALEV DEVELOPMENT**  
 2851 NE 13TH STREET  
 CITY OF AVENTURA, MARIONETTE COUNTY, FLORIDA  
 Owner:  
**SHALEV DEVELOPMENT GROUP, LLC**  
 2195 NE 16TH STREET, NORTH MIAMI BEACH, FLORIDA 33182



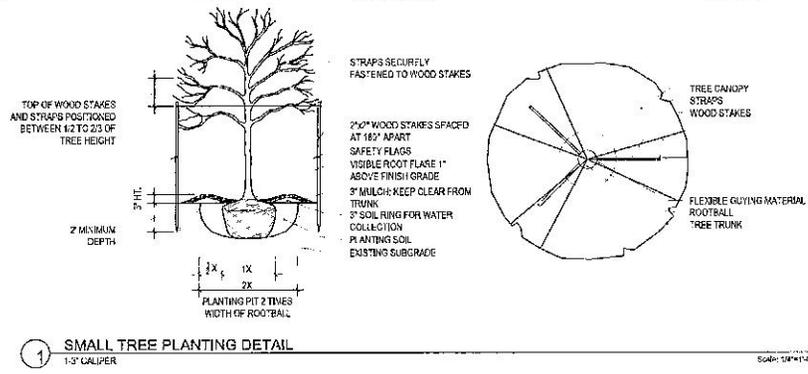
**RODRIGUEZ PETERSON & PORRAS**  
 ARCHITECTS  
 5501 N.W. 15th Street, Suite 202, Miami Lakes, Florida 33014  
 Phone: 305-682-1020 Fax: 305-652-3030  
 Chelsea K. Rodriguez, F.A. REG. NO. AR-001-05467  
 www.rparchitects.com



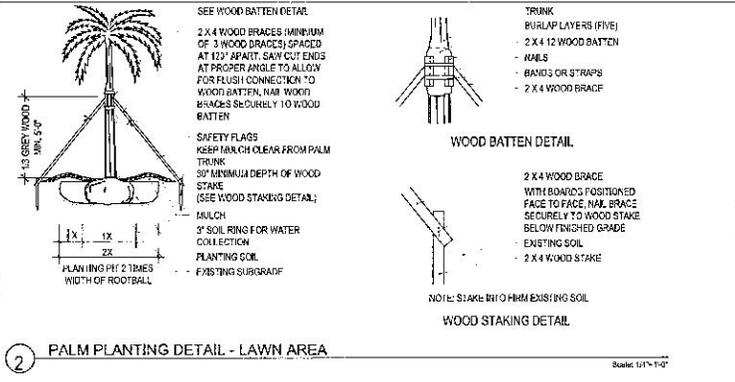




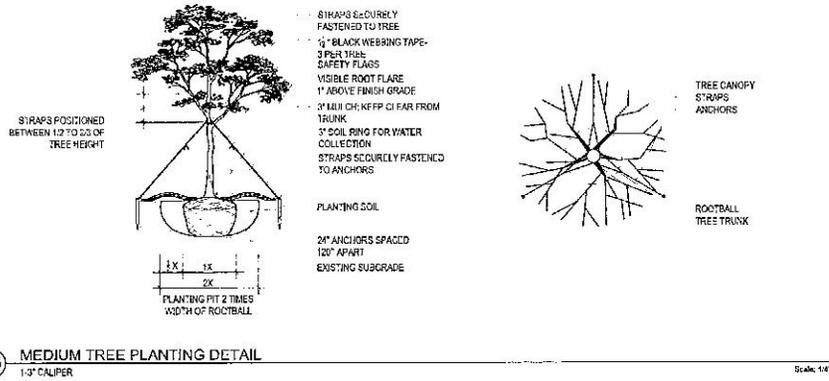
SHALEY DEVELOPMENT GROUP, INC. 2418 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162  
 PROJECT NO. 124  
 DATE PERIOD: 1/2014  
 DATE REVISION: 1/2014  
 DRAWING NO. L-102  
 SCALE: 1/4" = 1'-0"



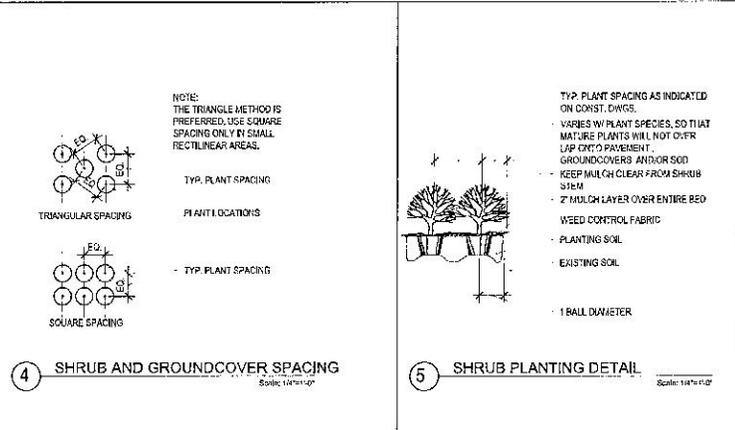
1 SMALL TREE PLANTING DETAIL  
1-3" CALIBER  
Scale: 1/4" = 1'-0"



2 PALM PLANTING DETAIL - LAWN AREA  
Scale: 1/4" = 1'-0"

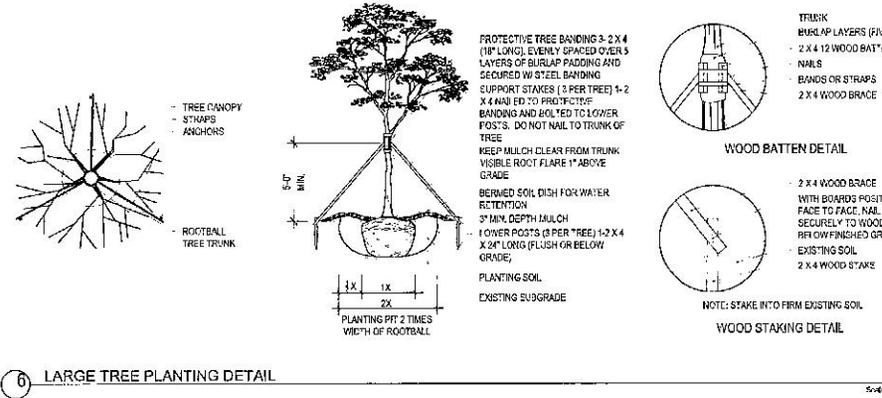


3 MEDIUM TREE PLANTING DETAIL  
1-3" CALIBER  
Scale: 1/4" = 1'-0"

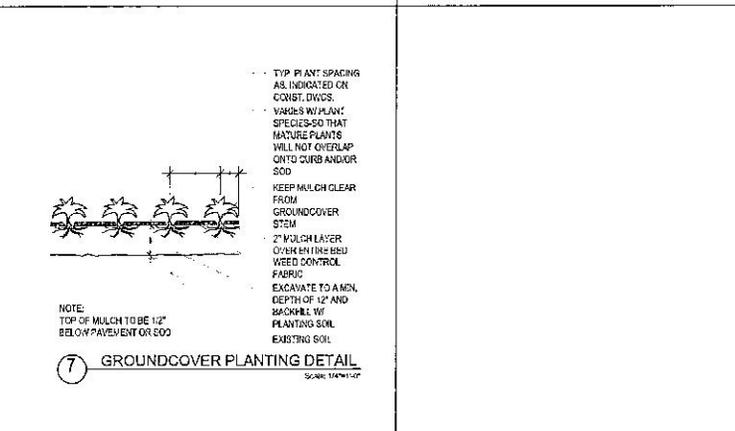


4 SHRUB AND GROUNDCOVER SPACING  
Scale: 1/4" = 1'-0"

5 SHRUB PLANTING DETAIL  
Scale: 1/4" = 1'-0"



6 LARGE TREE PLANTING DETAIL  
Scale: 1/4" = 1'-0"



7 GROUNDCOVER PLANTING DETAIL  
Scale: 1/4" = 1'-0"

DATE PLOTTED:  
 DATE PERIOD:  
 DATE REVISION:  
 PROJECT NO:  
 124  
 FILE NO:  
 REVISIONS:  
 Engineering / Specialty Consultant:  
 SHALEY DEVELOPMENT GROUP, INC.  
 2418 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162  
 PROJECT NO. 124



Project Name:  
 SHALEY DEVELOPMENT  
 2418 NE 163RD STREET  
 CITY OF Aventura, MIAMI-DADE COUNTY, FLORIDA  
 Owner:  
 SHALEY DEVELOPMENT GROUP, LLC  
 2418 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

SCALE  
 RODRIGUEZ PETERSON & PORRAS  
 ARCHITECTS  
 1000 N. W. 15th Street, Suite 2014, Fort Lauderdale, FL 33311  
 Phone: 954.332.1000 Fax: 954.332.2071  
 Copyright © 2014  
 www.rpandp.com



# 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 Vasquez	Engineer / Surveyor
Orestes Rodriguez	Architect
Michael Harrero	Attorney
Sebastian Vargas	Traffic Engineer
Michael S. Green	Attorney
Louis S. Aguirre	Engineer
Jean C. Lee	Engineer
Ali Arbab	Engineer
Daniel Ferrin	Surveyor

(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 12 DAY OF October 2016

AUTHORIZED REPRESENTATIVE OF APPLICANT:

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

OWNER

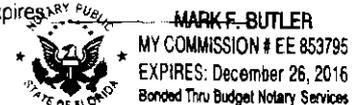
By: [Signature]  
 Name: Harold Frank Kahn  
 Title: OWNER / CO TRUSTEE  
 Address: 209 SW 2<sup>nd</sup> CT  
HOLLAND FL 33009

STATE OF FLORIDA  
COUNTY OF MIAMI DADE

Before me the undersigned authority personally appeared Harold Frank Kahn 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 and 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 12<sup>th</sup> day of OCTOBER 2016

AFFIANT [Signature]  
 Notary Public State of Florida At Large  
 Printed Name of Notary Mark F. Butler  
 My commission expires December 26, 2016



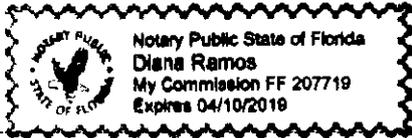
**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Michael Moran 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 13<sup>th</sup> day of October, 2016



Notary Public State of Florida At Large  
Diana Ramos  
Printed Name of Notary  
My commission expires: 4/10/19

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: \_\_\_\_\_



# 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 Vasquez	Engineer / Surveyor
Orestes Rodriguez	Architect
Michael Harrero	Attorney
Joaquin Vargas	Traffic Engineer
Michael S. Green	Attorney
Louis S. Aguirre	Engineer
Jean Lee	Engineer
Ali Arbab	Engineer
Daniel Tomlin	Surveyor

(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 12 DAY OF October 2016

AUTHORIZED REPRESENTATIVE OF APPLICANT:

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

OWNER

By: [Signature]  
 Name: Albina Angela Kahn Dickenson  
 Title: owner / Co trustee  
 Address: 420 North 28 Ave  
Hollywood, FL 33020

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE DADE

Before me the undersigned authority personally appeared Albina Angela Dickenson 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 12<sup>th</sup> day of October 2016

AFFIANT  
2016

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



MARK F. BUTLER  
MY COMMISSION # EE 853795  
EXPIRES: December 26, 2016  
Bonded Thru Budget Notary Services

**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Michael Murrell 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 13th day of October, 2006



Notary Public State of Florida At Large  
Diana Ramos  
Printed Name of Notary  
My commission expires: 4/10/19

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: \_\_\_\_\_



# 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 Vasquez</u>	<u>Engineer / Surveyor</u>
<u>Orlestes Rodriguez</u>	<u>Architect</u>
<u>Michael Marrero</u>	<u>Attorney</u>
<u>Soaquin Vargas</u>	<u>Traffic Engineer</u>
<u>Michael S. Green</u>	<u>Attorney</u>
<u>Louis S. DQUIRE</u>	<u>Engineer</u>
<u>Jean C. Lee</u>	<u>Engineer</u>
<u>Ali Arbab</u>	<u>Engineer</u>
<u>Daniel Fornh</u>	<u>Surveyor</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.

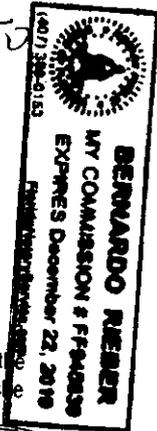
WITNESS MY HAND THIS 10 DAY OF October 20016

AUTHORIZED REPRESENTATIVE OF APPLICANT:

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

OWNER

By: [Signature]  
 (Signature)  
 Name: Jacquiline Tarkenton  
 (Print)  
 Title: \_\_\_\_\_  
 Address: 12455 Keystone Island Dr  
P. Miami Beach FL 33181



STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

Before me the undersigned authority personally appeared Jacquiline Tarkenton 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 10 day of October 20016

[Signature]  
 Notary Public State of Florida At Large  
 Printed Name of Notary Bernardo Nester  
 My commission expires: 12/22/19

**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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

*[Handwritten Signature]*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 13 day of October, 2016



Notary Public State of Florida At Large  
Diana Ramos  
Printed Name of Notary  
My commission expires: 4/10/19

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:



# 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 2 DAY OF JUNE, 20016

APPLICANT:

By: [Signature] (Signature)  
Name: Michael J. Marrofo (Print)  
Title: Attorney (Print)

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

PROPERTY OWNER:

By: [Signature] (Signature)  
Name: SACHAI TAKO (Print)  
Title: President (Print)

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





# 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 2 DAY OF JUNE, 2006

APPLICANT:

By: [Signature] (Signature)  
 Name: Michael Marres (Print)  
 Title: Attorney (Print)



WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006

PROPERTY OWNER:

By: [Signature] (Signature)  
 Name: Frank Kaitz (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 15<sup>th</sup> DAY OF March, 200.

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Michael Morris (Print)

Title: Attorney (Print)

By: [Signature] (Signature)

Name: Jeffrey Berco (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)

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

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

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

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

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

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

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

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

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

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

WITNESS MY HAND THIS 15<sup>th</sup> DAY OF March 2016

REPRESENTATIVE (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Michael Marro (Print)

Title: Attorney (Print)

By: [Signature] (Signature)

Name: Jeffrey 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)

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

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

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

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

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

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

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

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

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

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

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

2) Applicants and Affiants are advised to timely supplement this Affidavit pursuant to Sec. 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.

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

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: Jorge Vargas (Signature)  
Name: Jorge Vargas (Print)  
Title: President (Print)

By: [Signature] (Signature)  
Name: ALI ARBAB, P.E. (Print)  
Title: 3/14/16 (Print)

By: [Signature] (Signature)  
Name: Michael S. Gattano (Print)  
Title: Attorney (Print)

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

By: [Signature] (Signature)  
Name: Orlando Rodriguez (Print)  
Title: Principal (Print)

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

By: [Signature] (Signature)  
Title: Principal (Print)  
Title: Jean C. Lee (Print)

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

By: Michael A. Vazquez (Signature)  
Title: Michael A. Vazquez (Print)  
Title: VP (Print)

By: [Signature] (Signature)  
Title: DANIEL FORTIN JT (Print)  
Title: V.P. (Print)

By: [Signature] (Signature)  
Title: LAUIS J. AGUIRRE (Print)  
Title: RESIDENT (Print)

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

NOTE: 1) Use duplicate sheets if disclosure information for Representative varies  
2) Applicants and Affiants are advised to timely supplement this Affidavit pursuant to Sec. 31-71(b)(2)(iv) of the City's Land Development Regulations in the City Code, in the event that prior to consideration of the application by the City Board or Commission, the information provided in the Affidavit becomes incorrect or incomplete.

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

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Josquin Vergin (Print)

Title: Principal (Print)

By: [Signature] (Signature)

Name: Michael S. Greene (Print)

Title: Attorney (Print)

By: [Signature] (Signature)

Name: Artes R. Rodriguez (Print)

Title: Principal (Print)

By: [Signature] (Signature)

Title: Principal (Print)

Title: Jean C. Lee (Print)

By: [Signature] (Signature)

Title: Michael A. Vazquez (Print)

Title: VP (Print)

By: [Signature] (Signature)

Title: WILLIS J. AGUIRRE (Print)

Title: PRESIDENT (Print)

By: [Signature] (Signature)

Name: ALI ARBAB, P.E. (Print)

Title: 3/14/16 (Print)

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

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

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

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

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

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

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

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

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

By: [Signature] (Signature)

Title: DANIEL FOSTER (Print)

Title: VP (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**

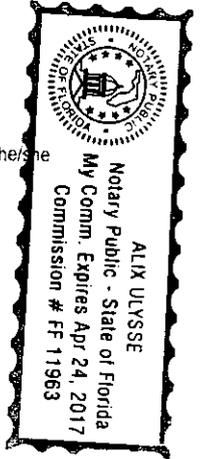
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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

*[Handwritten signature of Joaquin Vargas]*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of March 2016

*[Handwritten signature of Notary]*  
Notary Public State of Florida At Large  
Printed Name of Notary Alix Ulysse  
My commission expires April 24 2017



STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE BROWARD)

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

*[Handwritten signature of Michael S. Green]*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 15th day of March 2016



*[Handwritten signature of Cheryl A. Hanby]*  
Notary Public State of Florida At Large  
Printed Name of Notary Cheryl A. Hanby  
My commission expires: \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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

*[Handwritten signature of Artes Rodriguez]*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of March 2016

*[Handwritten signature of Notary]*  
Notary Public State of Florida At Large  
Printed Name of Notary Alix Ulysse  
My commission expires: April 24 2017

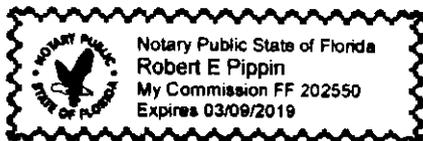


STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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

*[Handwritten signature of Darwin Feltus]*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of March 2016



*[Handwritten signature of Robert E. Pippin]*  
Notary Public State of Florida At Large  
Printed Name of Notary Robert E. Pippin  
My commission expires: 3/9/19

**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Joselyn Vignier 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.

*Joselyn Vignier*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of March 2016

*Alix Ulisse*  
Notary Public State of Florida At Large  
Printed Name of Notary Alix Ulisse  
My commission expires April 24 2017



STATE OF FLORIDA )  
COUNTY OF ~~MIAMI-DADE~~ Broward)

Before me, the undersigned authority, personally appeared Michael S. Greene 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 S. Greene*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 15<sup>th</sup> day of March 2016



*Cheryl A. Hanby*  
Notary Public State of Florida At Large  
Printed Name of Notary Cheryl A. Hanby  
My commission expires: \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared LOUIS J. NAUWRE 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.

*Louis J. Nauwre*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 15<sup>th</sup> day of MARCH 2016



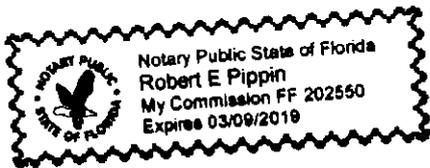
*Jessica Estopinan*  
Notary Public State of Florida At Large  
Printed Name of Notary Jessica Estopinan  
My commission expires 03/09/17

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared DANIEL PIPPIN 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.

