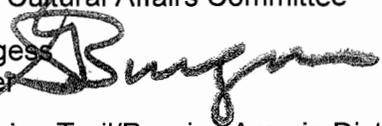


Memorandum



Date: March 17, 2008

To: Honorable Javier D. Souto and Members,
Recreation and Cultural Affairs Committee

From: George M. Burgess
County Manager 

Subject: Report on Walking Trail/Passive Area in District One

RCA
Agenda Item No. 7(C)

The Park and Recreation Department (MDPR) has prepared this report in response to the attached memorandum from the Honorable Barbara J. Jordan, Commissioner District One. The buffer zone/walking trail/passive park area adjacent to the North Dade Regional Library is part of the Dolphin Center Multipurpose Special Taxing District. It is maintained by the Special Taxing District Division of MDPR and is wholly funded by the special taxing district. The District is illustrated in the attached aerial photograph.

The following provides background information on the creation of the Dolphin Center Special Taxing District and describes the current financial status and plans for the area.

BACKGROUND AND CREATION OF THE SPECIAL TAXING DISTRICT

On September 26, 1985 the Board of County Commissioners passed and adopted Resolution Numbers Z-210-85 and Z-211-85 that authorized the development of The Dolphin Center. Both resolutions contain a condition that required property owners of the Dolphin Center to establish a Special Taxing District (STD) to serve as a sound and visual buffer from residential areas.

Zoning Resolution Z-211-85 established:

- A. landscaped buffer zone between commercial and residential areas,
- B. archaeological zone,
- C. scrub oak preservation zone, and
- D. 5-acre Neighborhood Park.
- E. The requirement that the developer apply for a special taxing district or districts within 12 months of the effective date of the Development Order.

The specific language in this item that pertains to the STD is as follows:

- "10. *Apply for and fully cooperate in the establishment of a special taxing district or districts within 12 months of the effective date of this Development Order, encompassing all real property within the DRI application site, and only that property, to provide for the maintenance of and improvements to the 40' landscaped north Neighborhood Protective Buffer and the 110' – 130' wide linear park and bike path within the south Neighborhood Protective Buffer, the park on the east end of the south Neighborhood Protective Buffer, the archaeological midden area, and the pine-oak preservation area. Pay all taxes or assessments levied by said district or districts. All lands subject to maintenance and improvement under the special taxing district or districts must be dedicated to Dade County in fee simple, free and clear of all liens, encumbrances and encroachments within the 12 months period specified in this paragraph.*" (R-Z-210-85, page 7)

Zoning Resolution Z-131A-95 added modifications to increase wall height (it needed to be raised due to stadium goers crossing wall at lower points); revise plant species list, and other items.

Subsequently, on October 14, 1986, the BCC approved Ordinance 86-78 which established the Dolphin Center Multipurpose Special Taxing District. That ordinance establishes that Dolphin Stadium through Huizenga Holdings, Inc. pays special assessment taxes to fund STD maintenance and improvements on the site. Surrounding residential areas are not assessed the tax. In the Background of the Memo it is stated:

“On September 26, 1985 the Board of County Commissioners passed and adopted Resolution Numbers Z-210-85 and Z-211-85 thereby authorizing the development of the Dolphin Center.

A condition of each resolution required that the property owners of the proposed Dolphin Center apply for the creation and establishment of special taxing district. The proposed special taxing district is necessary in order to provide funding for the maintenance and operation of public improvements required by each of the resolutions.”

Ordinance 86-78 is entitled:

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN DADE COUNTY FLORIDA, KNOWN AND DESCRIBED AS “DOLPHIN CENTER MULTIPURPOSE SPECIAL TAXING DISTRICT” IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF METROPOLITAN DADE COUNTY FLORIDA; AND PROVIDING AND EFFECTIVE DATE

It describes the background of the district and the process creating it and concludes, in part:

Now therefore be it ordained by the Board of County Commissioners of Dade County Florida

Section 1. In accordance with, a special taxing district in the unincorporated areas of Dade County, known and designated as the “DOLPHIN CENTER MULTIPURPOSE SPECIAL TAXING DISTRICT” is hereby created and established.

Section 2 (two page legal description)

Section 3. The service to be provided within this proposed special taxing district will consist of a maintenance and operation program for the following items:

- 1. Maintenance of the archeological midden in its native condition.*
- 2. Maintenance of the 110 foot to 130 foot wide landscape linear park within the south neighborhood protective buffer, including maintenance and operation of a 5 acre park site and bicycle path.*
- 3. Maintenance of the 6 foot masonry wall within the south neighborhood protective buffer.*
- 4. Maintenance of the 5 acre pine-oak preservation area in its native condition.*

5. *Maintenance and operation of the irrigation system within the landscaped area of the south neighborhood protective buffer.*
6. *Maintenance of the 40 foot wide landscaped area within the north neighborhood protective buffer area, including maintenance and operation of the irrigation system within the 40 foot landscaped area.*

Section 4. The estimated net cost to the property owners for the maintenance and operation program including engineering and administrative, and billing, collecting and processing for the first year is \$225,598.00 and \$175,70.00 the second year.....

Section 5. It is hereby declared that the service program will be a special benefit to all property within the special taxing district and the total amount of special assessments to be levied as aforesaid will not be in excess of such benefit.

FINANCIAL STATUS

Revenues and expenditures for the District are listed on Attachment A.

STATUS AND PLANS FOR THE AREA

Ongoing Maintenance

The Dolphin STD is maintained on a regular basis by the Special Taxing Districts Division of the Park and Recreation Department (MDPR). The maintenance crew is on site five days a week and their duties include:

- approximately 30 grass cutting cycles annually
- garbage pick-up twice a week
- tree trimming as needed
- fertilization twice annually
- access control fence repairs as needed
- sprinkler system repairs as needed
- painting of wall as needed (in this years budget allocation)

Repainting Wall

The wall will be re-painted this year with \$50,000.00 allocated for the project. The STD is in the process of reviewing Requests for Quote (RFQ) on the repainting project. The project is scheduled to be completed this summer.

Sprinkler System

The sprinkler system is currently not working. In 2005, an estimate for a replacement sprinkler system was obtained. At that time, the estimate was \$120,000.00; however, the funding was not and is not currently available. As the wall painting was determined to be the priority this year, MDPR will begin budgeting for these repairs in FY 09 -10.

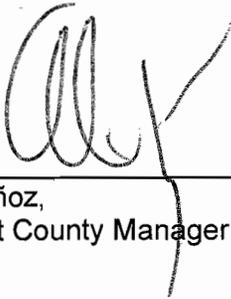
Lighting

The plans approved by the above zoning resolutions and the ordinance creating the STD do not anticipate lighting for the passive park which is operated as a dawn to dusk facility. If there is a desire to install lighting, MDPR will work with the Department of Planning and Zoning to determine what steps would be required to modify the approvals both to allow the lighting and to provide the necessary funds.

Archeological Site

Improvements to the Dolphin STD archeological site are currently underway. MDPR staff is working with an archeologist to ensure the integrity of the archeological site. Improvements to the site will include fencing, landscaping, site furniture, shelters, and interpretive signage.

Attachment

A handwritten signature in black ink, appearing to read 'Alex Muñoz', is written over a horizontal line. The signature is stylized and cursive.

Alex Muñoz,
Assistant County Manager

ATTACHMENT A
Dolphin Center Multipurpose Special Taxing District
Project No. 906005

	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
FISCAL YEARS 1987 THROUGH 1997											
REVENUE: SPECIAL ASSESSMENTS & INTEREST EARNED											
Annual Revenue	0	137,754	135,302	138,094	594,909	214,480	335,461	154,581	342,625	205,844	666,438
Year to Date Revenue	0	137,754	273,056	411,150	1,006,058	1,220,538	1,555,999	1,710,579	2,053,204	2,259,048	2,925,486
EXPENDITURE											
Annual Expenditure	630	207,069	177,657	192,044	231,129	216,805	274,864	431,245	608,614	301,437	251,098
Year to Date Expenditure	630	207,699	385,355	577,399	808,529	1,025,334	1,300,198	1,731,443	2,340,056	2,641,494	2,892,592
BALANCE											
Annual Balance	(630)	(69,315)	(42,355)	(53,950)	363,779	(2,325)	60,596	(276,664)	(265,989)	(95,594)	415,340
Year to Date Balance	(630)	(69,945)	(112,300)	(166,249)	197,530	195,205	255,801	(20,863)	(286,852)	(382,446)	32,895

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008 Projected
FISCAL YEARS 1998 THROUGH 2007 AND FY 07-08 AS OF JAN 2008											
REVENUE: SPECIAL ASSESSMENTS & INTEREST EARNED											
Annual Revenue	305,977	301,570	300,479	684,343	316,475	307,391	329,731	337,923	373,072	364,180	403,300
Year to Date Revenue	3,231,464	3,533,033	3,833,512	4,517,855	4,834,330	5,141,720	5,471,451	5,809,374	6,182,446	6,546,626	6,949,926
EXPENDITURE											
Annual Expenditure	283,232	594,557	309,645	297,213	320,037	283,303	337,509	362,498	432,841	351,659	425,000
Year to Date Expenditure	3,175,823	3,770,380	4,080,025	4,377,238	4,697,275	4,980,578	5,318,087	5,680,585	6,113,426	6,465,085	6,890,085
BALANCE											
Annual Balance	22,746	(292,987)	(9,166)	387,130	(3,562)	24,087	(7,778)	(24,576)	(59,769)	12,522	(21,700)
Year to Date Balance	55,640	(237,347)	(246,513)	140,617	137,055	161,142	153,364	128,789	69,020	81,541	59,841

Notes:
 Revenues: Special assessments were not paid consistently from 1988 through 2001 resulting in revenue shortfalls. Beginning with 2002, payment of assessments has stabilized and revenues on an annual basis are over \$300,000.
 Expenditures: Expenditures were high in 1995 due to an irrigation and landscaping project at a cost of approximately \$294,000 and in 1999 due to the construction of a buffer wall at a cost of approximately \$316,000.
 Balance: The district's fund balance (carryover revenue) at the beginning of 2008 is \$81,541.

5



Memorandum

OFFICE OF VICE-CHAIRWOMAN BARBARA J. JORDAN

MIAMI-DADE COUNTY - DISTRICT 1

111 N.W. 1 Street, Suite 220

Miami, Florida 33128-1963

(305) 375-5694

(305) 372-6028/Fax

To: George M. Burgess, County Manager Date: February 11, 2008

From: Barbara J. Jordan, Commissioner Subject: Walking Trail / Passive Area in District 1

Barbara J. Jordan

I am requesting that staff from the Park & Recreation Department provide a written and verbal report for the March 10, 2008, Recreation and Cultural Affairs Committee meeting as it pertains to the financial status and plans of the buffer zone/walking trail/passive park area, adjacent to the North Dade Regional Library in District One.

