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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: January 22, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

Agenda Item No. 5(F)

From: Carlos A. Gimenez
Mayor

Subject: Resolution approving the Plat of FOUNTAIN SQUARE

Resolution No. R-20-14

Recommendation

The following plat is hereby submitted for consideration by the Board of County Commissioners for approval. This plat is bounded on the north by approximate NW 4 Terrace, on the east approximately 1200 feet west of NW 97 Avenue, on the south by West Flagler Street, and on the west by NW 102 Avenue. The Miami-Dade County Plat Committee, comprised of representatives from the Florida Department of Transportation, the Florida Department of Health, the Miami-Dade County School Board and Miami-Dade County Departments of Fire Rescue, Parks, Recreation and Open Spaces, Regulatory and Economic Resources (RER), Public Works and Waste Management (PWWM), and Water and Sewer, recommends approval and recording of this plat.

Scope

This plat is located within the boundaries of Commission District 10, Commissioner Senator Javier D. Souto.

Fiscal Impact/Funding Source

If this plat is approved, the fiscal impact to the County would be approximately $150.00 per year for the annual maintenance cost of new turn lane, bus bay, and drainage structure construction along West Flagler Street, which will be funded through PWWM General Fund allocation.

Track Record/Monitor

RER, Development Services Division administers the processing of plats and waivers of plat, and the person responsible for this function is Raul A. Pino, P. L. S.

Background

FOUNTAIN SQUARE (T-23292)

- Located in Section 5, Township 54 South, Range 40 East
- Zoning: BU-2
- Proposed Usage: Apartments, retail stores, and a sewer pump station site
- Number of parcels: 2
- This plat meets concurrency

Plat Restrictions

- That the Avenue and Street, as illustrated on the plat, together with all existing and future planting, trees, shrubbery and fire hydrants thereon, are hereby dedicated to the perpetual use of the public for proper purposes, reserving to the dedicators, their successors and assigns the reversion or reversions thereof, whenever discontinued by law.
- That individual wells shall not be permitted within this subdivision, except for swimming pools, sprinkler systems and/or air conditioners.
- That the use of septic tanks will not be permitted within this subdivision, unless approved for temporary use, in accordance with County and State regulations.
- That all new electric and communication lines, except transmission lines, within this subdivision, shall be installed underground.
- That the ingress-egress access easement, as illustrated on the plat, is hereby reserved as a means of ingress and egress to Tract "B".
- That a continuous buffer with a 6-foot high screen wall and landscaping shall be installed along the east property line, adjacent to Ruben Dario Park, penetrated only with a public park connection "day gate" as indicated on the plans approved pursuant to zoning resolution No. CZAB10-15-12.
- That Tract "B", as illustrated on the plat, is hereby reserved as a pump station site and shall be owned and maintained by Miami-Dade County.
- That the utility easements, depicted by dashed lines on the plat, are hereby reserved for the installation and maintenance of public utilities.

Developer's Obligation

- Mobilization, clearing, paving, milling, resurfacing, sidewalk, curb and gutter, valley gutter, drainage, street name signs, traffic control signs, striping, detection warning surfaces, guardrail, signalization, lighting, landscaping and monumentation. Bonded under bond number 7886 in the amount of $961,827.00.

Jack Osterholt, Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: January 22, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 5(F)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

__✓__ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(F)
1-22-14

RESOLUTION NO. R-20-14

RESOLUTION APPROVING THE PLAT OF FOUNTAIN SQUARE, LOCATED IN THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 54 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH BY APPROXIMATE NW 4 TERRACE, ON THE EAST APPROXIMATELY 1200 FEET WEST OF NW 97 AVENUE, ON THE SOUTH BY WEST FLAGLER STREET, AND ON THE WEST BY NW 102 AVENUE)

WHEREAS, Target Corporation, a Minnesota corporation, Fontainebleau Square, LLC, a Delaware limited liability company, and Fontainebleau Place, LLC, a Florida limited liability company, have this day presented to this Board a plat of certain lands lying in Miami-Dade County, Florida, said plat to be known as FOUNTAIN SQUARE, the same being a replat of Tracts 8, 9, 10, and 11, Block 1, of "Richardson-Kellett Sudbivision", according to the plat thereof, as recorded in Plat Book 1, at Page 19, of the Public Records of Miami-Dade County, Florida, lying and being in the Northeast 1/4 of Section 5, Township 54 South, Range 40 East, Miami-Dade County, Florida, and it appears that all requirements of law concerning said plat insofar as the authority of this Board is concerned have been complied with,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that said plat is hereby approved; that the dedication of the streets, alleys and other rights-of-way however designated or depicted on said plat is hereby accepted; that the Miami-Dade County Plat Restrictions as listed on said plat are approved and are to be enforced; that approval of the plat is not a waiver of any zoning regulations and that the requirements of the zoning existing on this land at the time this Resolution is approved shall be enforced whether or not the various parcels on this plat conform

to those requirements; this approval is conditioned upon the proper execution of all documents required by the County Attorney's Office.