*Daniel Pippin*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of March 2014



Notary Public State of Florida At Large  
Printed Name of Notary Robert E. Pippin  
My commission expires 3/9/19

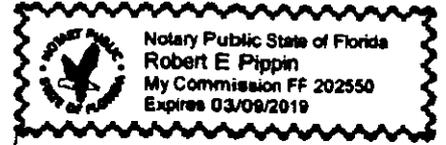
**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Melinda A. Vargas 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 14 day of MARCH, 2016

Melinda A. Vargas  
AFFIANT  
[Signature]  
Notary Public State of Florida At Large  
Robert E. Pippin  
Printed Name of Notary  
My commission expires 3/9/19

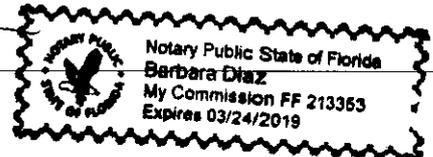


STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jean C. Lee 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 15 day of March, 2016

[Signature]  
AFFIANT  
[Signature]  
Notary Public State of Florida At Large  
Barbara Diaz  
Printed Name of Notary  
My commission expires: 03/24/2019



STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared LEWIS J. DURANTE 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 15<sup>th</sup> day of MARCH, 2016



**Jessica Estopinan**  
COMMISSION # EE 881856  
EXPIRES: MAR. 09, 2017  
WWW.AARONNOTARY.com

[Signature]  
AFFIANT  
[Signature]  
Notary Public State of Florida At Large  
Jessica Estopinan  
Printed Name of Notary  
My commission expires: 03/09/2017

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared ALI ARBAB 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 18 day of March, 2016

[Signature]  
AFFIANT  
[Signature]  
Notary Public State of Florida At Large  
Alix Ulysse  
Printed Name of Notary  
My commission expires: April 24 2017



**NOTARIZATION PROVISION**

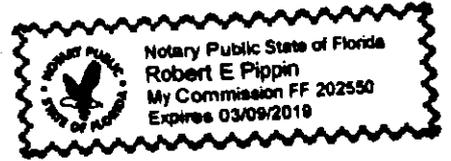
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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

*Michael A. Vazquez*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 14 day of March, 2016

Notary Public State of Florida At Large  
Robert E. Pippin  
Printed Name of Notary  
My commission expires 3/9/19



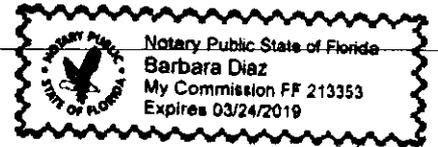
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jean-Claude 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.

*Jean-Claude*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 15 day of March, 2016

Notary Public State of Florida At Large  
Barbara Diaz  
Printed Name of Notary  
My commission expires: 03/24/2019



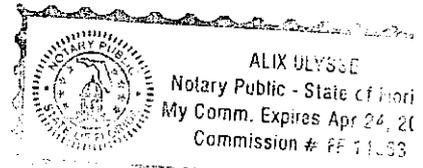
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Alister Lodge 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.

*Alister Lodge*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of March, 2016

Notary Public State of Florida At Large  
Alix Ulysse  
Printed Name of Notary  
My commission expires: April 24, 2017



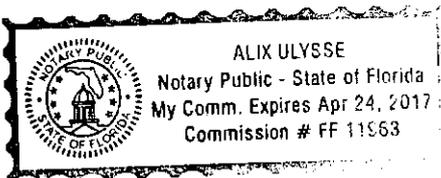
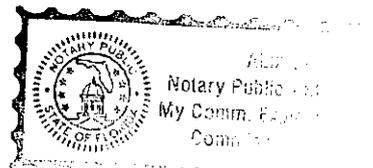
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Ali ARBAS 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.

*Ali ARBAS*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of March, 2016

Notary Public State of Florida At Large  
Alix Ulysse  
Printed Name of Notary  
My commission expires: April 24, 2017



**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Michael Marrero 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 15 day of March, 2006



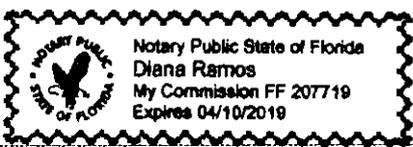
Notary Public State of Florida At Large  
Diana Ramos  
Printed Name of Notary  
My commission expires: \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jeffrey Becerra 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 15 day of March, 2006



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: \_\_\_\_\_

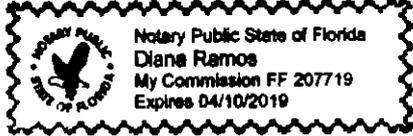
**NOTARIZATION PROVISION**

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.

*[Signature]*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 15 day of March 2006



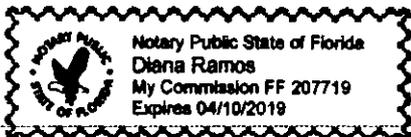
Notary Public State of Florida At Large  
Diana Ramos  
Printed Name of Notary  
My commission expires: \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jeffrey Bercow 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 15 day of March 2006



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: \_\_\_\_\_

**RESOLUTION NO. 2016-\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL TO ALLOW LOT COVERAGE OF 55.55% WHERE MAXIMUM LOT COVERAGE OF 40% IS PERMITTED BY CODE AND TO ALLOW FLOOR AREA RATIO OF 2.0 WHERE MAXIMUM FLOOR AREA RATIO OF 1.50 IS PERMITTED BY CODE; GRANTING VARIANCE APPROVAL TO ALLOW A LOT SIZE OF 1.36 ACRES FOR DEVELOPMENT IN THE MEDICAL OFFICE (MO) DISTRICT WHERE A MINIMUM LOT SIZE OF 1.5 ACRES IS REQUIRED BY CODE, ALL FOR AN OFFICE/HOTEL BUILDING TO BE CONSTRUCTED PURSUANT TO THE CITY'S GREEN BUILDING PROGRAM, LOCATED AT 2851 NE 213 STREET, CITY OF AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the property described herein in Exhibit "A" is zoned Medical Office (MO) District; and

**WHEREAS**, the applicant, Shalev Development Group LLC, through Application No. 02-CU-16 is requesting conditional use approval pursuant to Section 31-144(f)(2)k. and l. of the City Code to allow increased lot coverage and increased floor area for a development to be constructed under the City's Green Building Program; and

**WHEREAS**, the applicant, Shalev Development Group LLC, through Application No. 03-VAR-16, is requesting variance from Section 31-144(f)(4)a. of the City Code to allow development on a 1.36 acre lot, where a minimum 1.5 acre lot is required by Code; 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 Applications meet the criteria of the applicable codes and ordinances, to the extent the Applications are granted herein.

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

**Section 1.** Application for Conditional Use to allow increased lot coverage of 55.55% where a maximum 40% lot coverage is permitted by Code and to allow increased floor area ratio of 2.0 where a maximum of 1.50 floor area ratio is permitted by Code, is hereby granted, subject to the conditions set out in this Resolution, on

property legally described in Exhibit "A" to this Resolution and known as municipal address 2851 NE 213 Street, City of Aventura.

**Section 2.** Application for Variance to allow development on a 1.36 acre lot, where a minimum size of 1.5 acres is required by Code, is hereby granted, subject to the conditions set out in this Resolution, on property legally described in Exhibit "A" to this Resolution and known as municipal address 2851 NE 213 Street, City of Aventura.

**Section 3.** Approval of the applications above is subject to the following conditions:

1. Plans submitted for building permit shall substantially comply with those submitted as follows:
  - "Shalev Development", Cover Sheet, Drawing 000, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - "Shalev Development", Alta/NSPS Land Title Survey, Sheet 1 of 2, prepared by Fortin Leavy Skiles Inc., dated 2/9/16, signed and sealed.
  - "Shalev Development", Alta/NSPS Land Title Survey, Sheet 2 of 2, prepared by Fortin Leavy Skiles Inc., dated 2/9/16, signed and sealed.
  - "Shalev Development", Zoning Map and Project Development Data, Drawing A001, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - "Shalev Development", Floor Area Tabulation Diagrams, Drawing A002, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - "Shalev Development", Context Maps, Drawing A003, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - "Shalev Development", Context Photos, Drawing A004, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - "Shalev Development", Off-Site Sketch, Drawing A005, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - "Shalev Development", Building Facades, Drawing A006, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - "Shalev Development", Building Façade Materials, Drawing A007, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - "Shalev Development", Site Plan, Drawing A100, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
  - "Shalev Development", Floor Plan Level 1, Drawing A301, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.

- “Shalev Development”, Floor Plan Level 2, Drawing A302, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Floor Plan Level 2, Drawing A302, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Floor Plan Levels 3-5, Drawing A303, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Floor Plan Level 6, Drawing A306, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Floor Plan Level 7, Drawing A307, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Floor Plan Level 8, Drawing A308, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Floor Plan Levels 9-11, Drawing A309, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Floor Plan Level 12, Roof, Drawing A312, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Building Elevation, Drawing A401, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Building Elevation, Drawing A402, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Building Section, Drawing A5.00, prepared by Rodriguez, Peterson & Porras, Architects, signed and sealed 05/26/16.
- “Shalev Development”, Landscape Plan, Drawing L-100, prepared by Curtis and Rogers Design Studio Inc., signed and sealed.
- “Shalev Development”, Planting Plan Details, Drawing L-102, prepared by Curtis and Rogers Design Studio Inc., signed and sealed.
- “Shalev Development”, Civil Plans Cover Sheet, Drawing C-1, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Notes, Drawing C-2, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Paving and Marking Plan, Drawing C-3, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Grading and Drainage Plan, Drawing C-4, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Water and Sewer Plans, Drawing C-5, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Stormwater Pollution Prevention Plan, Drawing C-6, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Sections and Details, Drawing C-7, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.
- “Shalev Development”, Civil Plans Sections and Details, Drawing C-8, prepared by Fortin Leavy Skiles Inc., signed and sealed 5/31/16.

2. Building permits shall be obtained within 12 months of the date of this Resolution, failing which this approval shall be deemed null and void. The City Commission may, upon written request for such extension by the applicant within the initial 12 month

approval period, grant one extension of up to six months by resolution or motion at a regular meeting, for good cause shown by the applicant; and

3. Prior to issuance of a building permit by the City for the proposed development, the applicant shall:

- (i) enter into and record in the Public Records of Miami-Dade County, at its expense, and in form satisfactory to the City Manager and City Attorney, the Agreement and Covenant in fulfillment of all requirements of the City's Green Building Program in Chapter 14, Article VI. of the City Code; and
- (ii) provide to the City a performance bond or other security approved by the City Manager and City Attorney in the amount of 5% of building construction costs as approved by the City's Building Official to guarantee attainment of LEED® Gold certification by the US Green Building Council; and
- (iii) record, in form satisfactory to the City Manager and City Attorney, a Unity of Title joining the lots comprising the parcel into one development site; and
- (iv) submit and receive approval from the City Manager of a detailed job-site plan as required by City of Aventura Ordinance No. 2006-05; and
- (v) record in the Public Records of Miami-Dade County, at its expense, in form satisfactory to the City Manager and City Attorney, a right of way deed to the City for the road widenings on NE 28 Court and NE 214 Street.
- (vi) obtain a Public Works Permit from the City for all proposed roadway improvements and driveways onto NE 213 Street, NE 214 Street and NE 28 Court.

4. Prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, the applicant shall:

- (i) provide an as-built survey and Elevation Certificate in form approved by the City; and
- (ii) provide to the City, evidence of compliance with City Code Section 31-242 regarding public safety radio system protection; and
- (iii) complete, to the satisfaction of the City Manager, the intersection and roadway improvements shown on the approved plans submitted with this application. Improvements include pavement, sidewalks, streetlighting, landscaping on NE 213 Street, NE 214 Street and NE 28 Court, along with intersection improvement at NE 214 Street and East Dixie Highway.

**Section 4.** The City Manager is authorized to 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 5.** Issuance of this development order by the City of Aventura does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Aventura for issuance of the development order if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the development. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

**Section 6.** 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 Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Dr. Linda Marks	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Mayor Enid Weisman	_____

**PASSED AND ADOPTED** this 1st day of November, 2016.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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

This Resolution was filed in the Office of the City Clerk this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

Exhibit "A"

Legal Description of Property  
2851 NE 213 Street, City of Aventura

Parcel 1 – Jasmin Investments LLC

Lots 1, 2, 3, 4, 5 and 10 in Block 37 and Lots 6 and 7 in Block 38 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida.

Parcel 2 – Kahn Trustees

Lot 10, Block 29 and Lots 6 and 7, Block 30 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

Lots 8 and 9 in Block 37 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

Lots 8, 9 and 10 in Block 38 and Lot 1 in Block 39 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

Lots 1, 2 and 3 in Block 38 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

Lots 4 and 5 in Block 38 of Hallandale Park, according to the Plat thereof, recorded in Plat Book 12, page 37 of the Public Records of Miami-Dade County, Florida

**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 27, 2016

SUBJECT: Request of Aventura Corporate Center LLLP for Conditional Use Approval pursuant to Section 31-144(c)(2)n. of the City Code to permit an automobile parking garage in the Community Business (B2) District located directly adjacent to an automobile parking garage located in a multifamily residential zoning district and that does not meet the height and distance requirements of Section 31-144(c)(5)b. of the City Code, for an office/retail development on property located at 2777 NE 185 Street, City of Aventura (04-CU-16)

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**November 1, 2016 City Commission Meeting Agenda Item 97**

**RECOMMENDATION**

It is recommended that the City Commission approve the request for conditional use approval to permit an automobile parking garage on a lot zoned Community Business (B2) District that is directly adjacent to an automobile parking garage located in a multifamily residential zoning district and that does not meet the height and distance requirement of Section 31-144(c)(5)b. of the City Code, subject to the conditions listed in this staff report.

**THE REQUEST**

The applicant, Aventura Corporate Center LLLP, is requesting conditional use approval pursuant to Section 31-144(c)(2)n. of the City Code to permit an automobile parking garage on a lot zoned Community Business (B2) District that is directly adjacent to an automobile parking garage on a multifamily residential zoning district, where the height of the commercial parking garage is the same or less than the approved automobile parking garage in the multifamily residential lot. (See Exhibit #1 for Letter of Intent)

**BACKGROUND**

**OWNER OF PROPERTY** Aventura Corporate Center LLLP

**APPLICANT** Aventura Corporate Center LLLP

**ADDRESS OF PROPERTY** 2777 NE 185 Street, City of Aventura  
See Exhibit #2 for Location Plan

**LEGAL DESCRIPTION** Lot 2, Block 1, Aventura Walgreens Subdivision, according to the plat thereof as recorded in Plat Book 157, Page 43, of the Public Records of Miami-Dade County, Florida

**EXISTING ZONING** B2, Community Business District

**FUTURE LAND USE DESIGNATION** Business and Office

**Zoning –**

Subject property:	B2	Community Business District
Property to the North:	TC1	Town Center District
Property to the South:	B2	Community Business District
Property to the West:	B2	Community Business District
Property to the East:	RMF4	Multifamily High Density Residential District

**Existing Use –**

Subject property:	Vacant Land
Property to the North:	Commercial Plaza
Property to the South:	Office Building
Property to the East:	Vacant Land with approved multifamily residential condominium development
Property to the West:	Commercial Plaza

**Future Land Use Designation -** According to the City of Aventura Comprehensive Plan, the following properties are currently designated as follows:

Subject property:	Business and Office
Property to the North:	Town Center
Property to the South:	Business and Office
Property to the East:	Medium-High Density Residential
Property to the West:	Business and Office

**The Site -** The subject site is a 1.45 acre vacant property with frontages on both NE 185 Street and NE 187 Street, with municipal address 2777 NE 185 Street. The site is part of an overall development site of 3.88 acres. The westerly 2.43 acres is developed and

contains two one-story commercial buildings currently occupied by Walgreens and Pier 1 Imports.

**The Project** – The applicant has submitted an application for Administrative Site Plan Approval to construct a 10 story, 120 foot tall, 120,000 square foot office building with lobby fronting on NE 187 Street. The 6 level, 73'6" tall parking garage has 2,946 square feet of retail space on the ground floor fronting on NE 185 Street. Access to the office building, garage and retail space is by way of an existing internal driveway between this development and the existing development to the west.

There are 412 parking spaces provided in the parking garage, where 412 parking spaces are required by Code. Mechanical parking lifts will be installed in 37 of the parking spaces on the ground floor of the garage. The lifts are permitted by Section 31-171(a)(6)(i) of the City Code, provided that the owner complies with the conditions of this code section and provides a recorded Restrictive covenant to ensure continued compliance.

This site is currently subject to a Declaration of Restrictions in Lieu of Unity of Title. An amendment will be required to reference the development plans subject of this staff report.

The Administrative Site Plan Approval application is under review by City staff. The administrative approval is subject to approval by the City Commission of the requested conditional use.

## **ANALYSIS**

### **Citizen Comments**

As of the date of writing of this report, the Community Development Department has received no written citizen comments about this application. Notice of the time, place and nature of the public hearing will be advertised in a newspaper of general circulation and mailed to all property owners within a 300 foot radius of the site as a courtesy not less than 10 days prior to the hearing. The property will be posted not later than 10 days prior to the hearing by a sign containing information concerning the application and public hearing.

### **Community Development Department Analysis**

The property is located in the B2, Community Business District. The proposed uses are permitted in the zoning district. The development proposal meets the B2 District site development criteria for lot coverage, setbacks, office building height and floor area ratio. Conditional use approval is required for the height of the parking garage adjacent to an approved multifamily residential parking garage. The site adjacent to the east of the site subject of this staff report has an approved site plan for a 203 unit, 18 storey, 186'6" tall residential condominium. The 6 level, 73'8" tall parking garage for the

condominium is located on the west limit of the condominium site, directly adjacent to the proposed Aventura Office Tower parking garage. The proposed height of the Aventura Office Tower parking garage is 68'10" at the easterly elevation of the rooftop screening, sloping up to 73'6" tall on the westerly elevation. An adjacency study prepared by the applicant's architect is attached as Exhibit #3 to this staff report.

### **Compliance with Section 31-144(c)(2)n. Criteria**

The criteria of Section 31-144(c)(2)n. are as follows:

"n. Automobile parking garages located directly adjacent to an automobile parking garage located in a multifamily residential zone that do not meet the height and distance requirement of Section 31-144(c)(5)b. and that include the following design elements:

(i) the automobile parking garage is the same height or less than an existing or approved automobile parking garage located on an adjacent residential plot and

*The proposed automobile parking garage in the B2 zoning district is 68'10" tall at the easterly elevation, adjacent to the approved multifamily residential parking garage. The roof screen on the parking garage slopes up to 73'6" tall on the westerly elevation. The approved automobile parking garage on the adjacent multifamily residential lot is 73'8" tall. An adjacency study is attached as Exhibit #3. This criterion is met.*

(ii) the top level of the automobile parking garage is completely screened from view of the adjacent residential plot, and

*The top level of the automobile parking garage is completely screened from view of the adjacent residential plot by a grey aluminum paneling system. The perspective views are attached as Exhibit #4. This criterion is met.*

(iii) the openings along the exterior perimeter walls of the automobile parking garage walls within 200 feet of a residential zoned plot shall be screened to minimize adverse effects on the adjacent residential lot."