If my memory serves me correct, dollars have been allocated through a Special Assessment Fund via the Dolphin Corporation for the maintenance of said area. There are some definite immediate needs in the area such as sprinkler system repairs, repainting of the wall, and lack of lighting, which is a major safety concern. I would like the report to include the language from the County Attorney's Office that provides for this special assessment; the amount of money that has been deposited into this fund to date; how those funds have been disbursed; and the short and long range plans for the area in general.

Should you require additional information, please feel free to contact Andre Ragin, my Chief of staff, @ (305)375-5694.

COUNTY MANAGER'S OFFICE

7008 FEB 11 P 3:44

RECEIVED

Resolution No. Z-210-85

DEVELOPMENT OF REGIONAL IMPACT ORDER

WHEREAS, Dolphin Stadium Corporation and Joseph Robbie; and Steven J. Robb and Emil Morton and Lottie Morton, Lottie Morton as Trustee, Lawrence Morton as Trustee, had filed an Application for Development Approval of a Development of Regional Impact as follows:

A development consisting of 432+ acres, consisting of a 73,000 seat sports stadium, retail uses containing a total of 540,000 square feet, office/trademart facilities containing a total of 400,000 square feet, additional office space of 1,800,000 square feet, 2 hotels with a combined total of 800 rooms, and a sports medicine/fitness center containing 100,000 square feet.

SUBJECT PROPERTY:

A portion of land in Section 34, Township 51 South, Range 41 East and in Section 3, Township 52 South, Range 41 East, Dade County, Florida, also being a portion of Block 3 of PLAT OF MIAMI GARDENS as recorded in Plat Book 2, Page 96 of the public records of Dade County, Florida, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 3; thence South 01° 07' 39" East, along the East line of said Section 3, a distance of 543.19 feet to the POINT OF BEGINNING; thence continue South 01° 07' 39" East, along said East line, 779.90 feet to the Southeast corner of the North One Half (N 1/2) of the Northeast One Quarter (NE 1/4) of said Section 3; thence South 88° 47' 14" West, along the South line of said North One Half (N 1/2) of the Northeast One Quarter (NE 1/4) of Section 3, a distance of 2642.60 feet to the Southwest corner of said North One Half (N 1/2) of the Northeast One Quarter (NE 1/4) of Section 3, said point also being the Southwest corner of Tract 21, Block 3 of said PLAT OF MIAMI GARDENS; thence North 01° 05' 09" West, along the West line of said North One-Half (N 1/2) of the Northeast One Quarter (NE 1/4) of Section 3, also being the West line of said Tract 21, a distance of 660.73 feet to the Northwest corner of said Tract 21, said point also being the Northeast corner of BELL GARDENS as recorded in Plat Book 65, Page 120 of the Public Records of Dade County, Florida; thence South 88° 47' 40" West, along the North line of said plat of BELL GARDENS, also being the South line of Tracts 5, 6, 7 and 8 of Block 3 of said PLAT OF MIAMI GARDENS, 1320.29 feet to the Northwest corner of said BELL GARDENS, also being the Southwest corner of said Tract 8; thence South 01° 05' 46" East along the West line of said plat of BELL GARDENS also being the East line of Tracts 16, 33 and 40 of Block 3 of said PLAT OF MIAMI GARDENS, 1981.24 feet to a point on the westerly extension of the centerline of Northwest 191st Street of said plat of BELL GARDENS, also being the Southeast corner of said Tract 40; thence South 01° 06' 46" East, continuing along said West line of BELL GARDENS, also being the East line of Tracts 61, 68, 93 and 100 of Block 3 of said PLAT OF MIAMI GARDENS, 2202.51 feet to a point a line 440 feet North of and parallel with the South boundary of Tracts 99 and 100 of Block 3 of said PLAT OF MIAMI GARDENS; thence South 88° 55' 44" West along the last described parallel line, 660.01 feet to a point on the West line of said Tract 99; thence North 01° 06' 38" West, along said West line of Tract 99 and the West line of Tract 94 of Block 3 of said PLAT OF MIAMI GARDENS, 880.71 feet to the Northwest corner of said Tract 94; thence South 88° 52' 55" West, along the South line of Tracts 66 and 65 of Block 3 of said PLAT OF MIAMI GARDENS, 409.98 feet to a point

on a line 200 feet East of and parallel to the East Right-of-Way line of Northwest 27th Avenue; thence North 01° 06' 30" West along the last described parallel line, 200.00 feet to a point on a line 200 feet North of and parallel to said South line of said Tract 65; thence South 88° 52' 55" West, along the last described parallel line, 200.00 feet to a point on said East Right-of-Way line of said Northwest 27th Avenue; thence North 01° 06' 30" West along said East Right-of-Way line, 3760.71 feet to a point on the North line of said Section 3; thence North 01° 06' 59" West, continuing along said East Right-of-Way line, 199.91 feet to a Point of Curvature with a tangent curve concave to the West; thence Northerly along the arc of said curve, also being said East Right-of-Way line, having a delta of 06° 21' 24" feet, a radius of 5779.65 feet, an arc distance of 641.21 feet to a Point of Non-tangency with the West line of said Section 34; thence North 00° 07' 44" West, along said West line of Section 34, also being said East Right-of-Way line, 1104.69 feet to a point on the South Flood Control Line of Snake Creek Canal; thence South 86° 11' 45" East, along the last described line, 5297.22 feet to a point on the East line of said Section 34; thence South 00° 00' 12" East, along said East line of Section 34, a distance of 1388.61 feet to a point on a Right-of-Way line for the Sunshine State Parkway; thence South 88° 45' 09" West continuing along the last described Right-of-Way line, 84.78 feet; thence South 01° 07' 39" East, continuing along the last described Right-of-Way line, 201.00 feet; thence South 05° 16' 07" East, continuing along the last described Right-of-Way line, 401.06 feet; thence South 31° 10' 02" East, continuing along the last described Right-of-Way line, 38.03 feet; thence North 88° 52' 21" East, continuing along the last described Right-of-Way line, 35.00 feet to the POINT OF BEGINNING. Said lands lying in Dade County, Florida, containing 434.168 acres, more or less.

LOCATION OF PROJECT SITE: From approximately N.W. 195 Street to the Snake Creek Canal between N.W. 27 Avenue and the Florida Turnpike, and from Miami Gardens Drive (N.W. 183 Street) to approximately N.W. 196 Terrace, between N.W. 24 Avenue and N.W. 27 Avenue.

NAME OF DEVELOPMENT: Dolphin Center

NAME OF DEVELOPER: Dolphin Stadium Corporation and Joseph Robbie
Steven J. Robb

AUTHORIZED AGENT OF DEVELOPERS: William V. Keith

FINDINGS OF FACT

WHEREAS, a public hearing of this Board was advertised and held on September 26, 1985, at which time all interested parties concerned in the matter were heard, and at which time the recommendations of the South Florida Regional Planning Council and the revised recommendations of the County Developmental Impact Committee were reviewed and considered, and it is the finding of this Board that:

1. There is no adopted State Land Development Plan applicable to this area.
2. The development is generally consistent with the report and recommendations of the South Florida Regional Planning Agency.

CONCLUSION OF LAW

WHEREAS, it is the opinion of this Board that this project is in conformance with all applicable State and local land use regulations and the Comprehensive Development Master Plan; does not unreasonably interfere with any of the considerations and objectives set forth in Chapter 380, Florida Statutes; and is in conformance with all other applicable State and local laws.

ACTION TAKEN

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested development approval is hereby granted, and approved, subject to the following conditions:

THE APPLICANT, ITS SUCCESSORS, AND/OR ASSIGNS JOINTLY OR SEVERABLY WILL:

1. Make the following changes to the Dolphin Center DRI project, in addition to changes required by other conditions of this DRI Development Order:
 - a. Reduce the project magnitude to the following maximum development totals, for the entire project site, as shown on Figure 1:
 - 73,000 seat stadium.
 - 7,350 paved parking spaces on the stadium site.
 - 850,000 square feet of office development, including any fitness center and/or trademart.
 - 465,000 square feet of retail/commercial development.
 - 750 hotel rooms.
 - b. Redesign the development plan to accommodate the north and south Neighborhood Protective Buffers, pursuant to Conditions 9, 10, and 11 herein, and the park to be developed in association with the south Neighborhood Protective Buffer, pursuant to Condition 9 herein.
 - c. Schedule project completion for 1992.
2. Conduct a comprehensive air quality study, develop a plan and program for carbon monoxide monitoring and abatement, and implement all actions necessary to reduce carbon monoxide emissions during stadium events to meet State air quality standards, according to the following minimum requirements:
 - a. Submit, within thirty days of the effective date of the Development Order, a detailed study design for modeling carbon monoxide concentrations associated with the stadium to the Florida Department of Environmental Regulation (FDER), the South Florida Regional Planning Council (Council), and Dade County Department of Environmental Resources Management (DERM) for review and approval.
 - b. Submit, within three months of the effective date of the Development Order, a comprehensive air quality study according to the study design approved pursuant to 2a above.
 - c. Within five months of the effective date of the Development Order, submit for review and approval by the above agencies, a comprehensive pollution abatement plan and implementation program, detailing project design, construction, and/or operational measures, with associated standards and implementation schedules, to abate projected air quality exceedances.

- b. Prohibit any and all outside storage of hazardous materials or hazardous waste.
- c. Require hazardous waste generators (tenants classified in a SIC code listed in Exhibit 2 that use, handle, store, or display hazardous materials and/or generate hazardous wastes) to contract with a licensed public or private hazardous waste disposal service or processing facility and to annually provide to Dade County, and maintain on file for a period of at least five years, copies of one of the following types of documentation of proper hazardous waste management practices:
- . a hazardous waste manifest;
 - . a bill of lading from a transporter indicating shipment to a permitted hazardous waste management facility; or
 - . a confirmation of receipt of materials from a FDER-approved recycler or waste exchange operation.
- d. Require such hazardous waste generators to submit to the Applicant such information as is necessary for Applicant compliance with the annual monitoring and reporting requirements in Condition 24 and 41 below.
- e. Notify tenants generating hazardous wastes of the penalties for improper disposal of hazardous waste pursuant to Section 403.727, Florida Statutes.
- f. Allow reasonable access to facilities for monitoring by Dade County and FDER.

→ 6. Remove all invasive exotic plants from the project site as the site is cleared; preserve the native oak area identified in Exhibit 3; use only those plant species identified in Exhibit 4 in project landscaping; and either preserve, relocate within the site, or transplant to another location in the Region all healthy wax myrtle, red bay, and oaks scattered throughout the project site. In the event the relocation of the existing wax myrtle, red bay, oak trees is not feasible, then replacement with suitable native landscape material shall be required subject to DERM approval.

7. Provide to, and on a schedule established by the Dade County Historic Preservation Division (DHPD) funds necessary for DHPD to hire an archaeological assistant to monitor Dolphin Center development.

→ 8a. Dedicate the preserved archaeological midden shown in Exhibit 3 for perpetual open space, or donate the land to Dade County or another agency/organization acceptable to both Dade County, the Department of Community Affairs, and the Council for perpetual maintenance as an archaeological site.

