



**MIAMI-DADE COUNTY  
FINAL OFFICIAL MINUTES  
Board of County Commissioners Zoning Board**

**Board of County Commissioners**

Stephen P. Clark Government Center  
Commission Chamber  
111 NW 1<sup>st</sup> Street  
Miami, Florida 33128

July 21, 2011  
As Advertised

Harvey Ruvin, Clerk  
Board of County Commissioners

Christopher Agrippa, Division Chief  
Clerk of the Board Division

Mary Smith-York, Commission Reporter  
(305) 375-1598



**CLERK'S OFFICIAL MINUTES**  
**BOARD OF COUNTY COMMISSIONERS ZONING HEARING**  
**July 21, 2011**

The Board of County Commissioners (BCC) met in regular session on Thursday, July 21, 2011, in the County Commission Chambers on the second floor of the Stephen P. Clark Government Center, 111 N.W. First Street, Miami, Florida at 9:30 a.m., there being present Chairman Martinez, Vice-Chairwoman Edmonson, and Commissioners Barreiro, Bell, Bovo, Diaz, Jordan, Monestime, Moss, Souto, and Suarez; (Commissioners Heyman and Sosa were absent).

The following staff members were also present: Assistant County Attorneys Craig Collier and Dennis Kerbel; Department of Planning and Zoning Director Marc LaFerrier and Assistant Director Grisel Rodriguez; and Deputy Clerks Doris Dickens and Mary Smith-York.

Chairman Martinez called the meeting to order at 10:00 a.m. and asked everyone to join in a moment of silence followed by the Pledge of Allegiance.

Mr. Marc LaFerrier, Department of Planning & Zoning Director, noted today's (7/21) proceedings consisted of a Zoning Hearing and a Comprehensive Development Master Plan (CDMP) Hearing. He advised that the BCC Chair requested the Zoning Items be heard first, followed by a combined hearing for the Zoning and CDMP amendment for South Florida Stadium, L.L.C.

Assistant County Attorney Craig Collier stated for the record, that at the previous hearing, the public hearing was closed and the votes for both items were tied; therefore, the Board only needed to vote on the items today.

THE CLERK SWORE IN ALL WITNESSES AND OFFICIAL TRANSLATORS PRIOR TO PRESENTING TESTIMONY OR INTERPRETATION OF QUESTIONS ASKED AND TESTIMONY GIVEN.

Mr. LaFerrier announced that, in accordance with the Code of Miami-Dade County, all items on today's (7/21) zoning agenda were legally advertised in the newspapers, notices were mailed, and the properties posted within the prescribed timeframes. He read into the record the parliamentary procedures to be followed during today's Zoning procedures, and noted additional copies of the agenda were available in the Chambers. Mr. LaFerrier then stated for into the record the purpose for today's CDMP hearing was for the Commission to take final action on the Dolphin Center Property, L.L.C. Application to amend the Comprehensive Development Master Plan. The final action can be to adopt, adopt with changes, or deny the application, where such action will be taken by ordinance. The Board previously approved this application on first reading at their transmittal hearing on March 3, 2011. Subsequent to the transmittal hearing, The Florida Department of Community Affairs issued its Objections, Recommendations, and

Comments Report, in which it did not object to the Application. The Department of Planning and Zoning's final recommendation is to adopt as transmitted with acceptance of the proffered declarations and restrictions. The public hearing procedure today is that the CDMP and Zoning hearings for this application can be combined into one hearing and allow for the combined presentations by the staff and applicant, and for public comment. The Board would then consider individual motions and actions for the CDMP item followed by the Zoning item. Approval of the Zoning Application will be contingent upon the approval of the CDMP ordinance and after the effective date of the ordinance.

Assistant County Attorney Craig Collier read the title of the CDMP Item, Substitute Special Item No. 1, into the record.

The Board proceeded to consider the Zoning Hearing agenda.

**ITEM A. SANTA FE HACIENDAS LLC & CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC. (11-3-CC-2/09-176)**

Mr. LaFerrier read the title of the foregoing application into the record and advised that this item was heard at the last Zoning hearing, resulted in a tie vote and deferred to today's meeting. He noted this was a request for unusual use and lake excavation, for which there were 191 protests and 518 waivers. Mr. LaFerrier stated that two days ago he received a revised proffered covenant from the Applicant and that he also received a letter from Everglades National Parks regarding the proposed lake excavation.

Assistant County Attorney Collier advised that the Board would need to reopen the public hearing for purposes of acceptance of the revised covenant and the letter from the Everglades National Park, which were received subsequent to the closing of the public hearing. He noted this would give the objectors an opportunity to respond to those documents.

Vice-Chairwoman Edmonson stated for the record, that she was briefed on and had reviewed the transcripts from the last Zoning Hearing.

Commissioner Bell presented and moved a resolution to approve the foregoing proposed application as presented. This motion was seconded by Commissioner Barreiro, and upon being put to a vote, resulted in a tie vote due to failure to achieve nine (9) votes and consequently deferred to the next BCC Zoning Hearing on October 6, 2011.

In response to Commissioner Barreiro's inquiry regarding introducing the revised covenant and letter from Everglades National Park into the record, Mr. Collier advised that the Board could vote to open the public hearing for purposes of receiving those items and deferring them to the next meeting.