*The openings along the exterior perimeter walls of the automobile parking garage walls within 200 feet of the adjacent multifamily residential plot are screened by a paneling system as shown on attached Exhibit #4. This criterion is met.*

### **Compliance with Criteria for Conditional Use Approval**

The guidelines for approval of conditional uses in Section 31-73(c) of the City's Land Development Regulation are as follows:

*"General Standards of review. In addition to the standards set forth in these LDRs for the particular use, all proposed conditional uses shall meet each of the following standards:"*

*(a) The proposed use shall be consistent with the comprehensive plan.*

The proposed use is consistent with the goals and objectives of the Comprehensive Plan. The future land use designation of this property is Business and Office. Office and retail uses are contemplated by this category.

*(b) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare.*

The establishment, maintenance or operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare. The applicant proposes a wide sidewalk along NE 18 Street frontage, a sidewalk along the NE 187 Street frontage and a sidewalk along the internal driveway connecting to both streets.

*(c) The proposed use shall be consistent with the community character of the immediate neighborhood of the proposed use.*

The immediate neighborhood of the proposed use is comprised of office, retail and multifamily residential uses. The proposed office/retail development is consistent with the community character of the immediate neighborhood.

*(d) Utilities, roadway capacity, drainage and other necessary public facilities, including police, fire and emergency services, shall exist at the City's adopted levels of service, or will be available concurrent with demand as provided for in the requirements of these LDRs.*

Utilities, roadway capacity, drainage and other necessary public facilities, including police, fire and emergency services exist at the City's adopted levels of service or will be available concurrent with demand as provided for in the City's Land Development Regulations.

*(e) Adequate measures exist or shall be taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets.*

Adequate measures have been taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets. Ingress and egress to the office/retail building is by way of accesses from NE 185 Street and from NE 187 Street by way of an internal driveway.

*(f) The establishment of the conditional use shall not impede the development of surrounding properties for uses permitted in the zoning district.*

The establishment of the conditional use will not impede the development of surrounding properties for uses permitted in the zoning district.

*(g) The design of the proposed use shall minimize adverse effects, including visual impacts, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.*

The design of the proposed use minimizes adverse effects, including visual impacts of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria. The architectural design is compatible with existing buildings in the area. The garage will be screened from view of the adjacent multifamily residential building.

### **Conditions of Approval**

Staff recommends approval of the requested conditional use for construction of an automobile parking garage adjacent to an approved automobile parking garage in a multifamily residential zoning district, which garage does not meet the height and distance requirements of Section 31-144(c)(5)b., subject to the following conditions:

1. The applicant shall obtain a building permit for the development within 12 months of the date of the approving resolution, failing which this approval shall be void. The applicant may request, in writing and prior to expiry of the initial 12 month time period, one six month extension of time to obtain building permits and the City Commission may, by resolution or motion, grant such extension of time upon a showing of good cause by the applicant, and
2. Plans submitted for building permits shall substantially comply with those submitted with this application for conditional use approval as follows:
  - "Aventura Office Tower", Cover Sheet & Project Data, prepared by Beame Architectural Partnership, dated 10/14/16, signed and sealed.
  - "Aventura Office Tower", Boundary Survey, prepared by Fortin, Leavy, Skiles, Inc., Sheet No.1 of 1, last revised 9/3/15, signed and sealed.
  - "Aventura Office Tower", Location Plan, prepared by Beame Architectural Partnership, Sheet No. AO.1, dated 10/14/16, signed and sealed.
  - "Aventura Office Tower", Location Plan, prepared by Beame Architectural Partnership, Sheet No. AO.2, dated 10/14/16, signed and sealed.
  - "Aventura Office Tower", Site Plan (Roof Plan), prepared by Beame Architectural Partnership, Sheet No. A1.1, dated 10/14/16, signed and sealed.
  - "Aventura Office Tower", Ground Floor Plan, prepared by Beame Architectural Partnership, Sheet No. A2.1, dated 10/14/16, signed and sealed.

- "Aventura Office Tower", Second Floor Plan, prepared by Beame Architectural Partnership, Sheet No. A2.2, dated 10/14/16, signed and sealed."Aventura Office Tower", Third Floor Plan, prepared by Beame Architectural Partnership, Sheet No. A2.3, dated 10/5/16, signed and sealed."Aventura Office Tower", Fourth Level Plan, prepared by Beame Architectural Partnership, Sheet No. A2.4, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Fifth Level Plan, prepared by Beame Architectural Partnership, Sheet No. A2.5, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Sixth Level Floor Plan, prepared by Beame Architectural Partnership, Sheet No. A2.6, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Seventh Level Plan, prepared by Beame Architectural Partnership, Sheet No. A2.7, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Eighth Level Plan, prepared by Beame Architectural Partnership, Sheet No. A2.8, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Ninth Level Plan, prepared by Beame Architectural Partnership, Sheet A2.9, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Tenth Level Plan, prepared by Beame Architectural Partnership, Sheet No. A2.10, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Roof Floor Plan, prepared by Beame Architectural Partnership, Sheet No. A2.11, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Elevations & Elevation Details, prepared by Beame Architectural Partnership, Sheet No. A3.1, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Elevations & Elevation Details, prepared by Beame Architectural Partnership, Sheet No. A3.3, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Sections, Elevations & Elevation Details, prepared by Beame Architectural Partnership, Sheet No. A3.2, dated 10/14/16, signed and sealed
- "Aventura Office Tower", Perspective Views, prepared by Beame Architectural Partnership, Sheet No. A3.4, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", General Notes & Specifications, prepared by Langan, Sheet No. C-2.0, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Signage and Striping Plan, prepared by Langan, Sheet No. C-3.0, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Fire Staging Area Plan, prepared by Langan, Sheet No. C3.1, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Paving, Grading and Drainage Plan, prepared by Langan, Sheet No. C-4.0, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Water Plan, prepared by Langan, Sheet No. C-5.0, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Sanitary Sewer Plan, prepared by Langan, Sheet No. C5.2, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Detail Sheet, prepared by Langan, Sheet No. C-8.0, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Vehicular Circulation Plan, prepared by Langan, Sheet No. C-9.0, dated 10/4/16, signed and sealed 10/4/16.

- "Aventura Office Tower", Landscape Plan, prepared by Witkin Hults Design Group, Sheet No. L-1, dated 6/24/15, revised 10/2/16, signed and sealed 10/3/16.
- "Aventura Office Tower", Landscape Details, prepared by Witkin Hults Design Group, Sheet No. L-2, dated 6/24/15, revised 10/2/16, signed and sealed 10/3/16.
- "Aventura Office Tower", Site Photometrics Plan, prepared by Steven Feller, P.E, P.L., Sheet No. PH-1, dated 6/29/15, revised 9/30/16, signed and sealed.
- "Aventura Office Tower", Roof Level Photometric, prepared by Steven Feller, P.E, P.L., Sheet No. PH-2, dated 6/29/15, revised 9/30/16, signed and sealed.
- "Aventura Office Tower", Site Lighting Plan, prepared by Steven Feller, P.E, P.L., Sheet No. ES-1, dated 6/29/15, revised 9/30/16, signed and sealed.

3. Any discontinuation of the approved conditional use for a period of 180 consecutive days shall constitute abandonment and shall rescind the approval of the conditional use, and

4. Prior to issuance of a building permit for the proposed development, the applicant shall:

(i) provide a job-site plan for approval of the City Manager, pursuant to Section 14-100 of the City Code, and

(ii) provide to the City, in form satisfactory to the City Manager and City Attorney, a signed copy of the amendment to the Declaration of Restrictive Covenants in Lieu of Unity of Title, and

(iii) obtain a Public Works Permit from the City's Public Works/Transportation Department for all planned improvements in the public right of way, and

(iv) provide to the City, in form satisfactory to the City Manager and City Attorney, a queuing study for the mechanical parking lift level of the parking garage, and

(v) provide to the City, in form satisfactory to the City Manager and City Attorney, a signed copy of the Restrictive Covenants regarding the operation and maintenance of the parking lifts on the first level of the parking garage.

5. Prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, the applicant shall:

(i) provide an as-built survey and Elevation Certificate in form satisfactory to the City Manager, and

(ii) provide to the City, in form satisfactory to the City Manager and City Attorney, a recorded copy of the amendment to the Declaration of Restrictions in Lieu of Unity of Title, and

(iii) provide to the City, in form satisfactory to the City Manager and City Attorney, a recorded copy of the Restrictive Covenants regarding the operation and maintenance of the parking lifts, as required by Section 31-171(a)(6)(i) of the City Code.

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

September 7, 2016

**VIA FEDERAL EXPRESS AND E-MAIL**

SEP 12 2016

Ms. Joanne Carr  
City of Aventura  
Government Center  
19200 W. Country Club Drive, 4th Floor  
Aventura, Florida 33180

**Re: Application for Conditional Use Approval  
Property Located at 2777 N. E. 185th Street, Aventura, Florida  
Folio No. 28-2203-059-0020 (the "Property")**

Dear Ms. Carr:

This firm represents Aventura Corporate Center, LLLP in connection with the property located 2777 N.E. 185th Street, Aventura, Florida. Please consider this our formal letter of intent in connection with an Application for Conditional Use Approval.

As part of this application, I am incorporating our attached August 23, 2016 Amended and Supplemental Letter of Intent that accompanied our client's request for a text amendment to the City of Aventura Code Section 31-144, related to commercial garages adjacent to residential properties. The attached letter details the history of approvals on our client's property including how our client's prior approvals included structures within close proximity to the eastern property at a height of up to 176 feet.

As detailed in our attached letter, the adjacent property was rezoned from commercial to residential. At the time of the adjacent property's rezoning, our client's approval included the entire building with incorporated parking garage immediately adjacent to the then commercial property to the east. Our client is now seeking an alternate and less physically intense approval as it relates to the adjacent property. The new site plan proposes to locate the parking garage adjacent to the residential property to the east, but with the taller main structure located to the north rather than where it was approved, immediately adjacent to the residential property to the east.

**Exhibit 1  
04-CU-16**

MIAMI 5142110.1 77553/45327

However, the result of the rezoning of the adjacent property to the east was to put an artificial limitation on the height of our client's garage that would not exist had the adjacent property remained zoned commercial. Therefore, our client is seeking a conditional use to allow an automobile parking garage located adjacent to an approved automobile parking garage on the adjacent property. Our client's proposed parking garage meets the conditional use standards as it is lower in height than the existing garage, will be completely screened from the adjacent residential parking lot and the openings of the perimeter walls of the automobile parking garage will be screened to minimize adverse effects on the adjacent residential lot. Further, our client has designed the garage to slope away from the residential property so the lowest point of the garage is immediately adjacent to the neighboring property.

In connection with this application, I am also submitting the required mailing labels, ten copies of two drawings showing the relationship of the proposed garage to the residential approval to the east, and our firm's check in the amount of \$6,000 representing the \$5,000 filing fee along with the \$1,000 advertising deposit.

Based on the foregoing, the history of the property and the fact that the hearing limitation was specifically imposed by the rezoning of the adjacent property, our client requests approval of its conditional use approval of the parking garage.

Thank you for your review of the foregoing, should you have any questions or wish to discuss the above, please do not hesitate to contact me at (305) 350-2351.

Very truly yours,



Brian Adfer

BSA/ebl

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

August 23, 2016

**VIA FEDEX AND E-MAIL**

Ms. Joanne Carr  
City of Aventura  
Government Center  
19200 W. Country Club Drive, 4th Floor  
Aventura, Florida 33180

**Re: Amendment to the Text of the Land Development Regulations  
Proposed Amendment to Code Section 31-144(c)(2) and (5)**

**AMENDED AND SUPPLEMENTAL LETTER OF INTENT**

Dear Ms. Carr:

This firm represents Aventura Corporate Center, LLLP. Please consider this our formal letter of intent in connection with a Public Hearing Application for Amendment to the Text of the Land Development Regulations. Specifically, this request seeks a modification of the restrictions or permitted heights of parking garages in the B2 zoning district. Our client is requesting a modification to sections 31-144(c)(2) related to Conditional Uses and 31-144(c)(5)(b) related to height only as it pertains to parking garages.

At the time of adoption of the City's land development regulations, the maximum height of structures in the B2 zoning district was 20 stories. The City subsequently amended its land development regulations in 2006 to lower the maximum height to 12 stories or 120 feet as of right, with conditional use approval for heights up to 20 stories or 200 feet. The B2 zoning district then further restricted any portion of a building or structure within 200 feet of a residentially zoned lot to 1 foot of height for each 2 feet of distance from a residentially zoned lot (with a minimum height of 25 feet).

Our client owns the Property located at 2777 N.E. 185th Street. A history of the City approvals on this Property and the adjacent property to the east is particularly instructive.

Our client's Property was originally approved in June 2003 under City of Aventura Administrative Site Plan Approval 15-SP-02 for a 13-story, 176.83 foot tall Embassy Suites hotel, including a 170 room hotel atop a parking pedestal, and located on the portion of the lot adjacent to the property to the East. The structure was within the 200 foot distance of the adjacent parcel to the east, which adjacent parcel, at that time, was similarly zoned B2.

MIAMI 5120691.2 77553/45327

Therefore, while not subject to the spacing or distance requirements at the time, the subsequently adopted changes to the land development regulations related to spacing from residential districts would not have impacted our client's development. Our client's parcel was therefore not subject to the setback and height restriction associated with commercial developments adjacent to residential property or the modified City land development regulation.

In September 2004, through ASPR 15-SP-02 (Rev), the City approved an extension of time to obtain the permit to provide additional time to obtain the consent of the then Walgreens/Pier 1 owner to the covenant in lieu of unity of title. In December 2004 our client submitted an application for a revised site plan for a 14-story office and bank building, however, due to changing market conditions, our client then sought a further modification of the prior approvals, through ASPR 01-SP-08 to revert back to a hotel use for an Aloft hotel with an 8 story structure directly adjacent to the adjacent residential parcel. The two site plan modifications were again not subject to the distance and height restrictions since they were modifications to existing approvals.

In the interim the owner of the adjacent parcel sought and received, in 2003, a voluntary rezoning from B2 commercial to residential. At the time of the rezoning of the parcel to the east, our client's Property was approved for structures adjacent to and within the setback, ranging from 8 to 20 stories. However, the voluntary rezoning of the adjacent parcel unfortunately has now served to restrict the height of commercial structures in the B2 district within 200 feet of that residential district to a height of one foot for every two foot in distance from the residential zone plot, with a minimum of 25 feet.

The rezoning of the adjacent parcel has had significant negative impacts on our client's property which is limited in depth. The consequence was to restrict a portion of our client's property, which is near the town center district and just east of Biscayne Boulevard to two stories when some of these properties previously enjoyed the ability to go up to 12 stories as of right and up to 20 stories via conditional use. In fact, the prior approvals under the B-2 zone previously allowed for an even higher development.

However, due to the changing market and need for additional Class A office buildings in the City of Aventura, our client has applied for a new site plan to seek a 12 story office building and parking garage. Because of the irregular lot configuration, the office building portion of the development is directly adjacent to another B2 zoned parcel and is therefore not subject to the one foot to two foot height and distance restriction. However, the parking garage portion of the development is now adjacent to a residentially zoned lot and is subject to that height restriction.

The result is to limit the height of the parking structure that was previously approved at up to 20 stories to no more than two stories for the portion adjacent to the residential property without receiving a variance. This change essentially artificially limited the height of our client's building to 25 feet across a significant portion of the Property. This impact not only affects the subject portion of the Property but the ability to provide required parking for the use.

If our client's Property was zoned residential, a residential parking garage or even a residential structure would be permitted within the same area as our client's proposed parking garage. There is very little difference in appearance, utilization or impact between a parking

garage servicing a commercial uses versus a parking garage servicing residential uses to justify the distinction in the code as it relates to parking structures as they are both essentially the same parking garages. The protection sought to buffer the adjacent residential structures is more understandable for the actual commercial or office use rather than the parking garage that arguably could service either residential or commercial properties. Further, in today's urban environment, many jurisdictions support the collocation of residential and commercial structures in recognition that these uses are often located in close proximity to each other to support a more walkable development. In fact the City's own Town Center district supports such collocation.

If our client's Property was designated for residential development, our client could as of right construct a twelve story residential tower next to the adjacent residential development. Further, our client could construct an twelve story, as of right, garage next to a residential development.

Therefore, we propose that the B2 Code be modified to eliminate the distinction between the same type of parking garage structure servicing a residential versus a commercial garage and allow for parking garages to be approved via conditional use in the B-2 zone so long as the parking garages are properly screened to avoid light spillage into the adjacent residential development. The proposed modified language is attached as Exhibit A.

Office buildings generally have less late evening trips at the time when the residences are being utilized. Therefore, a residential parking garage arguably has the potential to have more impact rather than less impact than the proposed commercial or office parking garage which generally has daytime office hours. Further, the parking garage portion of a commercial structure is no different than a residential parking garage and therefore, if a residential parking garage is permitted adjacent to a residential property, then a parking garage in support of a commercial use should equally be permitted so long as the commercial uses (retail stores, etc.) are not higher than the 25 feet within 200 feet of the residential property.

Finally, through the conditional use process, the Commission can evaluate in circumstances such as this where the impacted property was commercial and voluntarily sought a zone change to residential, and the inequities associated with impacting neighboring properties based on such change.

We therefore propose the attached language be added to the Code.

Should you have any questions regarding the above, please do not hesitate to contact me at (305) 350-2351.

Very truly yours,



Brian Adler

BSA/ebi

Section 31-144(c) – Business Zoning Districts.

(c) Community Business (B2) District.

(2) Conditional use. The following uses if first approved as a conditional use:

n. Automobile parking garages directly adjacent to an automobile parking garage in a multifamily residential zone that do not meet the height and distance requirement of Section 31-144(c)(5)b. and that include the following design elements:

(i) the automobile parking garage is the same height or less than an existing or approved automobile parking garage on the adjacent residential plot and

(i) the top level of the automobile parking garage is completely screened from view of the adjacent residential plot, and

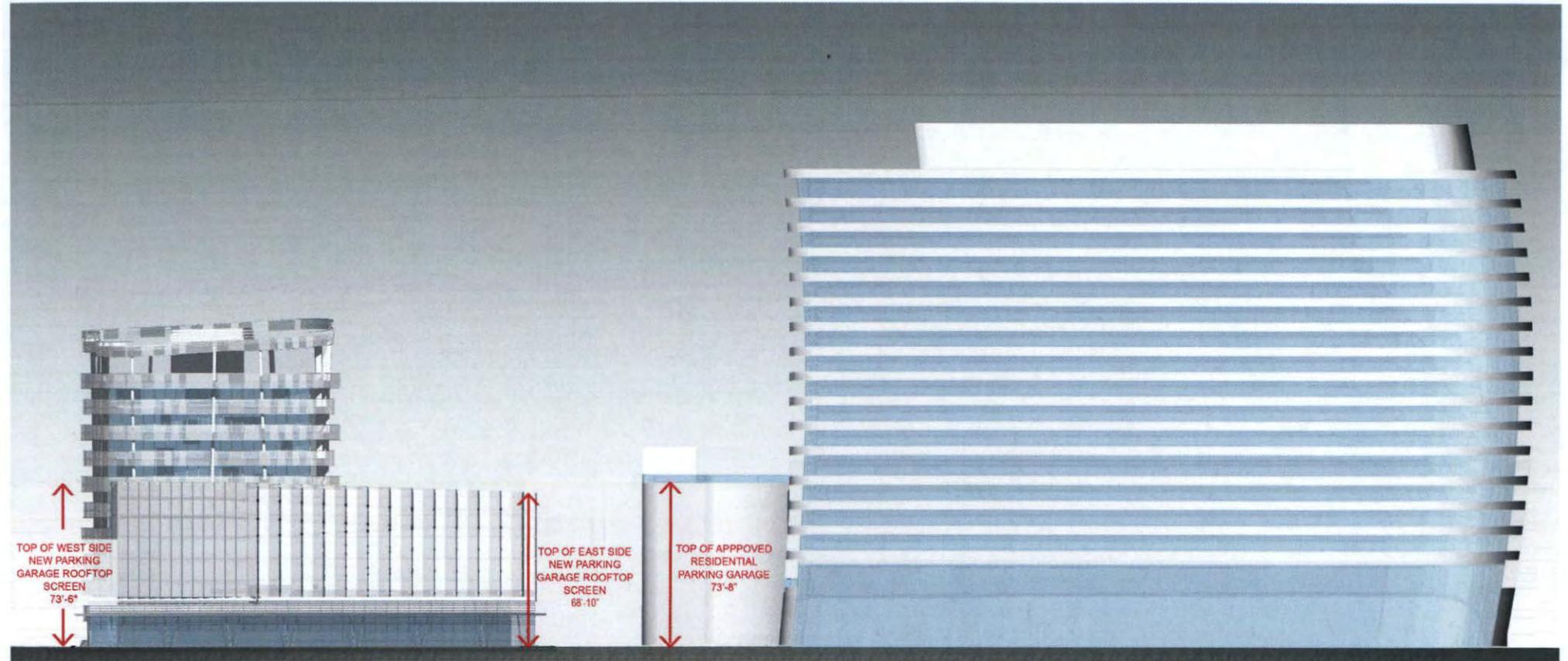
(ii) the openings along the exterior perimeter walls of the automobile parking garage walls within 200 feet of a residential zoned plot shall be screened to minimize adverse effects on the adjacent residential lot.