→ 8b. The archaeological midden shown in Exhibit 3 shall be maintained in its native condition and within 12 months of the effective date of this Development Order be surrounded by an 8-foot high chainlink fence, or other barrier suitable to Dade County.

8c. Provide within 3 months of the effective date of this Development Order an accurate legal description approved by the Dade County Historic Preservation Division of the archaeological midden shown in Exhibit 3.

→ 9. Develop a south Neighborhood Protective Buffer in the area extending 351 feet inward from the Dolphin Center property line along N.W. 24 Avenue and along the Southern border of the site (east of N.W. 24 Avenue), with a park built to Dade County standards and approved by the Parks Department. A meandering bicycle path shall extend the length of the Buffer, as shown on Exhibits 5a and 5b and according to the following standards:

a. Road rights-of-way (ROW) as needed for fully expanded residential roadway sections along the property line between Dolphin Center and the Crestview/Rolling Oaks neighborhood ("Current Property Line") shall be dedicated and improved by the Applicant within 12 months of the effective date of the Development Order. These ROW requirements are defined as follows, unless determined to be otherwise by Dade County:

- . N.W. 24 Avenue, 30 feet from the Current Property Line (CPL).
- . N.W. 22 Avenue, 50 feet from the CPL.
- . N.W. 195 Street extended, 25 feet from the CPL.

The interior property line resulting from this required ROW dedication shall be referenced herein as the "ROW Line".

→ b. Measuring a minimum of 110 to 130 feet toward the interior of the project from the ROW line, a "Wall Construction Line" shall be delineated for location and construction of an attractive masonry wall, approved by the Planning Department, 6 to 8 feet in height to permanently bar access and reduce noise transmission between the project site and the adjacent neighborhood. The Wall Construction Line shall vary as necessary to:

- . accommodate the park on the east end of the south Neighborhood Protective Buffer shown on Exhibits 5a and 5b, and
- . west of 24 Avenue, extend northward to within 10 feet of N.W. 199 Street right-of-way, and then follow the alignment of N.W. 199 Street to at least 110 feet east of N.W. 22 Avenue extended.

→ c. On the neighborhood side of the Wall Construction Line, develop and maintain the area according to the following:

- . A landscape plan approved by the Dade County Planning Department which provides a continuous, effective visual barrier for adjacent neighborhood residents and addresses security and maintenance concerns. The plan should provide a visual barrier at least 20 feet in height after 5 years of growth and to 30 feet in height after 10 years of growth.
- . Adjacent to the ROW Line referenced in 9a above, construct an 8-foot wide bike path meandering through a 20-40 foot wide bike path right-of-way.
- . The 20 to 40 foot bike path right-of-way shall be landscaped to be compatible with and enhance adjacent residential areas.
- . Construct and maintain an irrigation system in the landscaped areas of the south Neighborhood Protective Buffer.
- . Plant a 10-foot wide grassed separation strip between the landscaped area and the masonry wall.
- . Construct, as shown in Exhibit 5b, a 5-acre park abutting the 5-acre pine-oak preservation area, pursuant to Condition 6 herein, and subject to design and specifications approved by the Parks Department.

→ d. The pine-oak preservation area shown in Exhibit 3 shall be maintained in its native condition and be surrounded by an 8-foot high chain link fence, or other barrier subject to County approval.

- e. Provide within three months of the effective date of this Development Order an accurate legal description, approved by DERM, of the pine-oak preservation area shown in Exhibit 3.
- f. The masonry wall shall be constructed and the landscaping completed within 12 months of the effective date of this Development Order, and the remainder of the Neighborhood Protective Buffer requirements specified in this Condition 9 shall be completed in an additional 12 months.
- g. Provide within 3 months of the effective date of this Development Order, provisions for the maintenance of that portion of the Neighborhood Protective Buffer not provided for in b and c above.
- 10. Apply for and fully cooperate in the establishment of a special taxing district or districts within 12 months of the effective date of this Development Order, encompassing all real property within the DRI application site, and only that property, to provide for the maintenance of and improvements to the 40' landscaped north Neighborhood Protective Buffer and the 110' - 130' wide linear park and bike path within the south Neighborhood Protective Buffer, the park on the east end of the south Neighborhood Protective Buffer, the archaeological midden area, and the pine-oak preservation area. Pay all taxes or assessments levied by said district or districts. All lands subject to maintenance and improvement under the special taxing district or districts must be dedicated to Dade County in fee simple free and clear of all liens, encumbrances, and encroachments within the 12 months period specified in this paragraph.
- 11. Develop a north Neighborhood Protective Buffer, by planting a permanent landscaping barrier along the northern edge of the property beginning at the southern edge of the South Florida Water Management District (SFWMD) right-of-way and extending 40 feet south, unless specific permission is obtained from the SFWMD allowing a portion of their right-of-way to be dedicated for perpetual use as part of the north Neighborhood Protective Buffer to be developed and maintained by the Applicant. This 40-foot wide north Neighborhood Protective Buffer shall contain an irrigation system installed and maintained in operating condition by the applicant and be planted consistent with the illustration in Exhibit 6, using the species in Exhibit 4, prior to issuance of a certificate of occupancy for the stadium.
12. Develop the property in accordance with the Archaeological Management Plan in Exhibit 7.
13. Provide to Dade County Fire Department at the time of issuance of the first building permits in each phase or portion thereof \$0.08 (1984 dollars) per square foot of office/commercial development, and \$80 (1984 dollars) per hotel room. Also, on or before July 1, 1986, provide the Fire Department a single cash payment of \$0.20 (1984 dollars) per square foot of stadium development. In addition, construct and maintain a helicopter landing area according to Dade County Fire Department requirements.
- 14a. Cooperate with the Metro-Dade Police Department and incorporate security measures and systems into the design and operation of Dolphin Center, including the following:
- Security office (with a holding cell) at each end of the stadium;
 - An area which can be used as a police command post within the stadium, shielded from the weather, and large enough to hold roll call for assigned personnel;
 - Television cameras located in sensitive areas throughout the stadium with television monitors placed in one of the security offices.

Florida Turnpike, add 2 lanes at vicinity of N.W. 199 Street

Exhibit 8

32. Withhold issuance of certificates of occupancy for any Phase B development until the following improvements are constructed:

<u>Improvement</u>	<u>Exhibit No.9-Reference</u>
County Line Road: Turnpike to University Drive, 6 lanes, divided	None
Miami Gardens Drive, from N.W. 27 Avenue to 37 Avenue, 4 to 6 lanes, divided	None
County Line Road/N.W. 27 Avenue, intersection	5
County Line Road/U.S. 441, intersection	27

33. Prior to April 1, 1986, make a diligent effort and enter into agreement with FDOT and the Applicant to ensure construction of all Phase B Programmed Improvements as shown in Exhibit 8 prior to issuance of any certificate of occupancy for Phase B office projects. (Table 1)
34. Withhold issuance of any certificates of occupancy for any Phase B office projects (Table 1) until the phase B programmed transportation improvements shown in Exhibit 8, including those programmed illustrated in Exhibits 9-13 and 9-17 through 9-20, are constructed.
35. Make diligent effort to enter into an agreement with the Applicant pursuant to Condition 22 herein.

GENERAL:

36. The Application for Development Approval is hereby incorporated herein by reference and relied upon by the parties in discharging their statutory duties under Chapter 380, Florida Statutes, and local ordinances. Substantial compliance with the representations contained in the Application for Development Approval is a condition for approval unless waived or modified by agreement among the Council, County, and Applicant, its successors, and/or assigns.

→ 37. Each of the following, in and of itself, shall constitute a substantial deviation from the DRI Development Order and require an Amended DRI Application for Development Approval (ADA) to be submitted to the County, Council, and State:

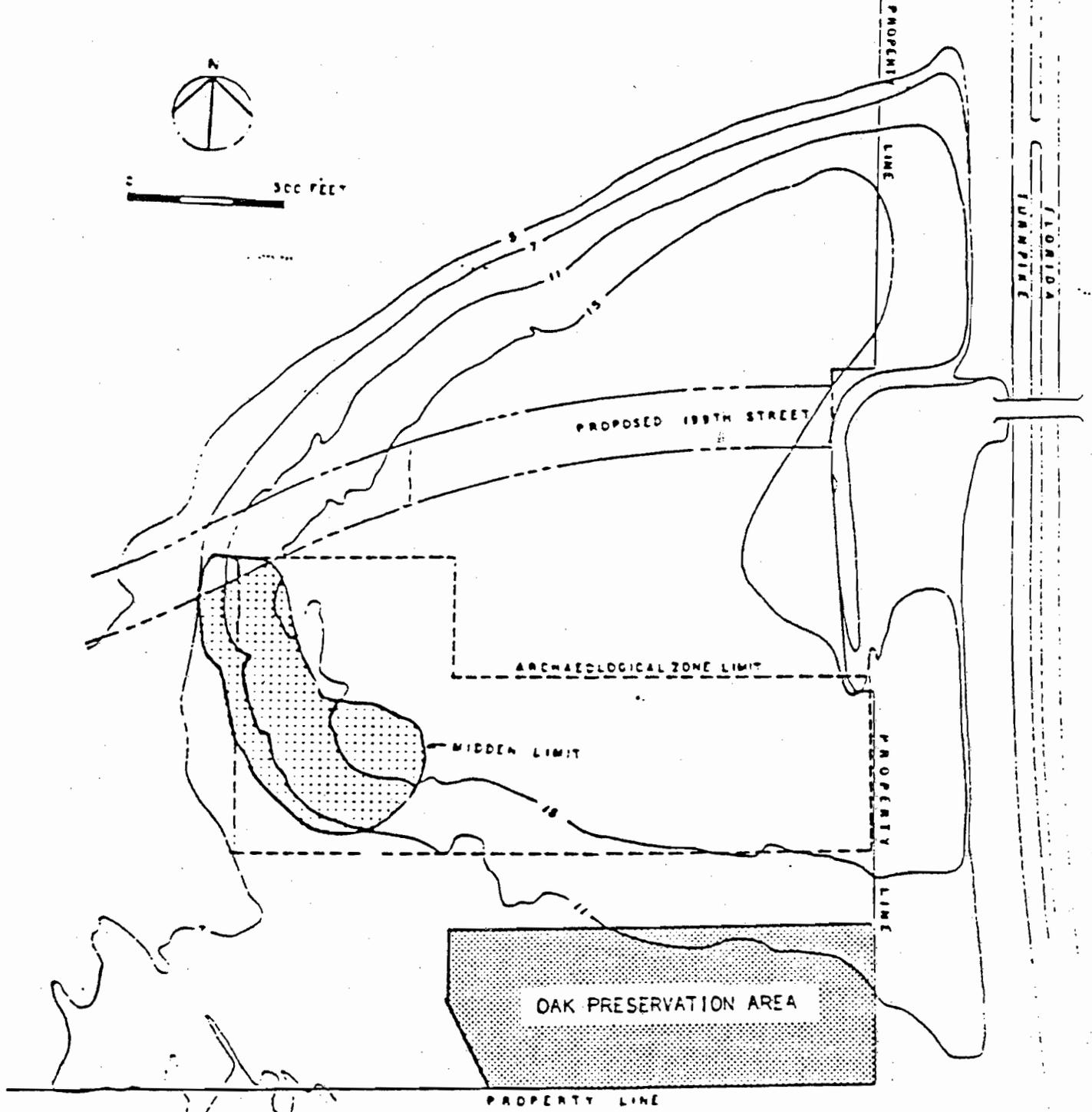
- a. An increase by ten (10) percent in the number of trips generated by the project compared to the projections in the ADA for either the Weekday PM peak-hour or Sunday peak-hour.
- b. Any use of the south Neighborhood Protective Buffer not specified in condition 9 herein or failure of the Applicant to develop and maintain the Buffer according to the standards specified in that condition and conditions 10 and 22 herein.
- c. A violation of the air quality planning and implementation requirements that continues in excess of the 6-month stay on DRI Development Order effectiveness pursuant to Condition 2 herein.
- d. Extension of any neighborhood access road through the site.
- e. Change in any publicly-dedicated project entrance/stadium access point.
- f. Failure of the Florida Department of Transportation to construct any programmed transportation improvements identified within one year of its scheduled completion as shown in Exhibit 8.