The foregoing resolution was offered by Commissioner **Lynda Bell**, who moved its adoption. The motion was seconded by Commissioner **Audrey Edmonson** and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman			**aye**
Lynda Bell, Vice Chair			**aye**
Bruno A. Barreiro	**aye**	Esteban L. Bovo, Jr.	**aye**
Jose "Pepe" Diaz	**absent**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**absent**	Barbara J. Jordan	**aye**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**absent**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 22nd day of January, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

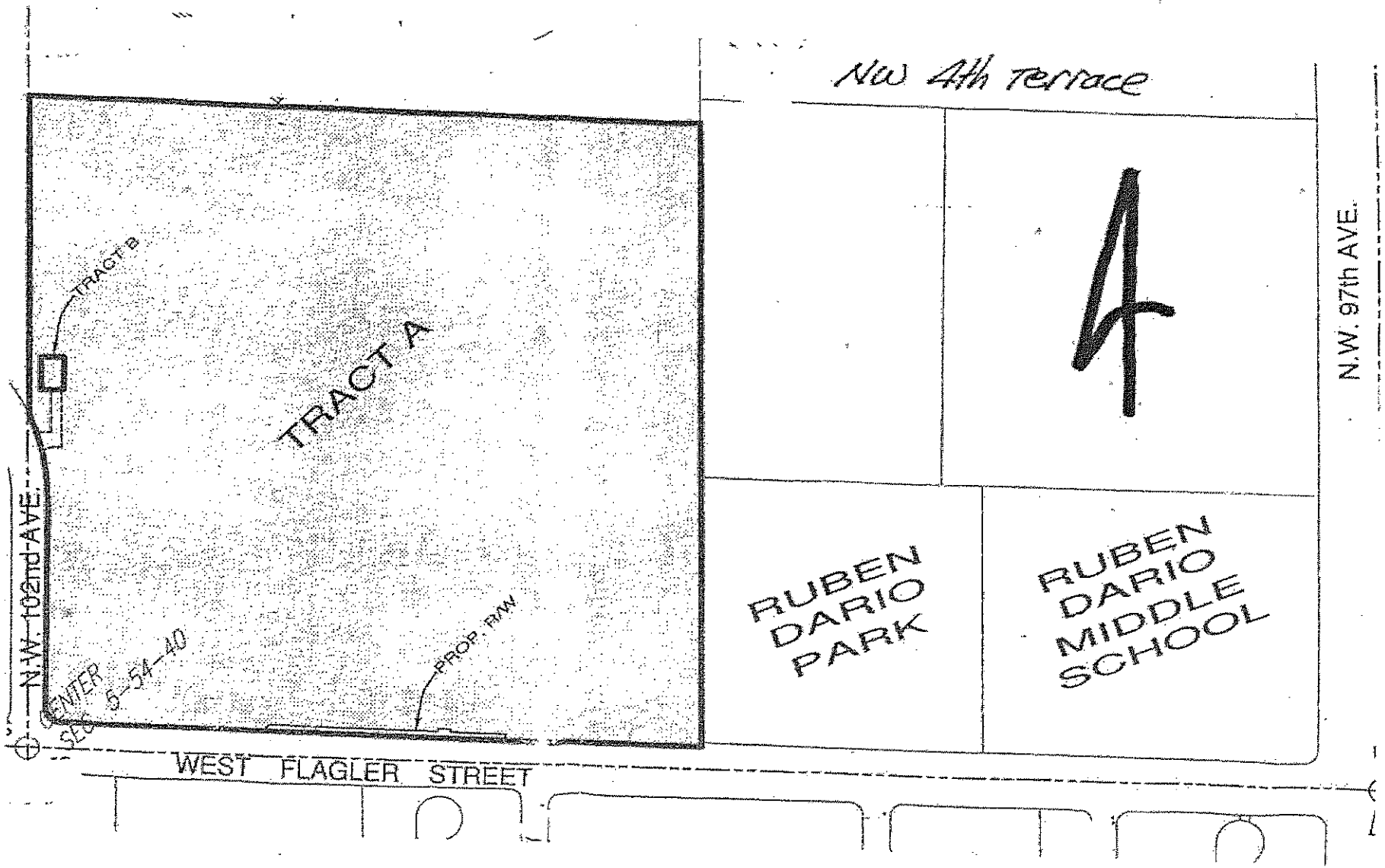
MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: ***Christopher Agrippa***
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse

FOUNTAIN SQUARE (T-23292)

SEC. 5, TWP. 54 S, RGE. 40 E