(5) Site development standards.

b. *Maximum height:* 12 stories or 120 feet overall maximum height, including structure parking, provided that a height limitation of five stories shall apply only for shopping center buildings which are subject to subsection (5)a.4. above. That portion of the building or structure directly adjacent to and within 200 feet of any residential zone shall be subject to a height limitation of one foot for every two feet in distance from the residential zoned plot unless the application of this requirement would limit the building height to a minimum of 25 feet, excepting from this height and spacing requirement an automobile parking garage approved as a conditional use pursuant to Section 31-144(c)(2)n.



Exhibit 3  
04-CU-16



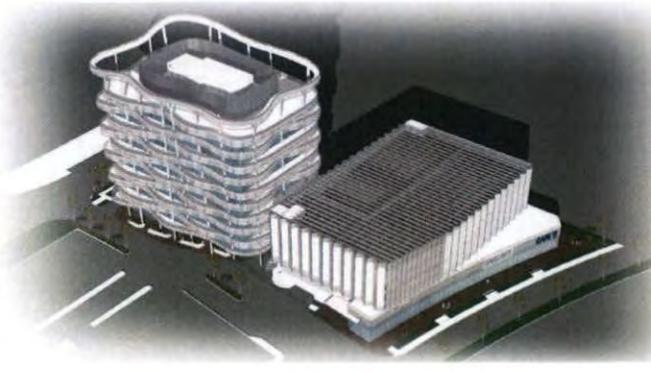
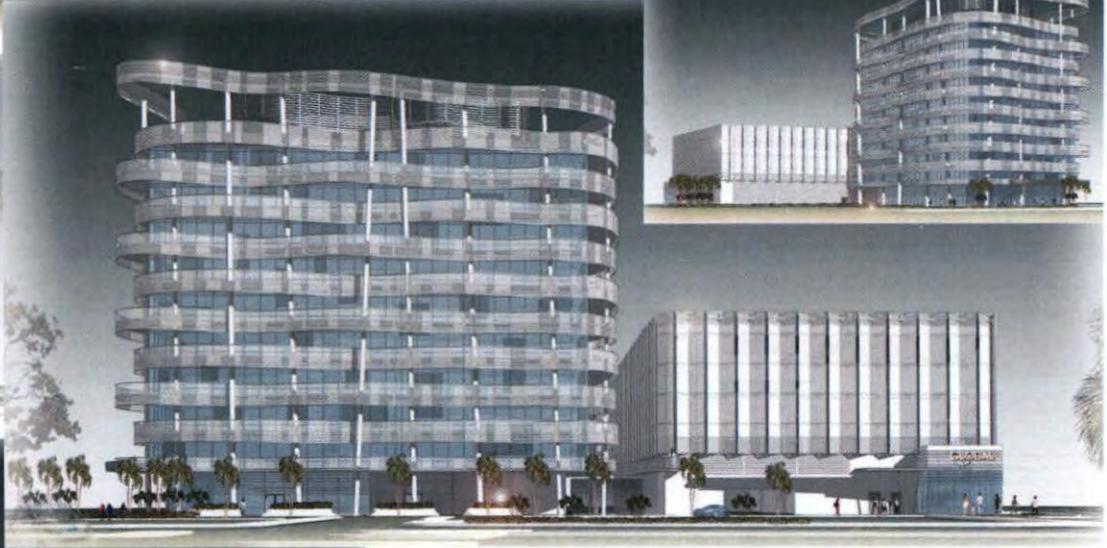
adjacency study

08-22-2016

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Exhibit 4  
04-CU-16



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Florida Corp AA0002364  
PH 305.444.7100 FX 305.444.9803  
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DEVELOPERS:  
  
AVENTURA CORPORATE  
CENTER, LLLP  
1900 W. COUNTRY CLUB DRIVE,  
SUITE 900  
AVENTURA, FL 33180  
PH 305.466.1810

LAWRENCE BEAME, R.A.  
REGISTRATION # 7871

**AVENTURA  
CORPORATE  
TOWER**  
2777 NE 185TH STREET  
AVENTURA, FLORIDA 33180

DATE: 10-14-2016  
SCALE: 1/16"=1'-0"

PERSPECTIVE  
VIEWS

PROJECT NUMBER: 15005.00  
DATE: 10-14-2016  
SHEET NUMBER: A3.4

# AVENTURA OFFICE TOWER

BY  
AVENTURA CORPORATE CENTER, LLLP  
AT 2777 NE. 185TH STREET  
AVENTURA, FLORIDA

## SITE PLAN REVIEW SUBMITTAL

10/14/16

### PROJECT DATA

**ADDRESS:** MIAMI GARDENS DRIVE AND BISCAYNE BOULEVARD CITY OF AVENTURA FLORIDA  
THIS SITE COMPOSED BY TWO LOTS LOCATED IN AVENTURA, FLORIDA BETWEEN NE. 185TH STREET AND 187 STREET WITH BISCAYNE BOULEVARD TO THE WEST. LOT 1 IS CURRENTLY USED BY WALGREENS AND PIER ONE IMPORT STORE. LOT 2 IS VACANT AND IS THE OBJECT OF THIS DEVELOPMENT WHICH INCLUDES A 10 STORY OFFICE BLDG. + 6 LEVEL PARKING STRUCTURE INCLUDING GROUND LEVEL RETAIL.  
**DEVELOPMENT ADDRESS:** 2777 NE. 185TH STREET, AVENTURA, FLORIDA 33180  
**DEVELOPMENT LOT FRONTAGE:**  
SOUTH 285.82 FEET WITH MIAMI GARDENS DRIVE  
EAST 483.48 FEET WITH A VACANT LOT AND ONE STORY SHOPPING CENTER  
NORTH 138.52 FEET WITH 187 STREET  
WEST 343.14 FEET WITH AN INTERNAL PRIVATE ALLEY.

**SITE DATA:**  
**-ZONING CLASSIFICATION:** B-2 COMMUNITY BUSINESS DISTRICT.  
**-ESTABLISHED GRADE:** 8'-0" NGVD WHICH IS 1'-8" ABOVE HIGHEST CROWN OF THE ROAD

**LOT AREA:**  
**-GROSS PARCEL AREAS:**  
NEW (CAB) 83,002 SF. ( 1.45 ACRES)  
EXISTING (GDB) 106,132 SF. ( 2.43 ACRES)  
**-LOT AREA COMBINED:** 189,134 SF. ( 3.88 ACRES)  
EXISTING AND NEW BLDGS.

	ALLOWABLE	PROVIDED
<b>LOT COVERAGE:</b>	189,134 S.F. x40% = 87,280 SF.	NEW BLDG. (CAB) 34,789 SF. EXISTING BLDGS. (GDB) 24,454 SF. 89,223 SF.
<b>FLOOR AREA RATIO (FAR)</b>	0.40x floor = 0.40 0.11x g = 0.99 1.39 1.39x189,134 S.F. = 262,896 SF.	GROSS EXISTING BLDGS. 24,454 SF. GROSS NEW OFFICE BLDG. 122,948 SF. AND RETAIL. TOTAL 147,402 SF.
<b>MAXIMUM HEIGHT:</b>	12 STORES OR 120 FT. HT.	10 STORES 120 FT. HT.
<b>SETBACKS:</b>		
<b>-FRONT YARD: BISCAYNE BLV.</b>	MINIMUM 25'-0"	344'-0"
<b>-REAR YARD</b>	NO REQUIREMENT FOR A PLOT WHICH IS NOT ADJACENT TO A STREET OR ALLEY. A SIDE OR REAR SETBACK OF 20 FEET IS REQUIRED FOR A PLOT ADJACENT TO THE RESIDENTIAL ZONE DISTRICT, STREET OR ALLEY	20'-0" MIN @ PORTION ADJACENT TO COMMERCIAL PROPERTY AND 20'-0" @ PORTION ADJACENT TO THE RESIDENTIAL ZONE DISTRICT
<b>-NORTH SIDE YARD: NE. 187TH ST.</b>	MINIMUM 20'-0" 12'-0" NORTH GARAGE SETBACK	OFFICE SIDE: 20'-0". GARAGE SIDE: 10'-0"
<b>-SOUTH SIDE YARD: NE. 185TH ST.</b>	MINIMUM 20'-0"	20'-0"
<b>PARKING REQUIREMENTS:</b>		
<b>-RETAIL OFFICES</b>	2,946 SF./280 SF.* 13 SPACES 125,000 S.F./300 SF.* 400 SPACES	403 REGULAR SPACES 7 HANDICAP SPACES 2 STROLLER SPACES
<b>-TOTAL PARKING PER TABLE</b>	412 SPACES	412 PARKING SPACES PROVIDED
<b>OFF-STREET LOADING:</b>		
<b>-RETAIL + RESTAURANT (1 SPACE FOR EACH 25,000 SF.) *</b>		7,882 SF.* 1 SPACES
<b>-OFFICE BLD. (1 SPACE OF THE FIRST 40,000 SF. &amp; 1 SPACE FOR EACH ADDITIONAL 80,000 SF.) *</b>		118,700 SF.* 2 SPACES
<b>-TOTAL LOADING SPACES PROVIDED:</b>		3 SPACES



ARCHITECT

BEAME  
ARCHITECTURAL PARTNERSHIP

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PH 305 444 7100  
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MEP ENGINEER

STEVEN FELLER  
ENGINEERS, INC.

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PH 954 467 1402

Contact: Steven Feller, P.E.  
sfeller@fellerpe.com

CIVIL ENGINEER

LANGAN  
ENGINEERING

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SUITE 200  
MIAMI LAKES, FL 33016  
PH 786 264 7226

Contact: John Kim, P.E.  
jkim@langan.com

LANDSCAPE ARCHITECT

WITKIN HULTZ  
DESIGN GROUP

307 SOUTH 21ST AVENUE  
HOLLYWOOD, FL 33020  
PH 954 629 3979

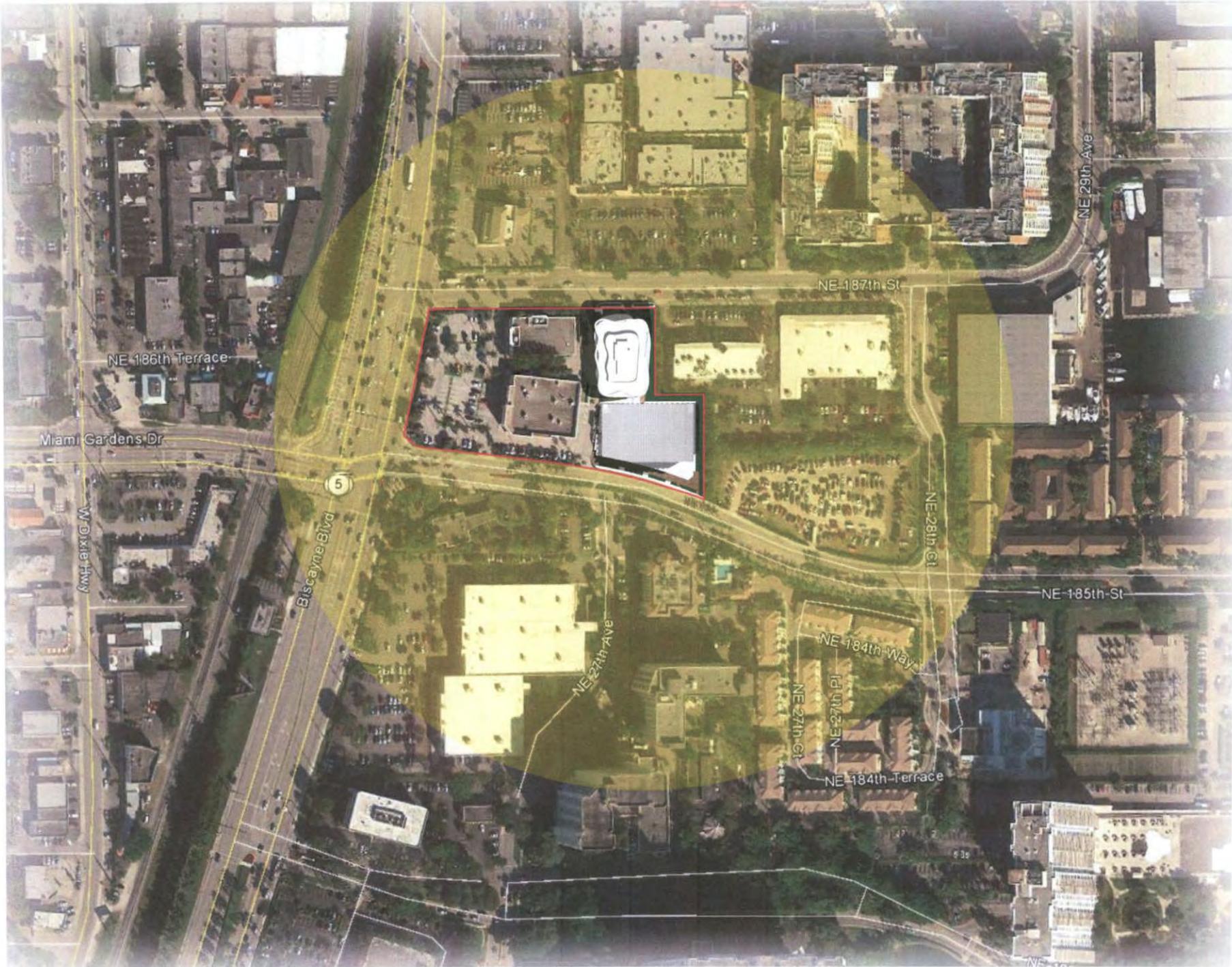
Contact: Kelly Hultz  
kellyh@witkindesign.com

OWNER

AVENTURA CORPORATE  
CENTER, LLLP

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PH 305 466 1810

Contact: Leonel Vasquez  
lvasquez@cblcorp.com



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**DEVELOPERS:**  
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 CENTER, LLLP  
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 PH 305.466.1810

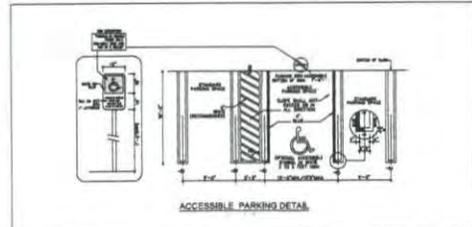
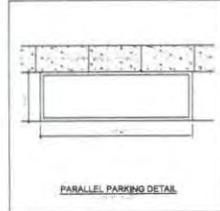
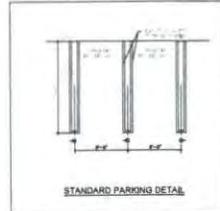
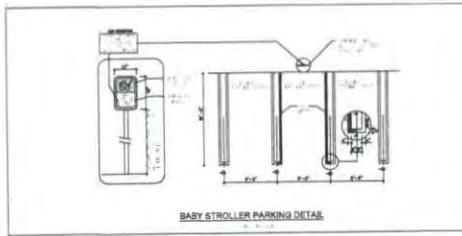
LAWRENCE BEAME, R.A.  
 REGISTRATION # 7871

**AVENTURA**  
**CORPORATE**  
**TOWER**  
 2777 NE 185TH STREET  
 AVENTURA, FLORIDA 33180

DATE: 10-14-2016  
 SCALE: 1"=20'-0"

**LOCATION PLAN**

PROJECT NUMBER: 15005.00  
 SHEET NUMBER: A0.1



**LOCATION PLAN**

INDEX OF DRAWINGS		DATE	BY	CHKD
<b>GENERAL INFORMATION</b>				
COVER	COVER SHEET			
PLUMET	FOR REFERENCE ONLY			
AS.1	LOCATION PLAN			
AS.2	INDEX, LOCATION MAP & PARKING DETAILS			
AS.3	GARAGE PLAN TURNING STUDIES			
<b>ARCHITECTURAL SHEETS</b>				
AS.1	SITE PLAN			
AS.1	GROUND LEVEL			
AS.2	SECOND FLOOR PLAN			
AS.3	THIRD FLOOR PLAN			
AS.4	FOURTH, FIFTH, SIXTH FLOOR PLAN			
AS.5	FIFTH FLOOR PLAN			
AS.6	SIXTH FLOOR PLAN			
AS.7	SEVENTH FLOOR PLAN			
AS.8	EIGHT FLOOR PLAN			
AS.9	NINTH FLOOR PLAN			
AS.10	TENTH FLOOR PLAN			
AS.11	ROOF PLAN			
AS.1	ELEVATIONS			
AS.2	SECTION ELEVATIONS			
AS.3	ELEVATION DETAILS			
AS.4	PERSPECTIVE STUDIES			
<b>CIVIL SHEETS</b>				
C-2.0	GENERAL NOTES & SPECIFICATIONS			
C-3.0	IRRIGATION AND LIRRIGATION PLAN			
C-3.1	PINE STAGING AREA PLAN			
C-4.0	PAVING, GRADING AND DRAINAGE PLAN			
C-5.0	WATER PLAN			
C-5.2	SEWERAGE, SEWER PLAN			
C-5.0	DETAILS			
C-5.0	VEHICULAR CIRCULATION PLAN			
<b>LANDSCAPE SHEETS</b>				
L-1	LANDSCAPE PLAN			
L-2	LANDSCAPE DETAILS			
<b>MEP SHEETS</b>				
PL.1	SITE PHOTOGRAPHIC PLAN			
PL.2	ROOF PHOTOGRAPHIC PLAN			
EL.1	SITE LIGHTING PLAN			