- g. Failure of the Applicant to enter into an agreement for roadway construction, acquire right-of-way, or construct the transportation improvements identified in Conditions 18b, 18c, 18f, 18g and 19b within 90 days of the dates specified.
- h. Failure of FDOT to construct the Turnpike/199 Street Interchange (Exhibits 9-1 and 9-2) prior to August 1, 1988.
- i. Failure to commence construction of the I-75/HEFT ramps or alternative improvements (Exhibit 9-21) by January 1, 1992.
- j. Failure of the Applicant to construct N.W. 199 Street from N.W. 27 to 37 Avenue, as a 6-lane facility or provide other operational or capacity improvements acceptable to Dade County, on or before January 1, 1990.
- k. Failure of the Applicant to receive a certificate of occupancy for a stadium within three years of the effective date of the DRI Development Order.
- l. Failure of Dade County to construct and operate 199 Street, from US 441 to N.W. 27 Avenue, as a reversible lane facility for stadium events.
- m. Failure of the applicant to dedicate the 110' - 130' wide linear park and bike path of the South Neighborhood Protective Buffer, private property contained within the North Neighborhood Protective Buffer, the park located on the east end of the South Neighborhood Buffer, the archaeological midden, and the pine-oak preservation area to Dade County and establish a special taxing district for maintenance and improvement of the above-referenced areas within 12 months of the effective date of this Development Order.

- 38. The effectiveness of the Development Order shall be stayed and no development permits thereunder shall be granted, until such time as an Amended ADA, providing updated information, is submitted to the Council, County, and State and an Amended Development Order issued, if the stadium and 1 million gross square feet of space have not been constructed within five (5) years from the effective date of the Development Order. Should the Development Order be stayed pursuant to this condition, nothing herein shall be construed to limit Condition 42 below that this Development Order runs with the land, and its terms and conditions are binding on the Applicant, its successors, and/or assigns, jointly or severally.
- 39. The Director of the Building and Zoning Department is hereby authorized to stay the effectiveness of the DRI Development Order upon notification and verification of a violation of any condition herein.
- 40a. The Director of the Building and Zoning Department is hereby required to monitor compliance with all conditions of the Development Order and shall make certain that the Development Order conditions are reviewed by the County prior to issuance of any local development permit, and
- 40b. For any conditions that cannot reasonably be monitored as part of the local permitting and inspection processes, the Director of the Building and Zoning Department shall require a notarized affidavit from the Applicant assuring compliance with such Development Order conditions and shall be included as part of the annual report required by Condition 41 herein.
- 41. The Applicant shall annually prepare, and submit to the County, Council, and State on the anniversary date of the DRI Development Order, a report to include the following:
 - a. A complete response to each question in Exhibit 11.
 - b. Identification of any changes in the plan of development, or in the representations contained in the ADA, or in the phasing for the reporting year and for the next year.
 - c. A summary comparison of development activity proposed and actually conducted for the year.

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EXHIBIT 3
PINE-OAK PRESERVATION AREA



SOURCE KEITH AND SCHNARS, SFRPC

RECOMMENDED SPECIES

Trees

- Acacia cyanophylla** (Beach acacia)
Acacia farnesiana (Sweet acacia)
Achras zapota (Sapodilla)
Acoelorrhapha wrightii (Paurotis palm, Cope sabal palm)
*Arecastrum romanzoffianum** (Queen palm)
Avicennia germinans (Black mangrove)
Brassia actinophylla (Schefflera)
*Bucida buceros** (Black olive)
Busera simaruba (Gumbo limbo)
Butia capitata (Pindo palm)
Calliandra haematocephala (Powderpuff)
*Callistemon rigidus** (Erect bottlebrush)
Callistemon spp.* (Bottlebrush)
Canelle winterana (Wild cinnamon)
*Cassia fistula** (Golden shower)
Celiba pentandra (Celba)
Chamaedorea spp. (Household palms)
*Chamaerops humilis** (European fan palm)
Chorisia speciosa (Floss silk tree)
*Chrysalidocarpus lutescens** (Arece palm, Madagascor palm)
Chrysophyllum oliviforme (Satinleaf)
*Citrus aurantiifolia** (Key lime)
- Citrus paradisi** (Minneola Tangelo)
*Citrus reticulata** (Minneola Tangelo)
Clusia rosea (Pitch apple)
Coccoloba diversifolia (Pigeon plum)
Coccoloba grandiflora (Big leaf sea grape)
Coccoloba uvifera (Sea grape)
Coccothrinax argentea (Florida silver palm)
Cochlospermum vitifolium (Buttercup tree)
Cocos nucifera "may pan" (May pan coconut palm)
Conocarpus erectus (Buttonwood)
Conocarpus erectus "sericea" (Silver buttonwood)
Cordia sebestena (Galger tree)
*Delonix regia** (Royal poinciana)
Drypetes lateriflora (Gulana plum)
*Eriobotrya japonica** (Loquat)
*Erythina crista-galli** (Cockspur coral-free)
Eugenia exiliaris (White stoppers)
Eugenia confusa (Red stoppers)
Eugenia foetida (Spanish stoppers)
Ficus citrifolia (Short leaf fig)
Grevillea banksii (Banks grevillea)

Grevillea robusta (Silk oak)
 Very large tree, not for residential use.

Gualoum sanctum (Lignum-vitae)
Ilex cassine (Dahoon holly)
Jacaranda acutifolia (Jacaranda)
Juniperus silicicola (Southern red cedar)
Krugiodendron ferreum (Black ironwood)
Lagerstroemia indica (Grape-Myrtle)
Laguncularia regemosa (White mangrove)
Licaria triandra (Gulf licaria)
Licuala grandis (Licuala palm)
Licuala spp. (Licuala palm)
Lysiloma bahomensis (Wild tamarind)
Lysiloma latissimum (Wild tamarind)
Manihara bahomensis (Wild dilly)
Mastichodendron foetidissimum (Mastic)
Musa hybrida (Banana)
Myrica cerifera (Southern wax myrtle)
Parkinsonia aculeata (Jerusalem thorn)
 Thorns
Peltophorum inerme (Yellow poinciana)
Pinus clausa (Sand pine)
Pinus elliptica (Slash pine)
Pinus elliptica var. *caribea* (Keys slash pine)
Piscida piscipula (Jamaica dogwood)
Pisonia longifolia (Blolly)

Plumeria spp. (Frangipani)
Poinciana pulcherrima (Dwarf poinciana)
Pseudophoenix sergentii (Florida cherry palm)
Ptychosperma elegans (Seaforthia palm)
Ptychosperma mearthurii (McArthur palm)
Quercus virginiana (Live oak)
Rhizophora mangle (Red mangrove)
Roystonea elata (Royal palm)
Roystonea regia (Cuban royal palm)
Sabal palmetto (Cabbage palm)
Sarcocoea repens (Saw palmetto)
Simerouba glauca (Paradise tree)
Siletentia mahogani (West Indies mahogany)
Tabebuia argentea (Tree of gold)
Tabebuia pallida (Pink trumpet tree)
Terminalia indica (India Tamarind)
Terminalia catappa (Tropical almond)
Toxodum (Cypress)
Thespesia populnea (Portia tree, seaside mahoe)
Thrinax morrisii (Keys thatch palm)
Thrinax parviflora (Thatch palm)
Thrinax radiata (Florida thatch palm)
Thrinax spp. (Thatch palm)
Washingtonia robusta (Washington palm)

Shrubs, vines, and ground covers

Acalypha hispida (Chenille plant)

Acalypha wilkesiana (Copperleaf)

Alocasia spp. (Elephant ear)

Alpinia spp. (Shell flower)

Amonium (Torch ginger)

Ardisia crenata (Christmas berry)
Pests

Aspergus spp. (Aspergus fern)

Begonia spp. (Rex begonia)

Bauernree recurvata (Pony-tail)

Bougainvillea spp. (Bougainvillea)
Thorns

Brassia actinophylla (Schefflera)

Byrsonima lucida (Locustberry)

Calliandra haematocephala (Powderpuff)

Calli-carpa americana (American beautybush)

Campsis radicans (Trumpet vine)

Cassia spp. (Cassia)

Cassia bahamensis (Cassia)

Chrysobalanus icaco (Cocoplum)

Clethra (Sawgrass)

Codiaeum variegatum (Croton)

Conocarpus erectus (Green buttonwood)

Conocarpus erectus sericeus (Silver buttonwood)

Costus spp. (Spiral flag)

Dizygotheca kercheouana (false aralia)

Dodonaea viscosa (Varnish leaf)

Dombeya wallichii (Pink bell)

Eranthemum nervosum (Blue sage)

Eugenia axillaris (White stopper)

Eugenia confusa (Red berry)

Eugenia foetida (Spanish stopper)

Eugenia myrtoides (Spanish stopper)

Forestiera segregata (Florida privet)

Gardenia jasminoides (Gardenia)

Guepira discolor (Blolly)

Hemelia patens (Scarletbush, firebush)

Hedy-chium coronarium (Butterfly lilly)

Hedy-chium flavum (Yellow lilly)

Hedy-chium garonierianum (Kahili lilly)

Hedy-chium spp. (Ginger lilly)

Heli-anthus dibillis (Beach sunflower)

Hibiscus rosa-sinensis (Hibiscus)

Hymenocallis latifolia (Spider lilly)

Ilex glabra (Gallberry)

Ilex vomitoria nana (Dwarf yaupon holly)

Ipomoea spp. (Morning glories, railroad vine)

Iva frutescens (Marsh elder)

Iva imbricata (Seacoast marsh elder)

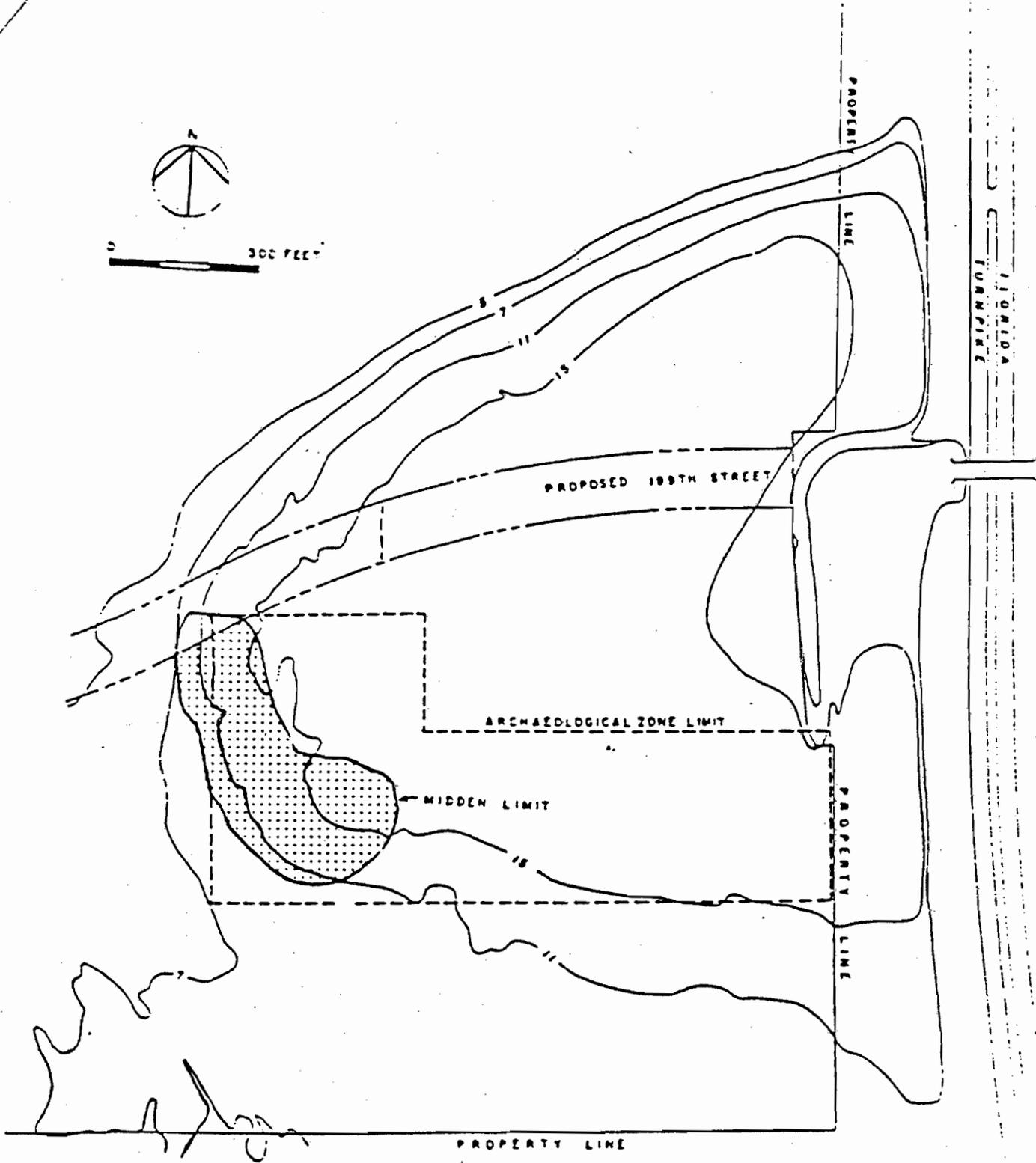
Jacquinia keyensis (Joewood)

Jatropha multifida (Peregrina)
Juniperus chinensis columnaris (Junipers)
Juniperus conferta (Shore Juniper)
Lagerstromia indica (Crape-Myrtle)
Lantana depressa (Dwarf lantana)
Lantana montevidensis (Dwarf lantana)
Ligustrum spp. (Privet)
 Pests.
Liriodendron muscari (Lily turf)
Myrcianthes fragrans (Simpson stopper)
Myrciaria cauliflora (Jaboticaba)
Myrica carifera (Southern wax myrtle, Bayberry)
Nephrolepis bostoniensis (Boston fern)
Ophiopogon japonicus (Mondo grass)
Peperomia obtusifolia (Peperomia)
Petrea volubilis (Queen's wreath)
Phacelia speciosa (Torch ginger)
Philodendron spp. (Cellosum, philodendron)
Pinus elliottee variety *dense* (Dade county pine)
Pithecolobium guadalupense (Blackbead)
Plumeria spp. (Frangipani)
Podocarpus spp. (Podocarpus)
Polyscias balfouriana (Balfour aralia)
Pontederia (Pickersweeds)
Psychotria nervosa (Wild coffee)

Randia aculeata (Randia, White Indian berry)
Reynoldsia septentrionalis (Darling plum)
Sagittaria (Arrowhead)
Scaevola plumieri (Inkberry)
Scirpus (Butrush)
Sophora tomentosa (Necklace pod)
Stenolobium stans (Yellow elder)
Surlana maritima (Bay cedar)
Tecomaria capensis (Cape honeysuckle)
Taxodium (Cypress)
Tecomaria capensis (Cape honeysuckle)
Tetrazygia bicolor (Tetrazygia, West Indian lily)
Thumburgia erecta (Kings - Mantle)
Thumburgia spp. (Clock vine)
Thyrallis glauca (Thyrallis)
Trachelospermum jasminoides (Confederate Jasmine)
Uniola paniculata (Sea oats)
Viburnum suspensum (Sondankwa viburnum)
Yucca elephantipes (Spineless yucca)
Zamia floridana (Coontie)
Zanthoxylum fagara (Wild lime)

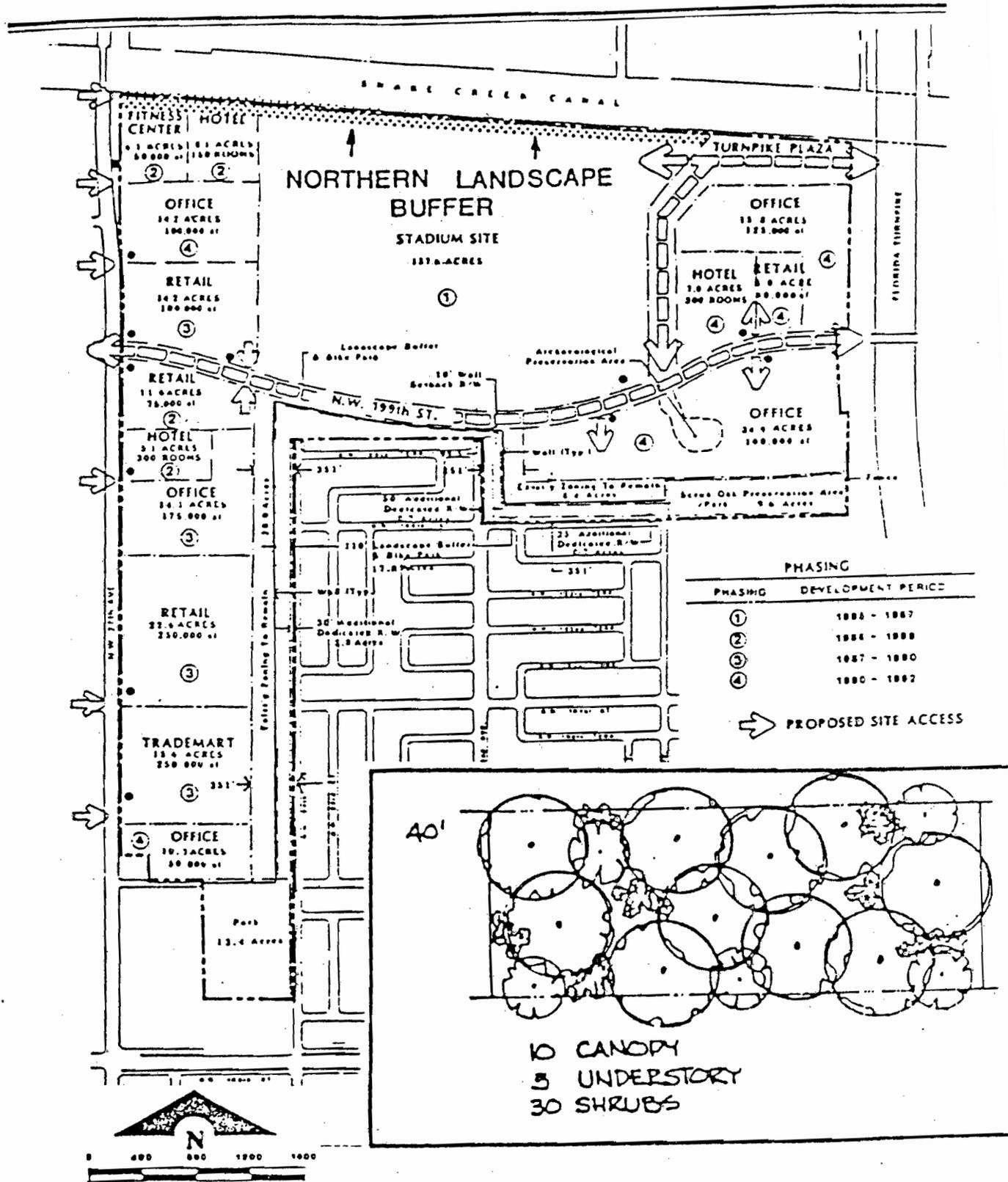
KEY: * Exotic species

FIGURE 7-1
ARCHAEOLOGICAL MANAGEMENT AREA I



SOURCE: GARROW AND ASSOCIATES

EXHIBIT 6 NORTHERN LANDSCAPE BUFFER



PHASING	
PHASING	DEVELOPMENT PERIOD
①	1985 - 1987
②	1988 - 1989
③	1987 - 1990
④	1990 - 1992

SOURCE: ADA

Resolution No. Z-211-85

85-196/34-51-41

RESOLUTION NO. Z-211-85

The following resolution was offered by Commissioner Beverly B. Phillips, seconded by Commissioner Clara Oesterle, and upon poll of members present the vote was as follows:

Barbara M. Carey	aye	Barry D. Schreiber	aye
Clara Oesterle	aye	Sherman S. Winn	aye
Beverly B. Phillips	aye	Jorge (George) Valdes	aye
James F. Redford, Jr.	absent	Stephen P. Clark	aye
Harvey Ruvin	nay		

WHEREAS, DOLPHIN STADIUM CORPORATION and JOSEPH ROBBIE; and EMIL MORTON and LOTTIE MORTON, LOTTIE MORTON AS TRUSTEE, LAWRENCE MORTON AS TRUSTEE, had applied for the following:

- (1) A district boundary change from RU-TH (Townhouse) and RU-1 (Single Family Residential) to OPD (Office Park District)

ON:

A portion of land in Section 3, Township 52 South, Range 41 East, Dade County, Florida, being a portion of Tracts 65, 66, 67, 94, and 99, Block 3 of PLAT OF MIAMI GARDENS as recorded in Plat Book 2, Page 96 of the Public Records of Dade County, Florida, more particularly described as follows:

COMMENCING AT THE Northwest corner of said Section 3, thence North 88° 46' 51" East, along the North line of said Section 3, a distance of 50.01 feet to a point on the East Right-of-Way line of Northwest 27th Avenue; thence South 01° 06' 30" East, along said East Right-of-Way line, 3380.71 feet to the POINT OF BEGINNING; thence North 88° 52' 55" East, along a line parallel with the South line of said Tracts 65, 66, and 67, a distance of 918.91 feet to a point on a line 351 feet West of and parallel with the East line of Tracts 68, 93 and 100, Block 3 of said plat of MIAMI GARDENS; thence South 01° 06' 46" East, along the last described parallel line, 1460.96 feet to a point on a line 440 feet North of and parallel with the South line of said Tract 99; thence South 88° 55' 44" West, along the last described parallel line, 309.01 feet to a point on the West line of said Tract 99; thence North 01° 06' 38" West, along said West line of Tract 99 and the West line of said Tract 94, a distance of 880.71 feet to the Northwest corner of said Tract 94; thence South 88° 52' 55" West, along the South line of said Tract 66 and 65, a distance of 409.98 feet to a point on a line 200 feet East of and parallel with said East Right-of-Way line of Northwest 27th Avenue; thence North 01° 06' 30" West, along the last described parallel line, 200.00 feet to a point on a line 200 feet North of and parallel with said South line of Tract 65; thence South 88° 52' 55" West, along the last described parallel line, 200.00 feet to a point on said East Right-of-Way line of Northwest 27th Avenue; thence North 01° 06' 30" West, along said East Right-of-Way line, 380.00 feet to the POINT OF BEGINNING.

Said lands lying in Dade County, Florida, containing 17.565 acres, more or less.

- (2) A district boundary change from RU-TH (Townhouse) and RU-1 (Single Family Residential) to BU-2 (Special Business)

Item #20) be and the same are hereby approved, subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things, but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Dolphin Stadium", consisting of 39 sheets, as prepared by HDK Sports Facilities Group and Keith and Schnars, P. A., dated April, 1985.
3. That the use be established and maintained in accordance with the approved plan.

BE IT FURTHER RESOLVED that the requested deletion of a Covenant Governing Land Development entered into between Janis Enterprises, Inc. (Joined in by "The Mortons") and Dade County, recorded in Official Record Book 9727 at pages 685 through 691 on June 30, 1977 (Item # 22) be and the same is hereby approved, subject to the following conditions:

1. That building heights shall be limited to a maximum of 80 feet and eight stories in the entire project except for the Stadium site and with a maximum height of 40 feet and four stories within the easterly 200 feet of Dolphin Center South (outside of the 351 foot South Neighborhood Protective Buffer) and a maximum height of 40 feet and four stories in the southerly 200 feet of Dolphin Center East (outside of the 351 foot South Neighborhood Protective Buffer).
2. All of the 550,000 square feet of office development in the project shall adhere to the old OPD zoning district regulations of the Code of Metropolitan Dade County, Florida, Section 33-284.31 through 33-284.38.
3. The density of the development in the Dolphin Center South shall be limited to 325,000 square feet of retail, 250,000 square feet of trademart (mixed use showrooms retail and office), 225,000 square feet of office, and 300 hotel rooms.
4. The density of development in the Dolphin Center East shall be limited to 40,000 square feet of retail, 225,000 square feet of office and 300 hotel rooms.
5. The density of development in the Dolphin Center West shall be limited to 100,000 square feet of retail, 100,000 square feet of office, 50,000 square feet of fitness center and 150 hotel rooms.

- 6. The applicant shall apply for and fully cooperate in the establishment of a special taxing district or districts within twelve (12) months from the date of this resolution encompassing all real property within the application site, and only that property, to provide for the maintenance and improvements to 40' landscaped North Neighborhood Protective Buffer and the 110' - 130' wide linear park and bike path within the South Neighborhood Buffer, the park on the East end of the South Neighborhood Buffer, the archaeological midden area, the pine oak preservation area, and other areas deemed appropriate by the County and the applicant including but not limited to providing for the maintenance and operation of a mini Dolphin Sports Activity Center to be located at the Rolling Oaks Park and/or in Crestview. ← Pay all taxes or assessments levied by said district or districts. All lands subject to maintenance and improvement under the special taxing district or districts must be dedicated to Dade County in fee simple free and clear of all liens, encumbrances and encroachments within the twelve (12) month period specified in this paragraph.

Resolution No. Z-131A-95

RESOLUTION NO. Z-131A-95

WHEREAS, ROBBIE STADIUM CORPORATION, ET AL. had applied for the following:

- (1) A DISTRICT BOUNDARY CHANGE from RU-4A (Apartments 50 units/net acre) to BU-2 (Business-Special). (Dolphin Center East One).
- (2) SPECIAL EXCEPTION to permit a proposed hotel in the BU-2 district. (Dolphin Center East One).
- (3) SPECIAL EXCEPTION requesting site plan approval for a proposed parking lot for a total of 2,870 parking spaces. (Dolphin Center East One).
- (4) NON-USE VARIANCE OF PARKING REGULATIONS requiring surface parking areas to be striped and to be topped with oil and sand or with asphalt; to waive same. (Dolphin Center East One).
- (5) A DISTRICT BOUNDARY CHANGE from RU-4A (Apartments 50 units/net acre) to BU-2 (Business-Special). (Dolphin Center West).
- (6) SPECIAL EXCEPTION to permit a proposed hotel in the BU-2 district. (Dolphin Center West).
- (7) SPECIAL EXCEPTION requesting site plan approval for a proposed parking lot for a total of 3,730 parking spaces. (Dolphin Center West).
- (8) NON-USE VARIANCE OF PARKING REGULATIONS requiring parking areas to be striped and to be topped with oil and sand or with asphalt; to waive same. (Dolphin Center West).
- (9) NON-USE VARIANCE OF ZONING REGULATIONS requiring a 5' decorative masonry wall set in 10' from the rear (north) property line and requiring the 10' strip of land to be landscaped; to waive same. (Dolphin Center West).
- (10) NON-USE VARIANCE OF ZONING REGULATIONS requiring a 5' decorative masonry wall along the common property line separating the RU-4A and the BU-2 districts; to waive same. (Dolphin Center East One West).
- (11) UNUSUAL USE to permit the expansion of a stadium; to wit: a parking lot.
- (12) MODIFICATION of Condition #2 of Resolution Z-211-85, passed and adopted by the Board of County Commissioners on the 26th day of September, 1985 and further modified by Resolution Z-41-93, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Dolphin Stadium,' consisting of 39 sheets, as prepared by HDK Sports Facilities Group and Keith and Schnars, P.A., dated April, 1985, AND plans entitled 'Joe Robbie Stadium,' as prepared by Hellmuth, Obata and Kassabaum, dated Oct. 6, 1992 and dated received December 15, 1992."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Dolphin Stadium,' consisting of 39 sheets, as prepared by HDK Sports Facilities Group and Keith and Schnars, P.A., dated April, 1985, AND plans entitled 'Joe Robbie Stadium,' as prepared by Hellmuth, Obata and Kassabaum, dated Oct. 6, 1992 and dated received December 15, 1992 AND 'Dolphin Center East 1,' and 'Dolphin Center West Temporary Parking, Site Plan and Landscape Plan,' consisting of 2 sheets, dated 9/12/94; and 'Dolphin Center East II Site Plan and Landscape Plan,' consisting of 3 sheets dated 9/12/94 and sheet 4 dated 10-6-94 as prepared by Keith and Schnars, P.A., Engineers - Planners - Surveyors."

The purpose of this request is to allow the applicant to submit new plans showing additional parking for this stadium.

SUBJECT PROPERTY: See Exhibit "A"

LOCATION: From approximately N.W. 195 Street to Snake Creek Canal, between N.W. 27 Avenue and Florida Turnpike AND from Miami Gardens Drive (N.W. 183 Street) to approximately N.W. 196 Terrace and between N.W. 24 Avenue and N.W. 27 Avenue, Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners, Dade County, Florida, was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, at which time the applicant submitted revised plans within the scope of the advertisement, prepared by Keith & Schnars, P.A. consisting of 1 sheet dated February 17, 1993, last revised 8/15/95 and stamped received August 23, 1995 entitled, "Temporary Parking-Site Plan & Landscape Plan for Dolphin Center I" and 4 sheets dated October, 1993, last revised 8/10/95 and stamped received August 25, 1995 entitled, "Site Plan & Landscape Plans for Dolphin Center East II", and 1 sheet dated February 17, 1993, last revised 8/14/95 and stamped received August 29, 1995 entitled, "Dolphin Center West Temporary Parking Site Plan and Landscape Plan", and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary changes to BU-2 (Items #1 and #5) would be compatible with the neighborhood and area concerned and would not be in conflict with the principles and intent of the plan for the development of Dade County, Florida, and should be approved, and that the requested special exceptions (Items #2, #3, #6, #7), non-use variances of parking regulations (Items #4 and #8), zoning regulations (Item #9), unusual use (Item #11) and the requested modification (Item #12), on a modified basis to include the revised plans, would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and should be approved, but that the requested non-use variance of zoning regulations (Item #10) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and should be denied, and the revised plans should be accepted, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, a motion to approve Items #1-#9 & #11-#12, accept the revised plans, deny Item #10 without prejudice, per the recommendation of the Developmental Impact Committee, and to incorporate additional conditions, was offered by Commissioner Betty T. Ferguson, seconded by Commissioner Miguel Diaz de la Portilla, and

WHEREAS, upon a poll of the members present the vote was as follows:

James Burke	aye	Natacha S. Millan	aye
Miguel Diaz de la Portilla	aye	Dennis Moss	aye
Betty T. Ferguson	aye	Alex Penelas	aye
Maurice Ferre	aye	Pedro Reboredo	aye
Bruce Kaplan	absent	Katy Sorenson	aye
Gwen Margolis	aye	Javier Souto	absent
Chairman Arthur Teele		aye	

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested district boundary changes to BU-2 (Items #1 and #5) be and the same are hereby approved and said properties are hereby zoned accordingly, subject to the following conditions pursuant to Section 33-314(c) of the Code of Metropolitan Dade County, as follows:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, landscaping, etc.
2. That the use be established and maintained in accordance with the approved plan.