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**DEVELOPERS:**  
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1950 W. COUNTRY CLUB DRIVE, SUITE 900  
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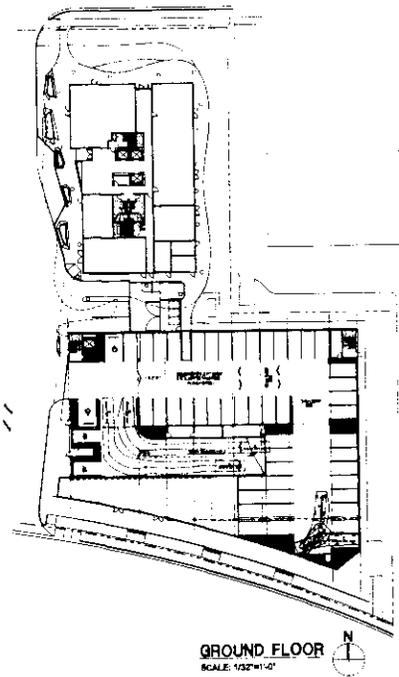
LAWRENCE BEAME, P.A.  
REGISTRATION # 7871

**AVENTURA CORPORATE TOWER**  
2777 NE 185TH STREET  
AVENTURA, FLORIDA 33180

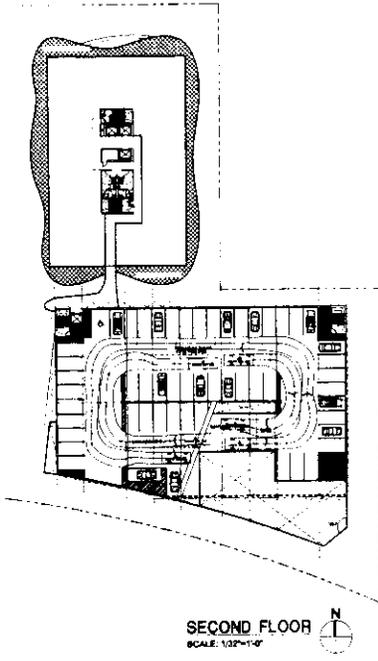
PL. NUMBER DRAWN BY CAD SCALE  
DATE YYY

**LOCATION PLAN**

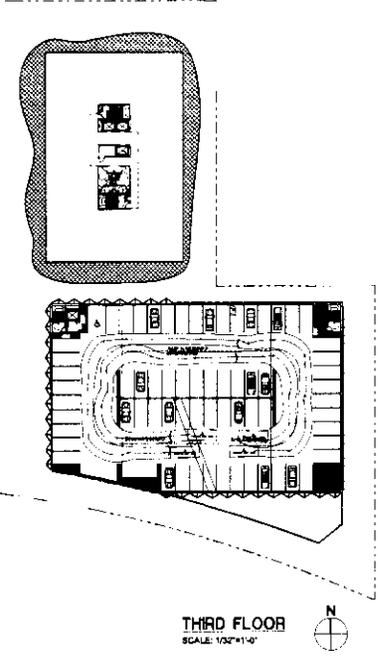
JOB NUMBER 15005.00 SHEET NUMBER  
DATE 10/14/2016 SHEET NUMBER **A0.2**



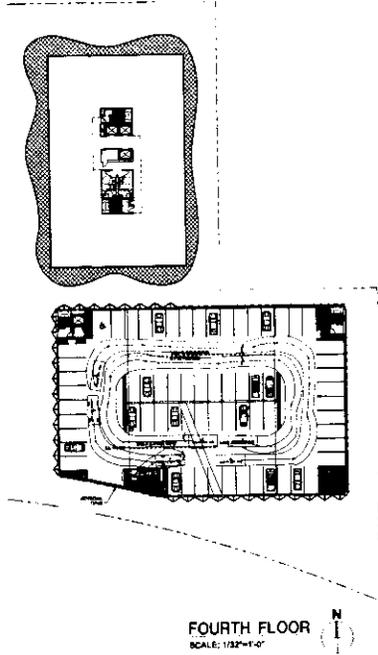
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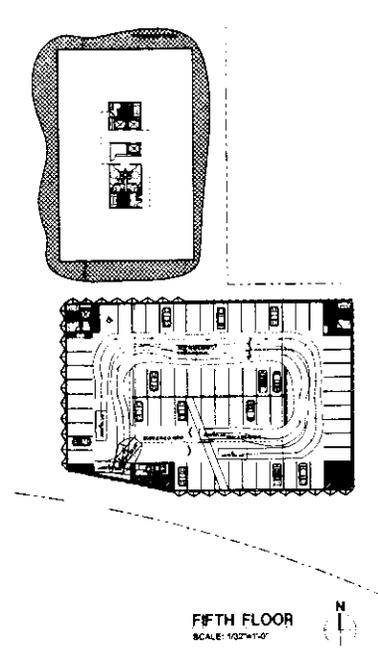
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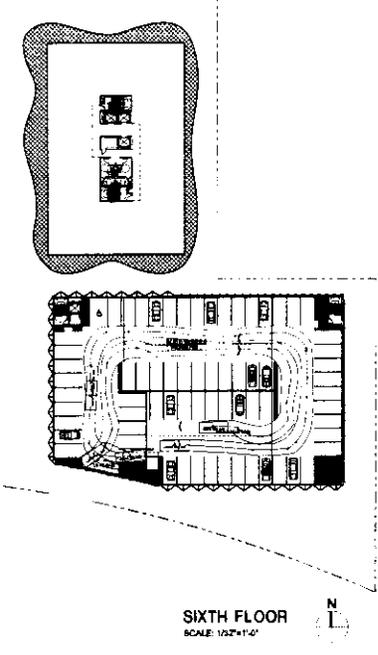
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SCALE: 1/32"=1'-0"



**FOURTH FLOOR**  
SCALE: 1/32"=1'-0"



**FIFTH FLOOR**  
SCALE: 1/32"=1'-0"



**SIXTH FLOOR**  
SCALE: 1/32"=1'-0"

**BEAME**  
ARCHITECTURAL  
PARTNERSHIP

3859 GRAND AVENUE, SUITE 440  
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PH 305-444-1810

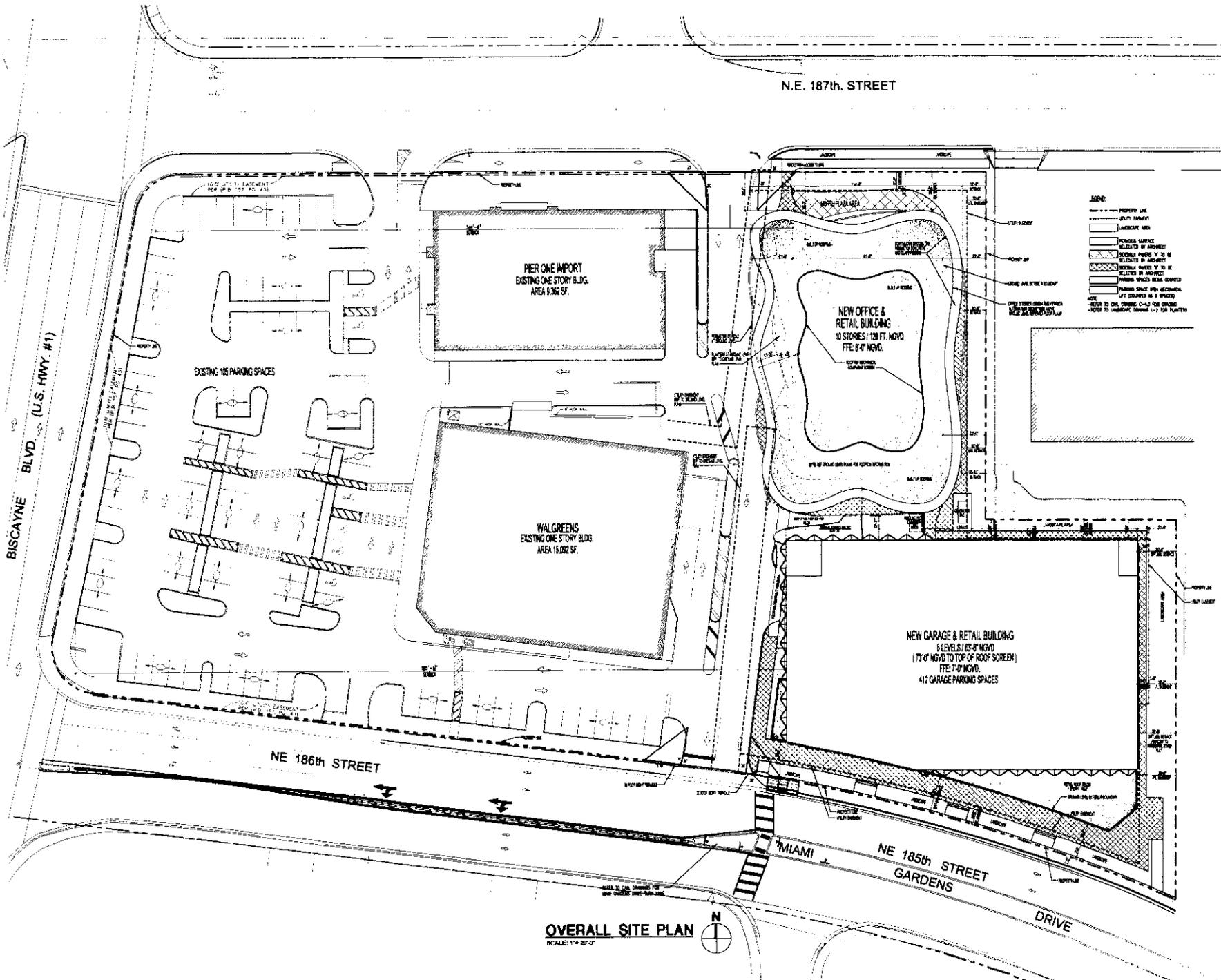
LAWRENCE BEAME, R.A.  
REGISTRATION # 7871

**AVENTURA  
CORPORATE  
TOWER**  
2777 NE 186TH STREET  
AVENTURA, FLORIDA 33180

DATE: 12/14/10

**GARAGE  
PLAN  
TURNING  
STUDIES**

15005.00  
12/14/2010



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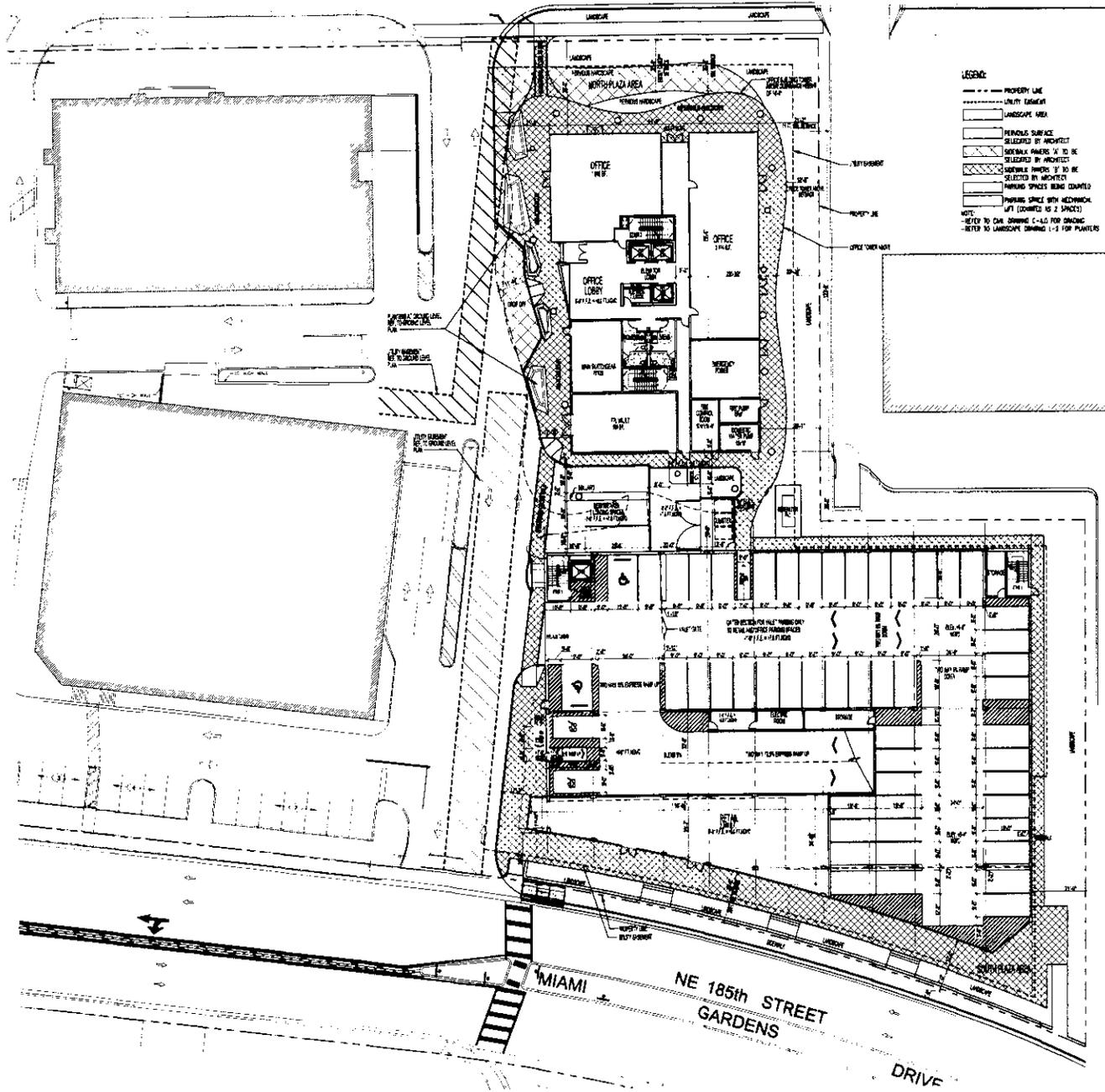
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AVENTURA  
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TOWER  
2777 NE 185TH STREET  
AVENTURA, FLORIDA 33180

**SITE PLAN  
(ROOF PLAN)**

15005.00  
10/14/2016  
A1.1

N.E. 187th STREET



**LEGEND**

- PROPERTY LINE
- UTILITY EASEMENT
- LANDSCAPE AREA
- PERVIOUS SURFACE
- SEEBARK PAVING 'X' TO BE SELECTED BY ARCHITECT
- SEEBARK PAVING 'Y' TO BE SELECTED BY ARCHITECT
- SEEBARK PAVING 'Z' TO BE SELECTED BY ARCHITECT
- PARKING SPACES BEING COMPALED
- PARKING SPACE WITH MICROPIAVAL
- NOTE: REFER TO CHG DRAWING C-4.0 FOR DRIVING
- REFER TO LANDSCAPE DRAWING L-1 FOR PLANTERS

GROUND FLOOR PLAN  
SCALE 1/8"=1'-0"



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LAWRENCE BEAME, R.A.  
REGISTRATION # 7871

AVENTURA  
CORPORATE  
TOWER  
2777 NE 185TH STREET  
AVENTURA, FLORIDA 33180

GROUND LEVEL  
FLOOR  
PLAN

DATE: 10/14/2015  
SCALE: 1/8"=1'-0"  
SHEET: A2.1

**B E A M E**  
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 PH 305.406.1810

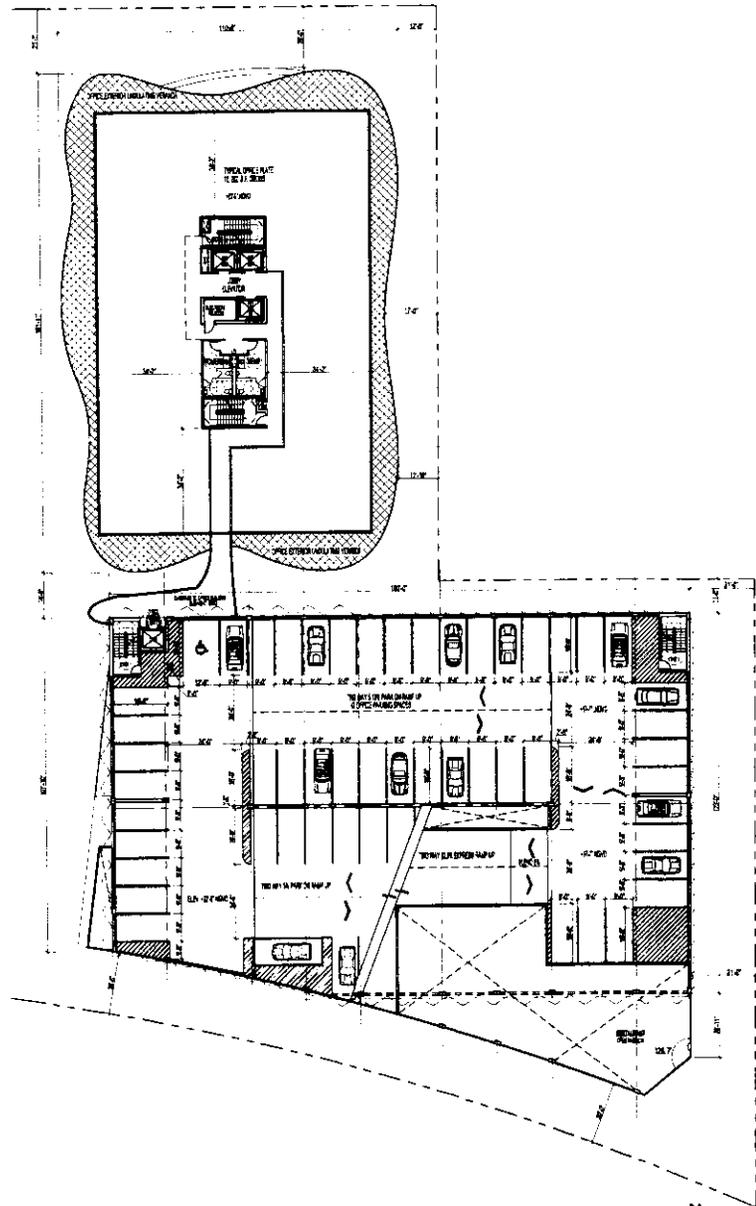
LAWRENCE BEAME, R.A.  
 REGISTRATION # 7811

**AVENTURA  
 CORPORATE  
 TOWER**  
 2777 NE 185TH STREET  
 AVENTURA, FLORIDA 33180

DATE: 10/14/2016  
 DRAWN BY: [unintelligible]  
 CHECKED BY: [unintelligible]  
 SCALE: 1/16"=1'-0"

**SECOND LEVEL  
 FLOOR  
 PLAN**

PROJECT NUMBER: 15005.00  
 SHEET NUMBER: A2.2



**SECOND FLOOR PLAN**  
 SCALE: 1/16"=1'-0"



**B E A M E**  
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**PARTNERSHIP**

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 AVENTURA, FL 33180  
 PH 305-466-1816