BE IT FURTHER RESOLVED that the requested special exceptions (Items #2, #3, #6, #7), non-use variances of parking regulations (Items #4 and #8), zoning regulations (Item #9), unusual use (Item #11) be and the same are hereby approved, and

BE IT FURTHER RESOLVED that the requested modification (Item #12) be and the same is hereby approved on a modified basis to read as follows:

- "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Dolphin Stadium,' consisting of 39 sheets, as prepared by HDK Sports Facilities Group and Keith and Schnars, P.A., dated April, 1985, AND plans entitled 'Joe Robbie Stadium,' as prepared by Hellmuth, Obata and Kassabaum, dated Oct. 6, 1992 and dated received December 15, 1992 AND a plan prepared by Keith & Schnars, P.A. consisting of 1 sheet dated February 17, 1993, last revised 8/15/95 and stamped received August 23, 1995 entitled, "Temporary Parking-Site Plan & Landscape Plan for Dolphin Center I" and 4 sheets dated October, 1993, last revised 8/10/95 and stamped received August 25, 1995 entitled, "Site Plan & Landscape Plans for Dolphin Center East II", and 1 sheet dated February 17, 1993, last revised 8/14/95 and stamped received August 29, 1995 entitled, "Dolphin Center West Temporary Parking Site Plan and Landscape Plan."

BE IT FURTHER RESOLVED that the application, as approved, is subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but not be limited thereto, type, height and location of structures, off-street parking areas, type and location of signs, landscaping, drainage, ingress and egress drives, etc.
2. That the use be established and maintained in accordance with the approved plan; however, the approval of the use of unpaved parking surfaces shall be limited to a 5-year period unless approved for an extension at a public hearing.
3. That any outdoor lighting of the proposed parking areas be done in accordance with Section 33-4.1 of the Code.
4. That the applicant comply with all conditions and requirements of the Department of Environmental Resources Management, including obtaining operating permits, if applicable, within a year of final approval of this application.
5. That the applicant comply with all applicable conditions and requirements of the Public Works Department for applications of this type.
6. In the event that Dade County provides expanded transit services to the subject property (of Application No. 91-454), the applicant shall make provisions as necessary for transit amenities such as a bus stop, curb cuts, bus shelter, bus pullout bays and sign after receiving written notice from MDTA, at a location adjacent to the subject property and at a time to be determined by MDTA and by the applicant. The applicant's agreement shall not be unreasonably withheld.
7. That all site plans meet the following criteria with respect to water management:

On-site retention facilities for stormwater must be provided. Treatment for the first half of runoff is required before excess runoff is discharged in the aquifer. Dry detention or retention systems are required for this treatment. Oil and grease interceptors are required in parking areas at all catch basins preceding the exfiltration drainage system.

8. The approval by DERM of dust control measures within all non-hard surface parking lots prior to issuance of a Certificate of Use and Occupancy.
9. The applicant shall provide copies of all future site plans to the Fire and Police Departments for review and comment prior to review and approval of said plans by the Building and Zoning, Planning and Public Works Departments.
10. The applicant shall conduct a "Pedestrian Movement Study" to determine if the proposed street level pedestrian crossing or a pedestrian tunnel/overpass will be required for safe pedestrian movement across N.W. 199 Street. This study is to be conducted during the first year of operation of the long term parking lot, and the pre and post game traffic and pedestrian circulation plans must be approved by the Director of the Public Works Department and the Metro Dade Police Department.
11. All proposed subsurface work and landscaping occurring on the archaeological sites are subject to a Certificate to Dig, issued by the Metro-Dade Division of Historic Resources.

BE IT FURTHER RESOLVED that the requested unusual use (Item #11), as approved, is subject to the following additional conditions:

12. Dolphin East II parking lot will be completed no later than March 1, 1996 during this time there will be no deletion of auto parking spaces elsewhere.
13. There will be a maximum of 3,066 automobile parking spaces in the Dolphin East II parking lot.
14. That any use of the landscape open space area for any other purpose, which shall include, but not be limited to picnics, private or commercial tents or events, or any type of recreational or commercial use, shall be prohibited.
15. That the lot south of N.W. 199th Street be used for the parking of automobiles (having only four wheels and including jeeps, sport utility vehicles) only. The use of the improved parking by recreational vehicles, campers, buses and jitneys is prohibited. The use of this area for picnics, tailgate parties, flea markets, carnivals and other non-stadium related uses are expressly prohibited. However, nothing herein shall be construed to prohibit the use of the subject property under the existing OPD zoning upon termination of the parking.

16. Increase the height of the concrete block wall from 6'4" to 8'0" measured from ground level (or demolish the existing wall and build a new wall measured from the ground level), in order to help provide screening, noise barrier and deter persons from climbing the wall. In the event that variances or other approvals are needed in order to increase the wall height, the applicant is required to make proper application, at applicant's expense, for a decorative 8 foot wall, measured from ground level up, to be placed on the entire south side of the south parking lot with the decorative side facing the Rolling Oaks neighborhood, such application to be made during the October 1995 filing period. The applicant shall be responsible for all costs associated with the wall.
17. Select and install low level lighting fixtures that have integral light deflectors or louvers or that in some way are designed to conceal the light source from remote view.
18. Regrade the south side of the existing berm to minimize impact to the existing wall and to achieve the appropriate slope.
19. Revise the locations of the light poles to be coordinated with the landscaped islands.
20. Revise the species list to delete Buttonwood, Silver Buttonwood, Wild Tamarind, Paradise Tree and West Indian Mahogany. Substitute these species with those trees identified in Exhibit A attached.
21. Revise the planting plan for the berm to maximize the use of "natural" and ground cover areas, to the extent possible, to improve the energy efficiency of maintenance. Plant the berm with a diverse selection of appropriate large, medium and small indigenous trees, shrubs, ground cover and grass plants, throughout its width and length. Design and install plants selected for the berm in an informal manner, simulating to the extent possible, their occurrence in naturally-evolved communities.
22. Preserve and protect the existing midden/limestone ridge, including the adjacent topographic slopes redesigning layout and grading, as necessary.
23. Preserve and protect all on-site existing oak trees, redesigning layout and grading, as necessary.
24. Reduce, to the extent possible, the excessive generation of ambient heat, redesigning tree layout, as necessary, to increase shade on both asphalt and automobiles.
25. Maximize, to the extent possible, the use of plant materials to absorb carbon dioxide.
26. Maximize, to the extent possible, the use of plant materials to reduce soil-moisture evaporation and ambient heat.

27. Maximize, to the extent possible, the use and arrangement of shade trees in the parking lot to visually screen views northward from the adjacent residential neighborhood and linear park.
28. Construct a minimum eight foot (8') high, fifty-eight foot (58') wide earth berm along the south edge of the western ½ of the proposed development site. Plant said berm with a diverse selection of appropriate, large, medium and small indigenous trees, shrubs, ground cover and grass plants, throughout its width and length. Based on the proposed grading plan, determine the quality of remaining in-situ sub-soils. If sandy soil, xeric conditions prevail, improve in-situ soils to remain in proposed shrub and ground cover areas to a minimum depth of 6 and 12 inches, respectively, throughout the bed, evenly blending organic "muck" on a 1:1 ratio with the sand. This organic material will offer some improved rate of survival and growth following initial installation of planting.
29. Depending upon xeric or hydric conditions of the soil, select appropriate plants. Planting, suggested above for the recommended berm, should utilize species suitable for the variety of sun, shade and surface drainage conditions that will characterize the berm environment.
30. Plant only indigenous plants adjacent to midden and scrub areas and construct new CBS wall along north edge of oak scrub area.
31. That the installation, inspection and approval of the final landscaping for the East 2 parking lot meet the approval of Dade County's Parks Department and all planting shall be completed no later than March 1, 1996.

BE IT FURTHER RESOLVED that the requested non-use variance of zoning regulations (Item #10) be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that the six month refileing period be and the same is hereby waived.

BE IT FURTHER RESOLVED that all conditions of previous resolutions shall remain in full force and effect, except as herein modified.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order

STATE OF FLORIDA

COUNTY OF DADE

I, Harvey Ruvin, Clerk of the Circuit Court in and for Dade County, and Ex-Officio Clerk of the board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-131A-95, adopted by the said Board of County Commissioners at its meeting held on the 7th day of September, 1995.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 17th day of October, 1995.

KAY SULLIVAN

Harvey Ruvin, Clerk
Board of County Commissioners
Dade County, Florida

By *Marcy Gro*
Deputy Clerk



SEAL

Ordinance No. 86-78

OFFICIAL FILE COPY
CLERK OF THE BOARD
COMMISSIONERS
DADE COUNTY, FLORIDA

MEMORANDUM

enda Item No. 2 (g)

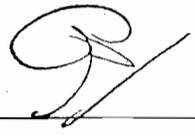
(10-14-86--Public Hearing)

TO Honorable Mayor and Members
Board of County Commissioners

DATE September 16, 1986

FROM Sergio Pereira
County Manager

SUBJECT Dolphin Center
Multipurpose Special
Taxing District



86 - 78

BACKGROUND:

On September 26, 1985 the Board of County Commissioners passed and adopted Resolution Numbers Z-210-85 and Z-211-85 thereby authorizing the development of the Dolphin Center.

A condition of each resolution required that the property owners of the proposed Dolphin Center apply for the creation and establishment of a special taxing district. The proposed special taxing district is necessary in order to provide funding for the maintenance and operation of public improvements required by each of the resolutions.

RECOMMENDATION:

It is recommended that the Board approve the attached petition submitted in accordance with Section 18-22.1, Chapter 18 of the Code for the creation and establishment of the Dolphin Center Multipurpose Special Taxing District.

Boundaries:

From approximately N.W. 195th Street to the Snake Creek Canal, between N.W. 27th Avenue and the Florida Turnpike and from Miami Gardens Drive (N.W. 183rd Street) to approximately N.W. 196th Terrace, between N.W. 24th Avenue and N.W. 27th Avenue.

Number of Parcels:

14

Number of Property Owners Signing Petition:

4

Petition Certification:

District petition certified by County Attorney's office as being legally sufficient.

Type of Service to be provided:

The service to be provided as required by the provisions of Resolutions Z-210-85 and Z-211-85 consist of the maintenance and operation of various public improvements installed within the north and south neighborhood protective buffer areas, the archaeological midden and the pine oak preservation area.

	<u>First Year</u>	<u>Second Year</u>
Estimated Cost Per Assessable Square foot of Property	\$.0142	\$.0111
Estimated Cost Per Acre	\$618.55	\$483.52

As required by the provisions of Section 18-22.1 (c) of the Code, I have reviewed the facts submitted by the Public Works Director and concur with his recommendation that this district be created pursuant to Section 18-22.1 of the Code, which provides for the creation and establishment of special taxing districts upon receipt of a petition signed by 100% of the property owners. The creation and establishment of the proposed district will be subject to Commission approval only; no referendum is required.

ORDINANCE NO.