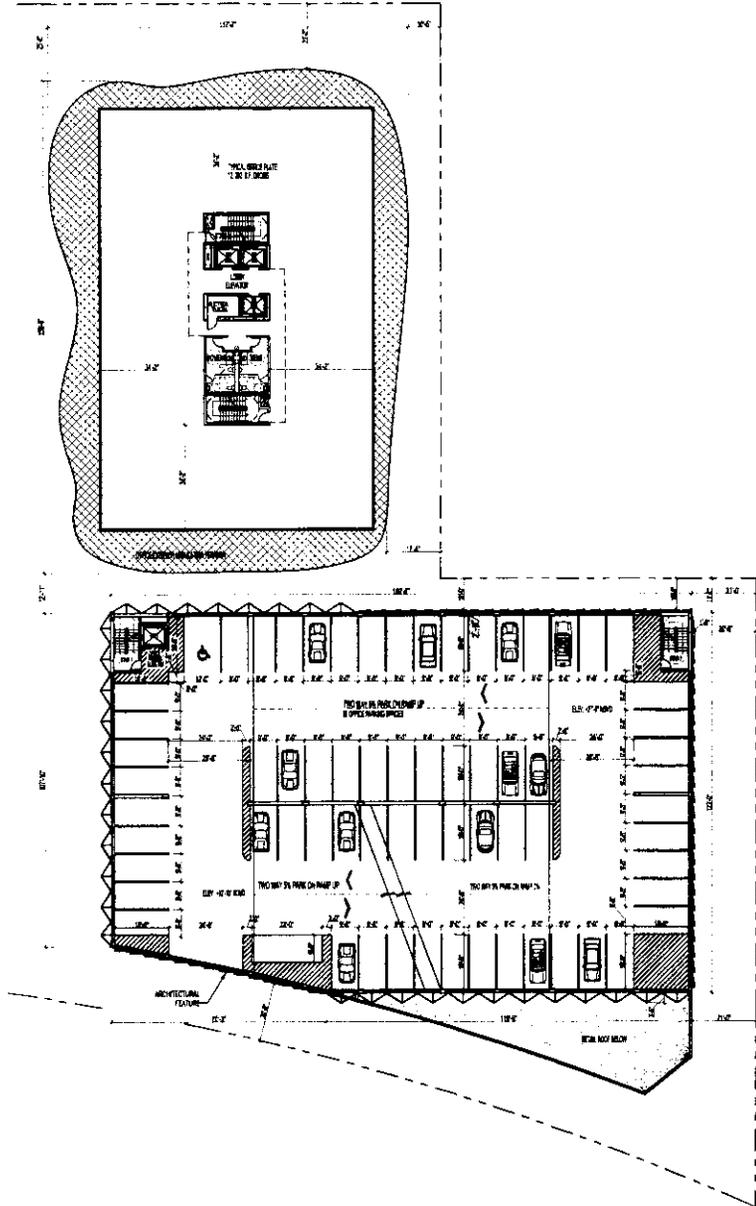
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**AVENTURA**  
**CORPORATE**  
**TOWER**  
 2777 NE 185TH STREET  
 AVENTURA, FLORIDA 33180

DATE: 10/14/2016  
 DRAWN BY: [blank]  
 CHECKED BY: [blank]  
 SCALE: 1/8"=1'-0"

**THIRD LEVEL**  
**FLOOR**  
**PLAN**

PROJECT NUMBER: 15005.00  
 SHEET NUMBER: A2.3



**THIRD FLOOR PLAN**  
 SCALE: 1/8"=1'-0"

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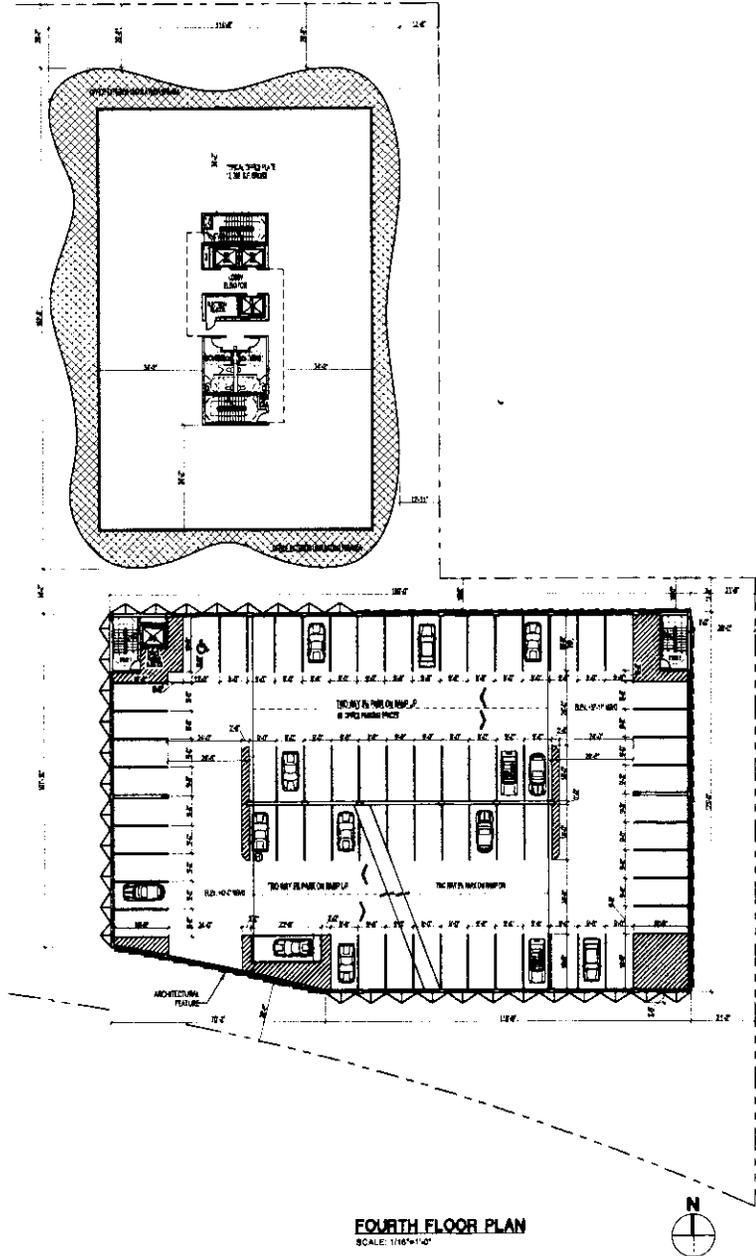
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AVENTURA  
CORPORATE  
TOWER  
2777 NE 185TH STREET  
AVENTURA, FLORIDA 33180

NO. SHEET: 15 OF 15  
SHEET NO. 15  
DATE: 10/14/2016  
SCALE: 1/8"=1'-0"

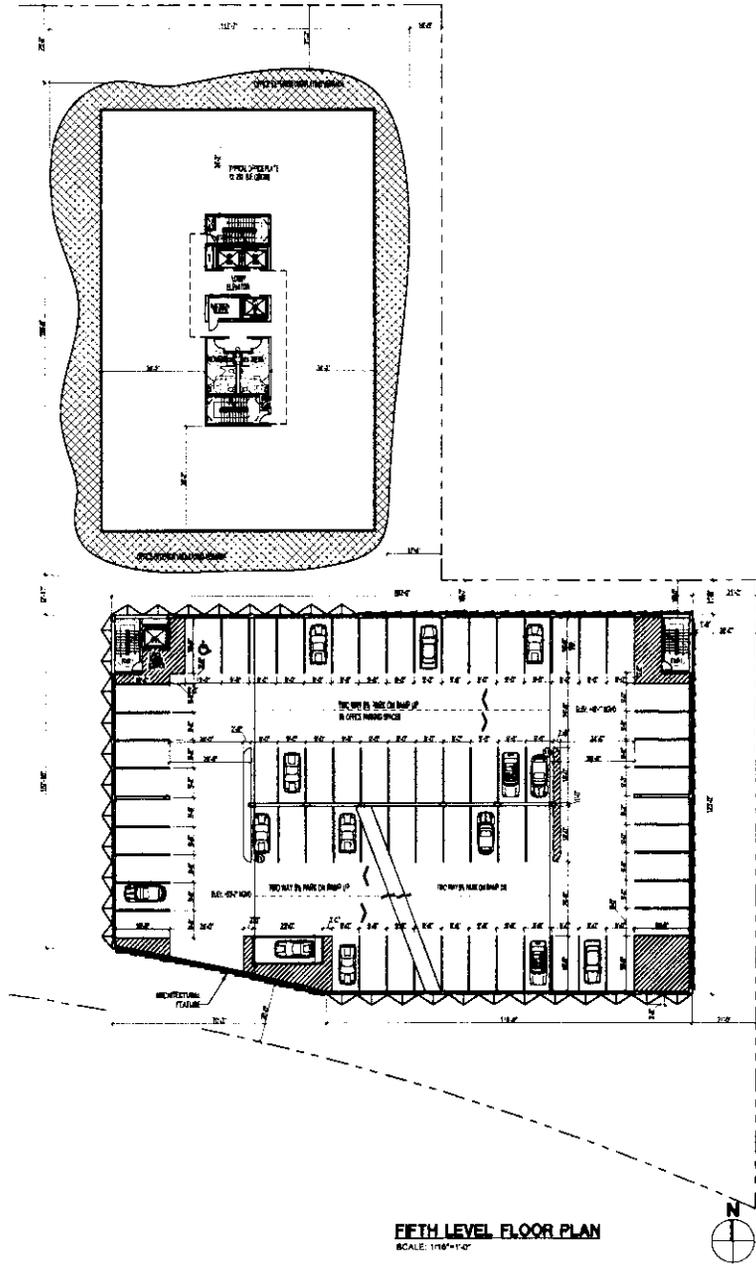
FOURTH  
LEVEL  
FLOOR PLAN

15005.00  
A2.4



FOURTH FLOOR PLAN  
SCALE: 1/8"=1'-0"





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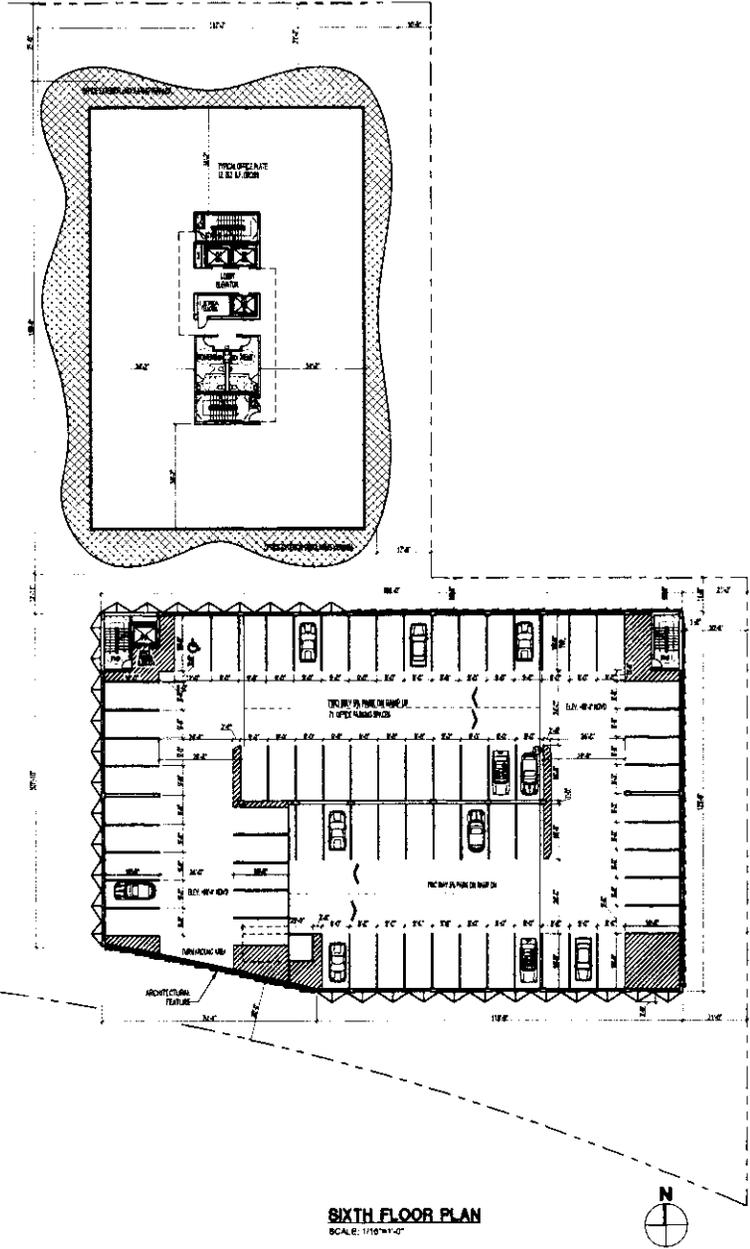
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**AVENTURA  
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TOWER**  
2777 NE 185TH STREET  
AVENTURA, FLORIDA 33180

PL. NO. 15005.00 DATE 10/14/2016  
SCALE 1/16"=1'-0"

**FIFTH  
LEVEL  
FLOOR PLAN**

PL. NO. 15005.00 SHEET NO. A2.5  
DATE 10/14/2016



**SIXTH FLOOR PLAN**  
SCALE: 1/16"=1'-0"

**B E A M E**  
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PH 305.444.1510

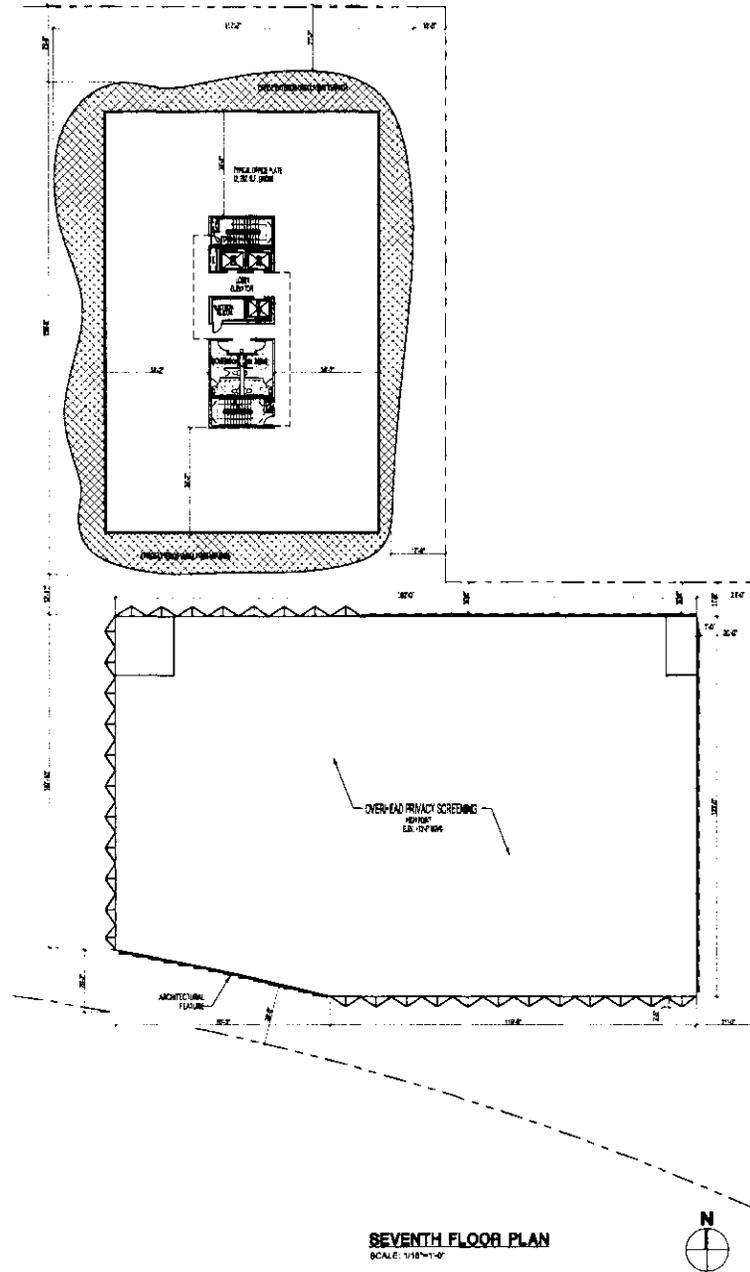
LAWRENCE BRAME, R.A.  
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**AVENTURA  
CORPORATE  
TOWER**  
2777 NE 185TH STREET  
AVENTURA, FLORIDA 33180

DATE: 10/14/2016  
DRAWN BY: J.S.  
CHECKED BY: J.S.  
SCALE: 1/16"=1'-0"

**SIXTH  
LEVEL  
FLOOR PLAN**

PROJECT NUMBER: 15005.00	DATE: 10/14/2016
SHEET NUMBER: A2.6	



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LAWRENCE BEAME, R.A.  
REGISTRATION # 7871

AVENTURA  
CORPORATE  
TOWER  
2777 NE 185TH STREET  
AVENTURA, FLORIDA 33180

DATE	ISSUED BY	DATE	SCALE
			1/8"=1'-0"