86 78

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS "DOLPHIN CENTER MULTIPURPOSE SPECIAL TAXING DISTRICT" IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF METROPOLITAN DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Dade County Home Rule Amendment to the Florida Constitution (Article VIII, Section 11) grants to the electors of Dade County power to adopt a home rule charter of government for Dade County, Florida, and provides that such charter may provide a method for establishing special taxing districts and other governmental units in Dade County from time to time; and

WHEREAS, the Home Rule Charter adopted by the electors of Dade County on May 21, 1957, provides that the Board of County Commissioners, as the legislative and the governing body of Dade County, shall have the power to establish special purpose districts within which may be provided essential facilities and services, including landscape maintenance programs, and that all funds for such districts shall be provided by service charges, special assessments, or general tax levies within such districts only, and that the County Commission shall be the governing body of all such districts; and

WHEREAS, pursuant to such provisions of the Florida Constitution and the Home Rule Charter, the Board of County Commissioners duly enacted Chapter 18 of the Code of Metropolitan Dade County, Florida, providing for the creation and establishment of special taxing districts and prescribing the procedures therefore; and

WHEREAS, Resolution Nos. Z-210-85 and Z-211-85, passed and adopted by the Board of County Commissioners on September 26, 1985, required as a condition of each Resolution that the property owners of the proposed Dolphin Center apply for the creation and establishment of a special taxing district; and

WHEREAS, in accordance with the provisions of Section 18-22.1 of the Code of Metropolitan Dade County, Florida, a petition for the creation of a special taxing district to be known as the "DOLPHIN CENTER MULTIPURPOSE SPECIAL TAXING DISTRICT" duly signed by 100% of the property owners within the proposed district, was filed with the Clerk of the County Commissioners. Such petition prayed for the creation and establishment of a special taxing district for the purpose of providing a maintenance and operation program to be financed solely by means of special assessments levied and collected within the area therein and hereinafter described; and

WHEREAS, upon receipt of such petition the Clerk of the County Commission transmitted a copy thereof to the County Attorney who examined it and filed a written report with the Clerk certifying that such petition was sufficient in form and substance and signed and properly presented in accordance with the requirements of Chapter 18 of the Code of Metropolitan Dade County, Florida; and

WHEREAS, the County Manager, after making appropriate investigations, surveys, plans and specifications, compiled and filed with the Board of County Commissioners his written report and recommendations setting forth the boundaries of the proposed special taxing district, the location, nature and character of the maintenance and operation program to be provided within the proposed district, and estimate of the cost of the maintenance and operation program, an estimate of the annual expense for the program, certifying that the proposed district conforms with the goals and objectives of the adopted Comprehensive

Development Master Plan for the County, and setting forth his recommendations concerning the need and desirability for the requested district; the ability of the affected property to bear special assessments for financing the cost of the maintenance and operation program, and expressing his opinion that the property to be specially assessed will be benefited in excess of the special assessments to be levied; an estimate of the amount to be assessed against each square foot of the benefited property within the district; and the County Manager attached such report and recommendations a map or sketch showing the boundaries and location of the proposed district. Such report and recommendations of the County Manager was filed with the Clerk and transmitted to the Mayor; and

WHEREAS, it appearing to the Board of County Commissioners from such report of the County Manager and other investigations that the maintenance and operation program petitioned for would be of special benefits to all property within the proposed district and that the total amount of the special assessments to be levied would not be in excess of such special benefit; the Clerk of the Board certified the place, date and hour for a public hearing on the petition of the property owners and the report and recommendations of the County Manager was held on Tuesday, October 14, 1986. Copies of said certificate were duly published in newspapers of general circulation published in Dade County, Florida, and copies thereof were posted in more than five (5) public places within the proposed district, and copies thereof were mailed to all owners of taxable real property within the boundaries of the proposed district as their names and addresses appear on the latest Dade County tax assessment roll and to all persons, firms or corporations having any right, title or interest in said property; and

WHEREAS, pursuant to said notice, the Board of County Commissioners on Tuesday, October 14, 1986, held a public hearing in accordance with the provision of said Clerk's certificate, at which public hearing all interested persons were afforded the opportunity to present their objections, if any, to the creation and establishment of the proposed special taxing district; and

WHEREAS, the Board of County Commissioners, upon review and consideration of the report and recommendations of the County Manager and the views expressed by the property owners within the proposed special taxing district, has determined to create and establish such special taxing district in accordance with the report and recommendations of the County Manager,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. In accordance with the provisions of Chapter 18 of the Code of Metropolitan Dade County, Florida, a special taxing district in the unincorporated areas of Dade County, known and designated as the "DOLPHIN CENTER MULTIPURPOSE SPECIAL TAXING DISTRICT" is hereby created and established.

Section 2. The area or boundaries of the proposed special taxing district are as follows:

A portion of land in Section 34, Township 51 South, Range 41 East and in Section 3, Township 52 South, Range 41 East, Dade County, Florida, also being a portion of Block 3 of PLAT OF MIAMI GARDENS as recorded in Plat Book 2, Page 96 of the public records of Dade County, Florida, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 3; thence South 01° 07' 39" East, along the East line of said Section 3, a distance of 543.19 feet to the POINT OF BEGINNING; thence continue South 01° 07' 39" East, along said East line, 779.90 feet to the Southeast corner of the North One Half (N1/2) of the Northeast One Quarter (NE1/4) of said Section 3; thence South 88° 47' 14"

West, along the South line of said North One Half (N1/2) of the Northeast One Quarter (NE1/4) of Section 3, a distance of 2642.60 feet to the Southwest corner of said North One Half (N1/2) of the Northeast One Quarter (NE1/4) of Section 3, said point also being the Southwest corner of Tract 21, Block 3 of said PLAT OF MIAMI GARDENS; thence North 01° 05' 09" West, along the West line of said North One Half (N1/2) of the Northeast One Quarter (NE1/4) of Section 3, also being the West line of said Tract 21, a distance of 660.73 feet to the Northwest corner of said Tract 21, said point also being the Northeast corner of BELL GARDENS as recorded in Plat Book 65, Page 120 of the Public Records of Dade County, Florida; thence South 88° 47' 40" West, along the North line of said plat of BELL GARDENS, also being the South line of Tracts 5, 6, 7 and 8 of Block 3 of said PLAT OF MIAMI GARDENS, 1320.29 feet to the Northwest corner of said BELL GARDENS, also being the Southwest corner of said Tract 8, thence South 01° 05' 46" East along the West line of said plat of BELL GARDENS also being the East line of Tracts 16, 33 and 40 of Block 3 of said PLAT OF MIAMI GARDENS, 1981.24 feet to a point on the Westerly extension of the centerline of Northwest 191st Street of said plat of BELL GARDENS, also being the Southeast corner of said Tract 40; thence South 01° 06' 46" East, continuing along said West line of BELL GARDENS, also being the East line of Tracts 61, 68, 93 and 100 of Block 3 of said PLAT OF MIAMI GARDENS, 2202.51 feet to a point a line 440 feet North of and parallel with the South boundary of Tracts 99 and 100 of Block 3 of said PLAT OF MIAMI GARDENS; thence South 88° 55' 44" West along the last described parallel line, 660.01 feet to a point on the West line of said Tract 99; thence North 01° 06' 38" West, along said West line of Tract 99 and the West line of Tract 94 of Block 3 of said PLAT OF MIAMI GARDENS, 880.71 feet to the Northwest corner of said Tract 94; thence South 88° 52' 55" West, along the South line of Tracts 66 and 65 of Block 3 of said PLAT OF MIAMI GARDENS, 409.98 feet to a point on a line 200 feet East of and parallel to the East Right-of-Way line of Northwest 27th Avenue; thence North 01° 06' 30" West along the last described parallel line, 200.00 feet to a point on a line 200 feet North of and parallel to said South line of said Tract 65; thence South 88° 52' 55" West, along the last described parallel line, 200.00 feet to a point on said East Right-of-way line of said Northwest 27th Avenue; thence North 01° 06' 30" West along said East Right-of-Way line, 3760.71 feet to a point on the North line of said Section 3; thence North 01° 06' 59" West, continuing along said East Right-of-Way line, 199.91 feet to a Point of Curvature with a tangent curve concave to the West; thence Northerly along the arc of said curve, also being said East Right-of-Way line, having a delta of 06° 21' 24" feet, a radius of 5779.65 feet, an arc distance of 641.21 feet to a Point of Non-tangency with the West line of said Section 34; thence North 00° 07' 44" West, along said West line of Section 34, also being said East Right-of-Way line, 1104.69 feet to a point on the South Flood Control Line of Snake Creek Canal; thence South 86° 11' 45" East, along the last described line, 5297.22 feet to a point on the East line of said Section 34; thence South 00° 00' 12" East, along said East line of Section 34, a distance of 1388.61 feet to a point on a Right-of-Way line for the Sunshine State Parkway; thence South 88° 45' 09" West continuing along the last described Right-of-Way line, 84.78 feet; thence South 01° 07' 39" East, continuing along the last described Right-of-Way line, 201.00 feet; thence South

45

05° 16' 07" East, continuing along the last described Right-of-Way line, 401.06 feet; thence South 31° 10' 02" East, continuing along the last described Right-of-Way line, 38.03 feet; thence North 88° 52' 21" East, continuing along the last described Right-of-Way line, 35.00 feet to the POINT OF BEGINNING. Said lands lying in Dade County, Florida, containing 434.168 acres, more or less.

The area and location of this proposed special taxing district are shown on the map or sketch which is made a part hereof by reference.

Section 3. The service to be provided within this proposed special taxing district will consist of a maintenance and operation program for the following items:

1. Maintenance of the archaeological midden in its native condition.
2. Maintenance of the 110 foot to 130 foot wide landscape linear park within the south neighborhood protective buffer, including maintenance and operation of a 5 acre park site and bicycle path.
3. Maintenance of the 6 foot masonry wall within the south neighborhood protective buffer.
4. Maintenance of the 5 acre pine-oak preservation area in its native condition.
5. Maintenance and operation of the irrigation system within the landscaped area of the south neighborhood protective buffer.
6. Maintenance of the 40 foot wide landscaped area within the north neighborhood protective buffer area, including maintenance and operation of the irrigation system within the 40 foot landscaped area.

Section 4. The estimated net cost to the property owners for the maintenance and operation program including engineering and administrative, and billing, collecting and processing for the first year is \$225,598.00 and \$175,700.00 the second year. The County will advance funds for this program, which sum shall be reimbursed by special assessments. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of this Ordinance shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same as time ad valorem taxes. It is estimated that the cost per assessable square foot of real

property within the proposed district is \$.0142 the first year and \$.0111 the second year.

Section 5. It is hereby declared that the service program will be a special benefit to all property within the special taxing district and the total amount of special assessments to be levied as aforesaid will not be in excess of such special benefit.

Section 6. The County Manager is authorized and directed to cause to be made the maintenance and operation of various public improvements to be installed within the district in accordance with the provisions of this Ordinance.

Section 7. The County Manager is directed to cause to be prepared and filed with the Clerk of the County Commission a Preliminary Assessment Roll in accordance with the provisions of Section 18-14 of the Code of Metropolitan Dade County, Florida.

Section 8. A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit Court of Dade County, Florida, and recorded in the appropriate book of records.

Section 9. This ordinance shall become effective ten (10) days after the date of its enactment.

PASSED AND ADOPTED: OCT 14 1986

Approved by County Attorney, as
to form and legal sufficiency.