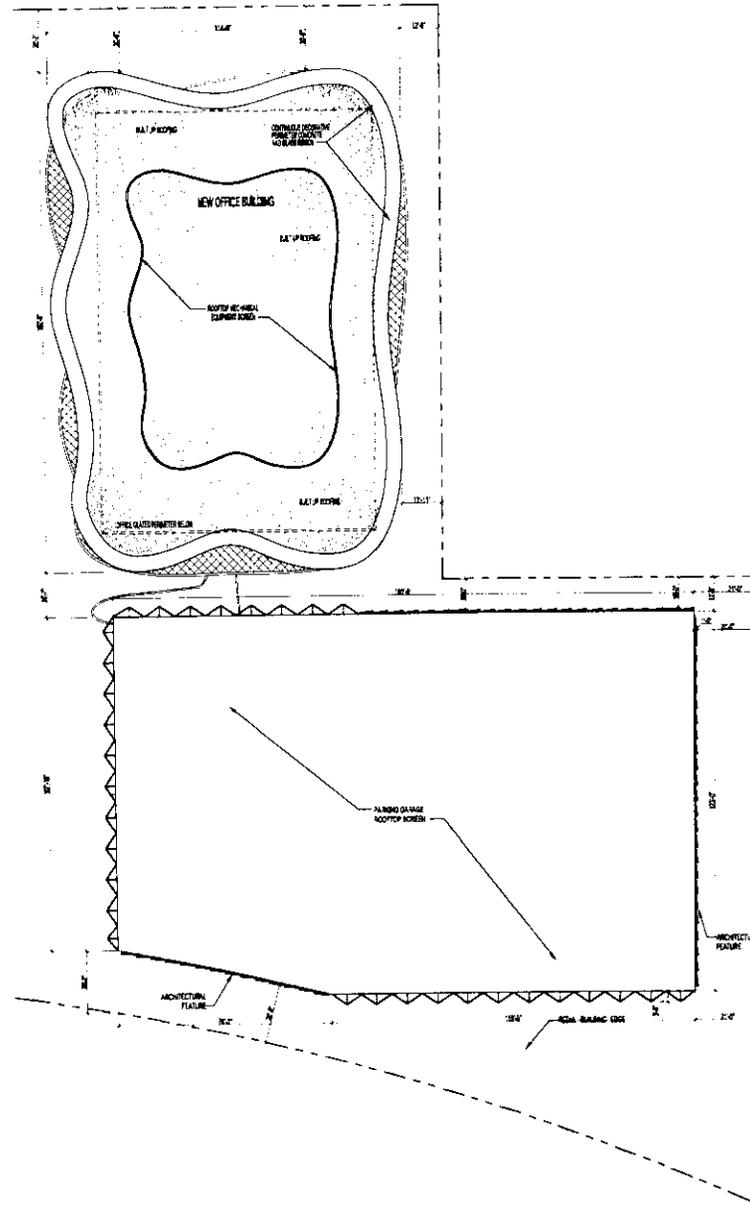
**SEVENTH  
LEVEL  
FLOOR PLAN**

PROJECT NUMBER	15005.00	SHEET NUMBER	A2.7
DATE	10/14/2016		









**ROOF PLAN**  
SCALE: 1/16"=1'-0"



**B E A M E**  
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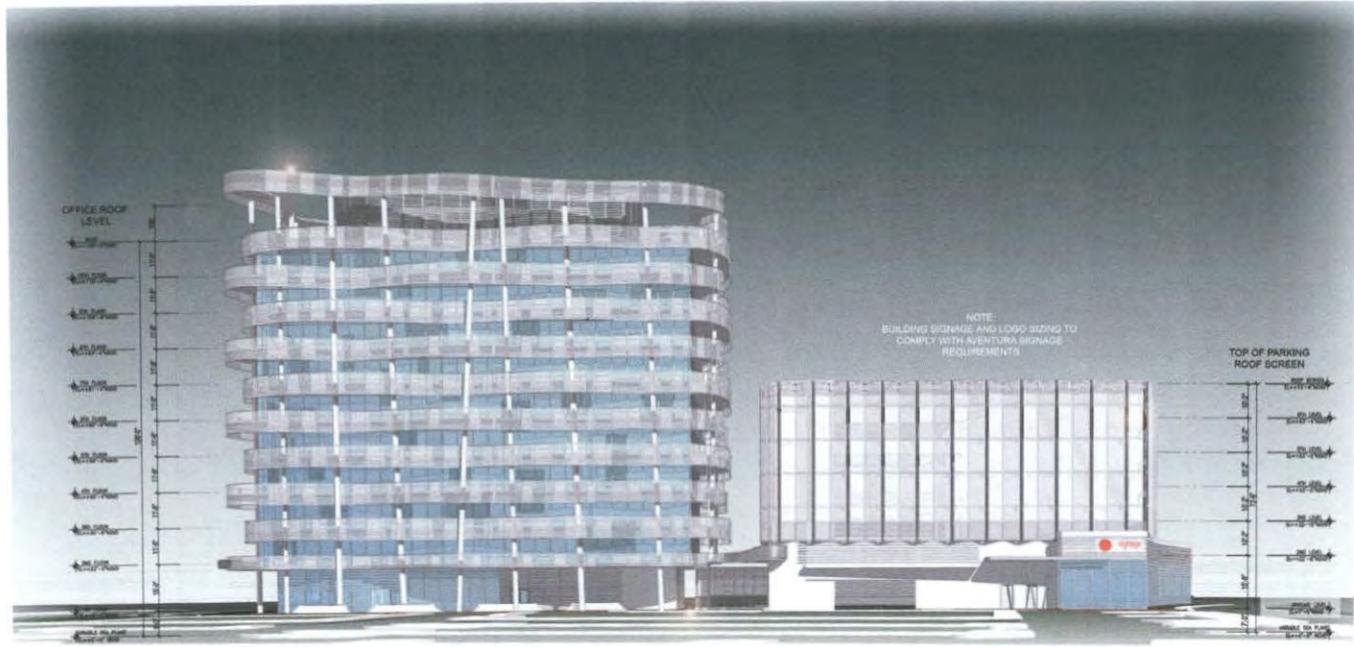
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REGISTRATION # 7871

**AVENTURA  
CORPORATE  
TOWER**  
2777 NE 185TH STREET  
AVENTURA, FLORIDA 33180

DATE: 10/14/2013  
SCALE: 1/16"=1'-0"

**ROOF FLOOR  
PLAN**

AREA: 15005.00  
DATE: 10/14/2013  
PAGE: A2.11



WEST ELEVATION

SCALE: 1/16" = 1'-0"



NORTH ELEVATION

SCALE: 1/16" = 1'-0"



SOUTH ELEVATION

SCALE: 1/16" = 1'-0"

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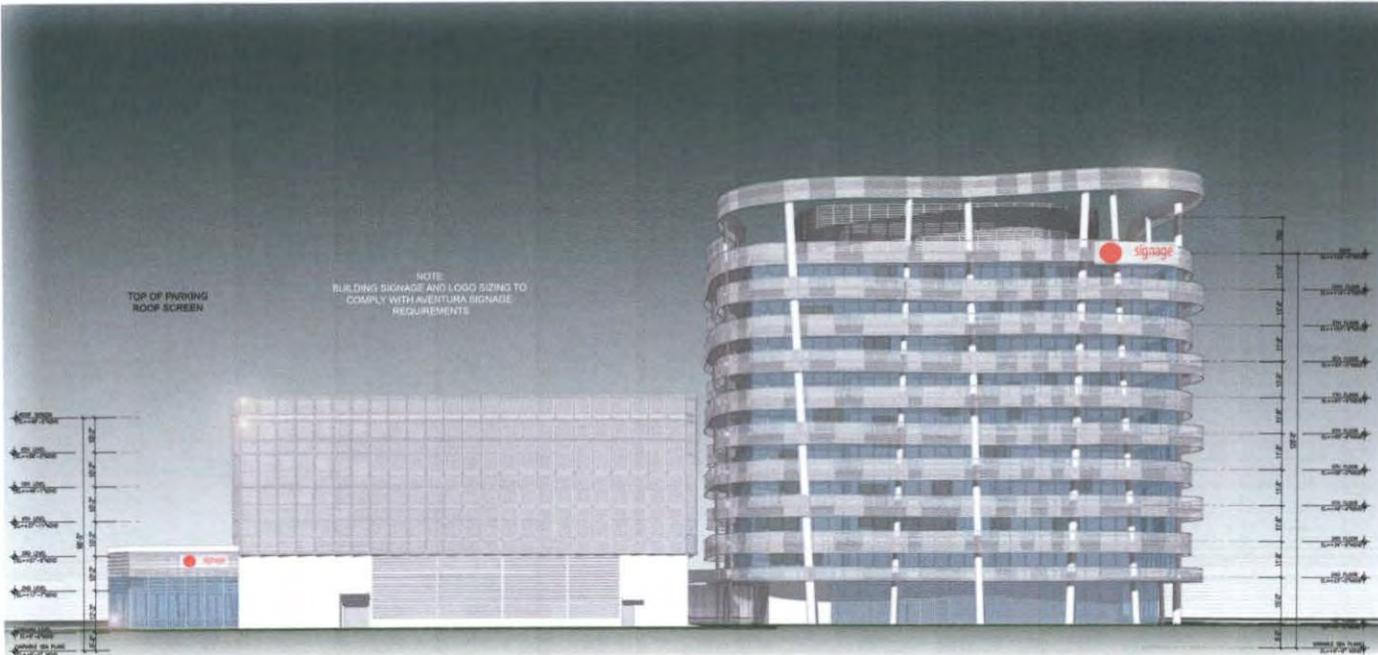
AVENTURA  
CORPORATE  
TOWER  
2777 NE 185TH STREET  
AVENTURA, FLORIDA 33180

ELEVATIONS &  
ELEVATIONS  
DETAILS

DATE: 15005.00  
10-14-2016  
SHEET NUMBER: A3.1



BUILDING SECTION NORTH - SOUTH LOOKING EAST  
SCALE: 1/16" = 1'-0"



EAST ELEVATION  
SCALE: 1/16" = 1'-0"

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REGISTRATION # 7871

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CORPORATE  
TOWER  
2777 NE 185TH STREET  
AVENTURA, FLORIDA 33180

DATE: 10-14-2016  
DRAWN BY: CAD  
SCALE: 1/16" = 1'-0"

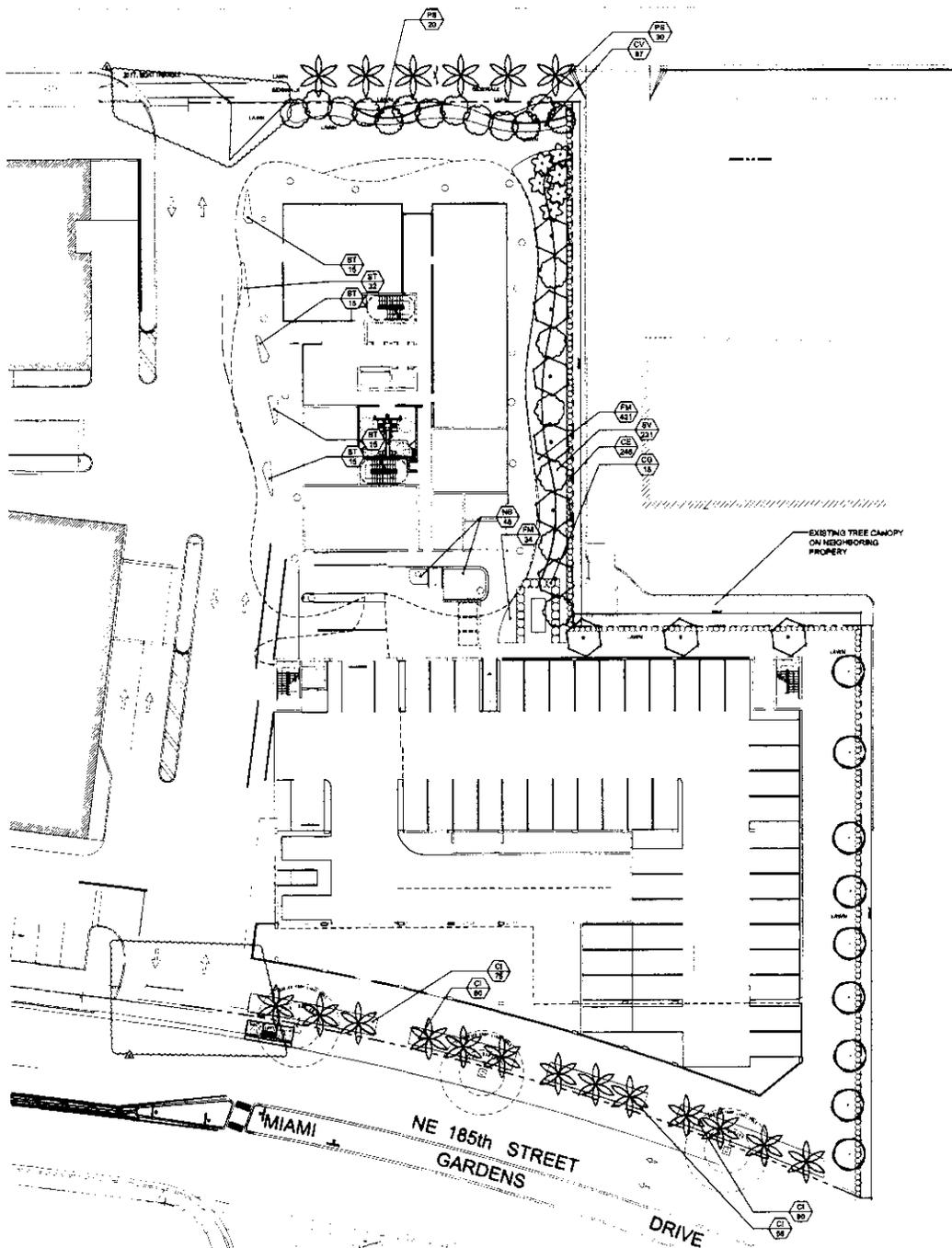
SECTIONS  
ELEVATIONS  
&  
ELEVATIONS  
DETAILS

NO. SHEETS: 15005.00  
SHEET NUMBER: A3.2  
DATE: 10-14-2016





N.E. 187th STREET



CITY OF AVENTURA LANDSCAPE LEGEND Information Required to be Permanently Affixed to Plan  
 Zoning District: B-2 Net Lot Area 1.45 acres 63,002 square feet

OPEN SPACE	REQUIRED	PROVIDED
A. Square Feet of open space required by zoning district as indicated on site plan: Net lot area = <u>63,002</u> square feet x <u>20</u> % = <u>12,600</u> square feet	12,600	7,340

LAWN AREA CALCULATION

A. Total square feet of landscaped open space required by zoning district =	12,600	7,340
B. Maximum lawn area (St. Augustine grass) permitted = <u>40</u> % x <u>12,600</u> square feet	5,040	4,000

TREES

A. The number of trees required per net lot acre = <u>22</u> less the existing number of trees that meet minimum requirements = <u>22</u> trees x net lot acre =	32	32
B. 30% palm trees allowed. (Three palms = one tree) Palms provided =	10	6
C. Percentage of native trees required = number of trees provided x 30% =	10	42
D. Street trees (partnered landscape adjacent to any street right-of-way) (max. average spacing of 30' O.C.): <u>305</u> linear feet along street <u>20</u> = <u>15</u> Palms as street trees (max. average spacing of 30' O.C.): <u>305</u> linear feet along street <u>25</u> = <u>18</u>	18	18
E. Street trees located directly beneath power lines (max. average spacing of 20' O.C.): Linear feet along street / 25 =	N/A	N/A
F. Total number of trees provided =	48	51

SHRUBS

A. The total number of shrubs required x 10 = number of shrubs required (24" height)	480	663
B. The number of shrubs required x 30% = the number of native shrubs required	138	209
C. The number of shrubs required x 60% = the number of drought tolerant shrubs required	230	363

IRRIGATION PLAN: Required by Section 31-221

IRRIGATION PLAN:	REQUIRED	PROVIDED
	YES	NO

**BEAME**  
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PARTNERSHIP

DEVELOPERS:  
**CABI AVENTURA HOTEL, LLLP**  
1960 W. COUNTRY CLUB DRIVE  
SUITE 900  
AVENTURA, FL 33110  
PH 305 488 1810

ANDREW WITTON ASLA  
LICENSE # LA000089

NO.	DATE	DESCRIPTION
1	01/24/14	CITY COMMENTS
2	01/24/14	CITY COMMENTS
3	01/24/14	CITY COMMENTS
4	01/24/14	CITY COMMENTS
5	01/24/14	PER PROVIDED SITE PLAN

**AVENTURA OFFICE CENTER**  
2777 NE 185TH STREET  
AVENTURA, FLORIDA 33180

LANDSCAPE LIST

SYMBOL		QUAN.	PROPOSED MATERIAL	DESCRIPTION	DESCRIPTION	TOTAL TREES	DROUGHT TOLERANCE
○	9		"Silver starburst" DUMBO LIMBO	14' HT. X 8' SPR. 3' DBH F.G.	8 LOT TREES	8 LOT	H
○	6		"Coastal shrub" PACIFIC PALM	14' HT. X 8' SPR. 3' DBH F.G.	8 LOT TREES	8 LOT	H
○	9		"Coccoloba shrub" SILVER BUTTWOOD	14' HT. X 8' SPR. 3' DBH F.G.	8 LOT TREES	8 LOT	H
○	6		"Biscaya shrub" JAPANESE SILVERBERRY	14' HT. X 8' SPR. 3' DBH F.G.	8 LOT TREES	8 LOT	H
○	4		"Ligustrum japonicum" JAPANESE PRIVET	8' HT. X 8' SPR. MULT. TRUNK F.G.	4 LOT TREES	4 LOT	H
★	19		"Royal Palm" ROYAL PALM	26' O.A. HT. MIN. 12-14' CT. F.G.	18 STREET TREES	18 STREET	M
★	6		"Valencia white single" SINGLE WHITE PALM	18' O.A. HEIGHT F.G. MATCHED HTS.	6 LOT PALMS AT 3'	2 LOT	M

SYMBOL		QUAN.	PROPOSED MATERIAL	DESCRIPTION	DESCRIPTION	TOTAL TREES	DROUGHT TOLERANCE
CE	246		"Coccoloba shrub" GREEN BUTTWOOD	30' HT. X 24' SPR. / 24' O.C. 3 GAL.	REQUIRED SHRUB		H
CG	18		"Cordia alliodora" SMALL LEAF OLIVE	18' HT. X 30' SPR. / 30' O.C. 10 GAL.	REQUIRED SHRUB		H
CI	283		"Cynobalanus laevis" GREEN COCOPLUM	24' HT. X 18' SPR. / 24' O.C. 3 GAL.	REQUIRED SHRUB		M
CV	97		"Cordia alliodora" YELLOW-GREEN OLIVE	24' HT. X 24' SPR. / 24' O.C. 3 GAL.	REQUIRED SHRUB		M
FM	458		"Ficus microcarpa" GREEN ISLAND FIG	18' HT. X 18' SPR. / 18' O.C. 3 GAL.	GROUNDCOVER		H
NB	48		"Nephrolepis macrospora" MILKMO FERN	24' HT. X 24' SPR. / 24' O.C. 3 GAL.	GROUNDCOVER		M
PS	50		"Panicum polyanthemum" WHITE FOUNTAIN GRASS	18' HT. X 18' SPR. / 24' O.C. 3 GAL.	REQUIRED SHRUB		H
ST	82		"Stenandrium trifidatum" VANILLA TOBACCO PLANT	24' HT. X 18' SPR. / 18' O.C. 3 GAL.	GROUNDCOVER		H
SV	231		"Scaevola taccada" VARIEGATED SCHEPPLERA	24' HT. X 24' SPR. / 24' O.C. 3 GAL.	REQUIRED SHRUB		H
LAWN	As Required		"St. Augustine Grass" ST. AUGUSTINE GRASS	SOLID EVEN SOIL			

★ DENOTES NATIVE SPECIES



NORTH  
2015-040  
JUNE 24, 2015  
L-1

**DEVELOPERS:**  
**CABI AVENTURA HOTEL, LLLP**  
10885 W. COUNTRY CLUB DRIVE,  
SUITE 800  
AVENTURA, FL 33110  
PH 305 486 1510

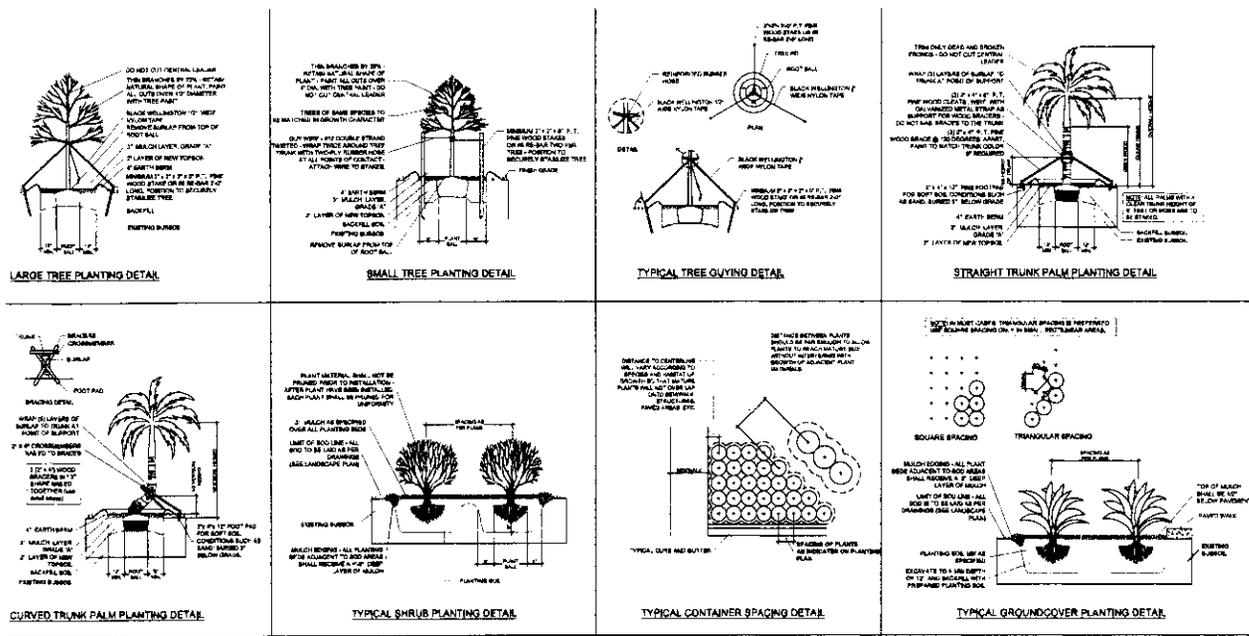


1	30' x 60' x 6"	DRY COVERS/2'S
2	30' x 60' x 6"	DRY COVERS/2'S
3	30' x 60' x 6"	DRY COVERS/2'S
4	30' x 60' x 6"	DRY COVERS/2'S
5	30' x 60' x 6"	DRY COVERS/2'S

**AVENTURA OFFICE CENTER**  
2777 NE 185TH STREET  
AVENTURA, FLORIDA 33180

DATE	1/26/18	SCALE	1/8" = 1'-0"
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LANDSCAPE DETAILS



**SOD NOTES:**

- Sod is to be grade "A" weed free.
- All areas marked "LAWN" shall be sodded with St. Augustine 'Floratan' solid sod. See link on plan. All areas marked "Bahia Grass" shall be sodded with Paspalum.
- Provide a 2" deep blanket of planting soil as described in planting notes this sheet. Prior to planting, remove stones, sticks, etc. from the sub soil surface. Excavate existing non-conforming soil as required so that the finish grade of sod is flush with adjacent pavement or top of curb as well as adjacent sod in the case of sod patching.
- Place sod on moistened soil, with edges tightly butted, in staggered rows at right angles to slopes.
- Keep edge of sod bed a minimum of 18" away from groundcover beds and 24" away from edge of shrub beds and 36" away from trees, measured from center of plant.
- Sod shall be watered immediately after installation to uniformly wet the soil to at least 2" below the bottom of the sod strips.
- Excavate and remove excess soil so top of sod is flush with top of curb or adjacent pavement or adjacent existing sod.

**GENERAL NOTES:**

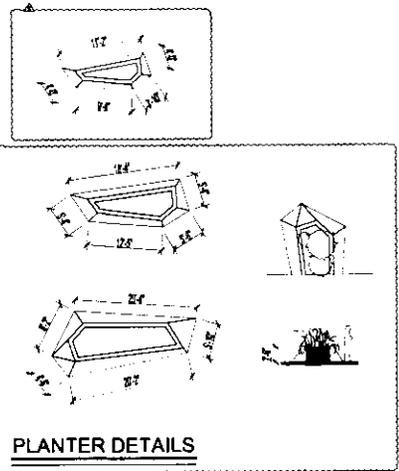
- The Landscape Contractor is to locate and verify all underground and overhead utilities prior to beginning work. Contact proper utility companies and/or General Contractor prior to digging for field verification. The Owner and the Landscape Architect shall not be responsible for any damages to utility or irrigation lines (see Roadway Plans for more utility notes).
- Landscape Contractor is to verify all current drawings and check for discrepancies and bring to the attention of the Landscape Architect prior to commencing with the work.
- All unattended and unplanted tree pits are to be properly bermed and flagged during installation.
- All planting plans are issued as directives for site layout. Any deviations, site changes, etcetera are to be brought to the attention of the Landscape Architect for clarification prior to installation.

**PLANTING NOTES:**

- All plant material is to be Florida Number 1 or better pursuant to the Florida Department of Agriculture's Grades and Standards for Nursery Plants.
- All plants are to be top dressed with a minimum 3" layer of Melaleuca mulch, Eucalyptus mulch or equal.
- Planting plans shall take precedence over plant list in case of discrepancies.
- No changes are to be made without the prior consent of the Landscape Architect and Owner. Additions and deletions to the plant material must be approved by the project engineer.
- Landscape Contractor is responsible for providing their own square footage takeoffs and field verification for 100% sod coverage for all areas specified.
- All landscape areas are to be provided with automatic sprinkler system which provide 100% coverage, and 50% overlap.
- All trees in lawn areas are to receive a 24" diameter matched saucer at the base of the trunk.
- Trees are to be planted within parking islands after soil is brought up to grade. Deeply set root balls are not acceptable.
- Planting soil for topsoil and backfill shall be 50/50 mix, nematode free. Planting soil for annual beds to be comprised of 50% Canadian peat moss, 25% soil free coarse sand and 25% Aerofite.
- Tree and shrub pits will be supplemented with "Agrifom Peas", 21 gram size with a 20-10-5 analysis, or substitute application accepted by Landscape Architect. Deliver in manufacturer's standard containers showing weight, analysis and name of manufacturer.

**MAINTENANCE/WARRANTY NOTE:**

-At least 1-year period for any trees and shrubs.  
All fertilizer used should be granular-slow release. Water soluble fertilizer would pass too quickly through the soil to be available to the plants for uptake. Plants should not receive fertilizer beyond that of standard levels, as fertilizer reduces the water availability in the soil, which will already be reduced due to the coarse grain size. The plants should be assessed after six months (and then annually thereafter) to identify signs of nutrient deficiency, and then fertilization schedules can be adjusted thereafter.



GRAPHIC SCALE



# 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.)
Leonel Vasquez	Authorized Signatory
Stanley S. Price	Attorney
Brian S. Adler	Attorney
Lawrence Beame	Architect
Mauricio Rodriguez	Architect

(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 31 DAY OF AUGUST, 2016

AUTHORIZED REPRESENTATIVE OF APPLICANT

By: [Signature]

Name: LEONEL VASQUEZ

Title: AUTHORIZED SIGNATORY

Address: 19950 W. COUNTRY CLUB DR #900  
AVENTURA FL 33180

OWNER

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

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

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

Address: \_\_\_\_\_

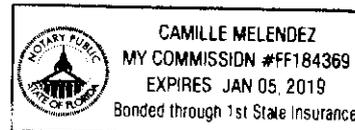
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

Before me the undersigned authority personally appeared Leonel Vasquez 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 31<sup>st</sup> day of August, 2016

AFFIANT  
200

Notary Public State of Florida At Large  
Printed Name of Notary Camille Melendez  
My commission expires 9/15/2019





# 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:

Robert L. Shelley (List name of Commissioner or Advisory Board Member) who serves on the City Commission (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 venture 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 6<sup>th</sup> DAY OF SEPT, 2016.

APPLICANT REPRESENTATIVE:

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

WITNESS MY HAND THIS 6<sup>th</sup> DAY OF SEPT, 2016.

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

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

Stanley B. Price  
Stanley B. Price

SWORN TO AND SUBSCRIBED before me this 6 day of September, 2016.

Mercedes Padron  
Notary Public State of Florida  
Printed Name of Notary  
My commission expires: \_\_\_\_\_



**MERCEDES PADRON**  
MY COMMISSION # FF 218828  
EXPIRES: April 9, 2019  
Bonded Thru Budget Notary Services



# BUSINESS RELATIONSHIP AFFIDAVIT\*

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- 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 venture with the Applicant or Representative in any business venture;
- iii. The Applicant or Representative is a Client of a member of the City Commission or Board or a Client of another professional working from the same office or for the same employer as the member of the City Commission or Board;
- iv. A City Commissioner or Board member is a Client of the Applicant or Representative;
- v. The Applicant or Representative is a Customer of the member of the City Commission or Board (or of his or her employer) and transacts more than \$10,000.00 of the business of the member of the City Commission or Board (or his or her employer) in a given calendar year;
- vi. The member of the City Commission or Board is a Customer of the Applicant or Representative and transacts more than \$25,000.00 of the business of the Applicant or Representative in a given calendar year.

WITNESS MY HAND THIS 24th DAY OF September, 2016.

APPLICANT REPRESENTATIVE:

By: [Signature] (Signature)  
Name: Brian S. Adler (Print)  
Title: Attorney (Print)

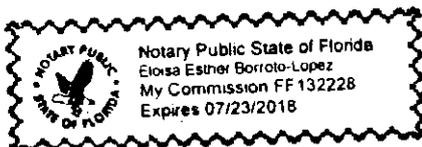
WITNESS MY HAND THIS 24th DAY OF September, 2016.

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

Before me, the undersigned authority, personally appeared, Brian S. Adler 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 24th day of September, 2016.

[Signature]  
Brian S. Adler  
[Signature]  
Notary Public State of  
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)

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

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- 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 8th DAY OF Sept, 2016.

APPLICANT OR REPRESENTATIVE:

By: [Signature] (Signature)  
 Name: Lawrence Beame (Print)  
 Title: Architect (Print)

WITNESS MY HAND THIS 8th DAY OF Sept, 2016.

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

Before me, the undersigned authority, personally appeared, Lawrence Beame 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]

Lawrence Beame

SWORN TO AND SUBSCRIBED before me this 8th day of Sept, 2016.



[Signature]  
 Notary Public State of  
 Diana L. Rego  
 Printed Name of Notary  
 My commission expires 2/3/19



# 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:

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- 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 8th DAY OF Sept., 2016.

APPLICANT REPRESENTATIVE:

By: [Signature] (Signature)  
 Name: Mauricio Rodriguez (Print)  
 Title: Architect (Print)

WITNESS MY HAND THIS 8th DAY OF Sept., 2016.

STATE OF FLORIDA )  
 COUNTY OF MIAMI-DADE )

Before me, the undersigned authority, personally appeared, Mauricio Rodriguez 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]  
 Mauricio Rodriguez

SWORN TO AND SUBSCRIBED before me this 8th day of Sept., 2016.



[Signature]  
 Notary Public State of  
DIANA L. REGO  
 Printed Name of Notary  
 My commission expires: 2/3/19

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_16

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By:     *LV*     (Signature)

Name: Leonel Vasquez (Print)

Title: Authorized Signatory (Print)

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

Name: Lawrence Beame (Print)

Title: Architect (Print)

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

Name: Stanley B. Price (Print)

Title: Attorney (Print)

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

Name: Mauricio Rodriguez (Print)

Title: Architect (Print)

By:     *BSA*     (Signature)

Name: Brian S. Adler (Print)

Title: Attorney (Print)

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

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

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

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

Title: \_\_\_\_\_ (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 Leonel Vasquez 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.

LV  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31 day of AUGUST, 20016

Notary Public State of Florida At Large  
Camille Melendez  
Printed Name of Notary  
My commission expires 01/05/2019



STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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

\_\_\_\_\_  
AFFIANT

SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 20016

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

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Brian S. Adler 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 \_\_\_\_\_, 20016

\_\_\_\_\_  
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 Lawrence Beame 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 \_\_\_\_\_, 20016

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

**RESOLUTION NO. 2016-\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL PURSUANT TO SECTION 31-144(C)(2)n. OF THE CITY CODE TO ALLOW AN AUTOMOBILE PARKING GARAGE ON A LOT LOCATED IN THE COMMUNITY BUSINESS (B2) DISTRICT THAT IS DIRECTLY ADJACENT TO AN AUTOMOBILE PARKING GARAGE IN A MULTIFAMILY RESIDENTIAL ZONING DISTRICT AND THAT DOES NOT MEET THE HEIGHT AND DISTANCE REQUIREMENTS OF SECTION 31-144(c)(5)b. OF THE CITY CODE, FOR AN OFFICE AND RETAIL DEVELOPMENT AT 2777 NE 185 STREET, CITY OF AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the property described herein is zoned B2, Community Business District; and

**WHEREAS**, the applicant, Aventura Corporate Center LLLP, through Application No. 04-CU-16, is requesting Conditional Use approval to permit an automobile parking garage on a lot located in the Community Business (B2) District that is directly adjacent to an automobile parking garage in a multifamily residential zoning district and that does not meet the height and distance requirements of the City Code; and

**WHEREAS**, Section 31-144(c)(2)n. of the City Code provides that automobile parking garages located in the Community Business (B2) District that are directly adjacent to an automobile parking garage in a multifamily residential zoning district and that do not meet the height and distance requirements of Section 31-144(c)(5)b. of the City Code may be approved as a conditional use if they meet the design conditions of Section 31-144(c)(2)n. and the conditions of Section 31-73(c) of the City Code; and

**WHEREAS**, the City Commission held a quasi-judicial public hearing as provided by law to review the application; and

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

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

**Section 1.** The above stated recitals are hereby adopted and confirmed.

**Section 2.** Application 04-CU-16 for Conditional Use to allow an automobile parking garage located on a lot in the Community Business (B2) District that is directly adjacent to an automobile parking garage in a multifamily residential zoning district and that does not meet the height and distance requirements of the City Code, is hereby granted exclusively to the Applicant, subject to the conditions set out in this Resolution, on property legally described in Exhibit "A" to this Resolution.

**Section 3.** Approval of the request above is subject to the following conditions:

1. The applicant shall obtain a building permit for the development within 12 months of the date of the approving resolution, failing which this approval shall be void. The applicant may request, in writing and prior to expiry of the initial 12 month time period, one six month extension of time to obtain building permits and the City Commission may, by resolution or motion, grant such extension of time upon a showing of good cause by the applicant, and

2. Plans submitted for building permits shall substantially comply with those submitted with this application for conditional use approval as follows:

- "Aventura Office Tower", Cover Sheet & Project Data, prepared by Beame Architectural Partnership, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Boundary Survey, prepared by Fortin, Leavy, Skiles, Inc., Sheet No.1 of 1, last revised 9/3/15, signed and sealed.
- "Aventura Office Tower", Location Plan, prepared by Beame Architectural Partnership, Sheet No. AO.1, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Location Plan, prepared by Beame Architectural Partnership, Sheet No. AO.2, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Site Plan (Roof Plan), prepared by Beame Architectural Partnership, Sheet No. A1.1, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Ground Floor Plan, prepared by Beame Architectural Partnership, Sheet No. A2.1, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Second Level Floor Plan, prepared by Beame Architectural Partnership, Sheet A2.2, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Third Level Floor Plan, prepared by Beame Architectural Partnership, Sheet A2.3, dated 10/14/16, signed and sealed.

- "Aventura Office Tower", Fifth Level Plan, prepared by Beame Architectural Partnership, Sheet No. A2.5, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Sixth Level Floor Plan, prepared by Beame Architectural Partnership, Sheet No. A2.6, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Seventh Level Plan, prepared by Beame Architectural Partnership, Sheet No. A2.7, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Eighth Level Plan, prepared by Beame Architectural Partnership, Sheet No. A2.8, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Ninth Level Plan, prepared by Beame Architectural Partnership, Sheet A2.9, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Tenth Level Plan, prepared by Beame Architectural Partnership, Sheet No. A2.10, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Roof Floor Plan, prepared by Beame Architectural Partnership, Sheet No. A2.11, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Elevations & Elevation Details, prepared by Beame Architectural Partnership, Sheet No. A3.1, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Elevations & Elevation Details, prepared by Beame Architectural Partnership, Sheet No. A3.3, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", Sections, Elevations & Elevation Details, prepared by Beame Architectural Partnership, Sheet No. A3.2, dated 10/14/16, signed and sealed
- "Aventura Office Tower", Perspective Views, prepared by Beame Architectural Partnership, Sheet No. A3.4, dated 10/14/16, signed and sealed.
- "Aventura Office Tower", General Notes & Specifications, prepared by Langan, Sheet No. C-2.0, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Signage and Striping Plan, prepared by Langan, Sheet No. C-3.0, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Fire Staging Area Plan, prepared by Langan, Sheet No. C3.1, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Paving, Grading and Drainage Plan, prepared by Langan, Sheet No. C-4.0, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Water Plan, prepared by Langan, Sheet No. C-5.0, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Sanitary Sewer Plan, prepared by Langan, Sheet No. C5.2, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Detail Sheet, prepared by Langan, Sheet No. C-8.0, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Vehicular Circulation Plan, prepared by Langan, Sheet No. C-9.0, dated 10/4/16, signed and sealed 10/4/16.
- "Aventura Office Tower", Landscape Plan, prepared by Witkin Hults Design Group, Sheet No. L-1, dated 6/24/15, revised 10/2/16, signed and sealed 10/3/16.
- "Aventura Office Tower", Landscape Details, prepared by Witkin Hults Design Group, Sheet No. L-2, dated 6/24/15, revised 10/2/16, signed and sealed 10/3/16.

- "Aventura Office Tower", Site Photometrics Plan, prepared by Steven Feller, P.E, P.L., Sheet No. PH-1, dated 6/29/15, revised 9/30/16, signed and sealed.
  - "Aventura Office Tower", Roof Level Photometric, prepared by Steven Feller, P.E, P.L., Sheet No. PH-2, dated 6/29/15, revised 9/30/16, signed and sealed.
  - "Aventura Office Tower", Site Lighting Plan, prepared by Steven Feller, P.E, P.L., Sheet No. ES-1, dated 6/29/15, revised 9/30/16, signed and sealed.
3. Any discontinuation of the approved conditional use for a period of 180 consecutive days shall constitute abandonment and shall rescind the approval of the conditional use, and
4. Prior to issuance of a building permit for the proposed development, the applicant shall:
- (i) provide a job-site plan for approval of the City Manager, pursuant to Ordinance No. 2006-05, and
  - (ii) provide to the City, in form satisfactory to the City Manager and City Attorney, a signed copy of the amendment to the Declaration of Restrictive Covenants in Lieu of Unity of Title, and
  - (iii) obtain a Public Works Permit from the City's Community Services Department for all planned improvements in the public right of way, and
  - (iv) provide to the City, in form satisfactory to the City Manager and City Attorney, a queuing study for the mechanical parking lift level in the parking garage, and
  - (v) provide to the City, in form satisfactory to the City Manager and City Attorney, a signed copy of the Restrictive Covenants as required by Section 31-171(a)(6)(i) of the City Code regarding operation and maintenance of the parking lifts on the first level of the parking garage.
5. Prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, the applicant shall:
- (i) provide an as-built survey and Elevation Certificate in form satisfactory to the City Manager, and
  - (ii) provide to the City, in form satisfactory to the City Manager and City Attorney, a recorded copy of the Restrictive Covenant regarding the operation and maintenance of the mechanical parking lifts, as required by Section 31-171(a)(6)(i) of the City Code, and
  - (iii) provide to the City, in form satisfactory to the City Manager and City Attorney, a recorded copy of the amendment to the Declaration of Restrictions in Lieu of Unity of Title.

**Section 4.** Issuance of this development order by the City of Aventura does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Aventura for issuance of the development order if the applicant fails to obtain requisite approvals or

fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the development. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

**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 Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Dr. Linda Marks	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Mayor Enid Weisman	_____

**PASSED AND ADOPTED** this 1<sup>st</sup> day of November, 2016.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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

This Resolution was filed in the Office of the City Clerk this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

**EXHIBIT "A"**

**Legal Description of Property**

Lot 2, Block 1, Aventura Walgreens Subdivision, according to the plat thereof as recorded in Plat Book 157, Page 43, of the Public Records of Miami-Dade County, Florida.