**It was moved by Commissioner Barreiro that the Board accept the revised covenant and the letter from Everglades National Park. This motion was seconded by Commissioner Bell, followed by discussion.**

In response to Commissioner Moss' question of how long this process would last, Mr. Collier advised that the code currently provided that if a super majority vote was not achieved, the vote would be deemed a tie, unless there was a motion to deny. He stated this process would continue until a super majority vote was reached or a motion was made to deny the application. Mr. Collier confirmed Commissioner Moss' comment that the acceptance of the two items would allow for a public hearing at the next meeting.

Chairman Martinez pointed out that the public hearing could be limited to discussion on only the two newly accepted items.

**There being no further questions or comments, the motion to accept the revised covenant and the letter from Everglades National Park was put to a vote and passed by a vote of 11-0 (Commissioners Heyman and Sosa were absent).**

**Subsequently, it was moved by Vice Chairwoman Edmonson that Application A. Santa Fe Haciendas, LLC be deferred to October 6, 2011. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 11-0 (Commissioners Heyman and Sosa were absent).**

In response to Commissioner Bell's concern regarding the need to conduct a public hearing to discuss documents that could easily be accessed through a public records request, Chairman Martinez explained that issues had surfaced regarding the subject documents.

**ITEM B. ARCHIMEDEAN PROPERTIES, LLC. (11-6-CC-1/08-175)**

Mr. LaFerrier read the title of the foregoing application into the record and advised that this item was heard at the last Zoning hearing, resulted in a tie vote and deferred to today's meeting. He noted Application B. had received zero protests and 52 waivers.

Chairman Martinez opened the public hearing and called forth Mr. DeGrandy and Mr. Gibbs to place their comments on the record.

Mr. Miguel De Grandy, 800 Douglas Road, Coral Gables, representing the Applicant, appeared before the Board and announced that Archimedean Properties LLC was working with the neighbors pursuant to Commissioner Souto's policy, and had met several times with Mr. Gibbs. He advised that the neighbors now supported the application and read into the record the following modifications to the application: 1) withdrawal of the request to have 24 special events each year and insertion of request for 12 events each year; and 2) extension of the phasing schedule to five years.

Mr. Tucker Gibbs, attorney representing the Bird-Kendall Homeowners Association, appeared before the Board and expressed support for Zoning Application B.

Seeing no other persons wishing to be heard, Chairman Martinez closed the public hearing.

**Commissioner Souto presented and moved a resolution to approve Application No. B: with acceptance of the revised proffered covenant. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 11-0 (Commissioners Heyman and Sosa were absent).**

**The foregoing resolution was adopted by the Board and set forth in the Record of Resolutions and assigned Resolution #Z-07-11.**

**ITEM 1. SOUTH FLORIDA STADIUM, LLC ET AL (11-7-CC-1/10-149)**

Mr. LaFerrier announced that the Zoning hearing for Item No. 1, South Florida Stadium, LLC, would be combined with the Comprehensive Development Master Plan (CDMP) hearing for Special Item No. 1, and that the CDMP Item needed to be acted upon first. He explained that CDMP Special Item No. 1 was to amend the CDMP land use map from office residential to business and office to provide for the amusement park use, and that Zoning Item No. 1 was to request Unusual Use to also allow the proposed amusement park, to amend the Development of Regional Impact (DRI), and to allow a Special Exception on spacing requirements for the nearby schools.

Mr. LaFerrier advised that staff recommended approval of both, CDMP and Zoning items, and that no comments were received from the State of Florida on the Objections, Recommendations and Comments Report (ORC). He advised that the applicants were prepared to make their presentations.

(PLEASE SEE CDMP REPORT UNDER THE JULY 21, 2011, BOARD OF COUNTY COMMISSIONERS COMPREHENSIVE DEVELOPMENT MASTER PLAN MEETING, LEGISTAR MEETING KEY 3091; SUBSTITUTE SPECIAL ITEM NO. 1; LEGISLATIVE FILE NO. 111374)

Following the Board's action pertaining to the Comprehensive Development Master Plan portion of today's proceedings, the Board commenced consideration of Zoning Item 1.

Assistant County Attorney Craig Collier clarified Commissioner Jordan's requested amendment was to include language providing that a 25 percent aspiration goal be attained with District 1 residents. He noted Commissioner Jordan also requested an amendment providing that the applicant provide quarterly reports on all activities, from the construction phase to the issuance of the Certificate of Use (CU).

In response to Chairman Martinez' inquiry of whether the hiring aspiration goal could be met by only District 1 residents, Mr. Collier reiterated Commissioner Jordan's request.

Commissioner Jordan pointed out that it was common practice to ensure residents from the district where projects were being developed would be hired.

Mr. Collier clarified the proposed amendment to Item 1 would change the hours of operation for the sale of alcoholic beverages on Sundays to 11:30 a.m. rather than 9:00 a.m.

In response to Assistant County Attorney Collier's concern regarding the requested commitment regarding the lighting, Commissioner Jordan noted this information was sufficient as stated into the record.

Upon hearing Commissioner Diaz' inquiry of whether a requirement for only local area participation existed for the Marlins Stadium, Mr. Collier requested time to research and come back with an answer.

In response to Commissioner Diaz' inquiry, Chairman Martinez clarified that stipulations were always included hiring/training of local area residents during the construction phase of the capital improvement part. He noted he supported this process; however, he expressed concern with this process being expanded to later include employment.

Commissioner Moss commented that the requirement that the 25 percent aspiration goal consist of the people in that district was reasonable, pointing out that 75 percent of the employment opportunities remained available to anyone else.

Attorney Joseph Goldstein, 701 Brickell Avenue, Miami, representing the Applicant, appeared before the Board and advised that he fully anticipated submitting quarterly reports reflecting where every participant was from. He also emphasized the importance of transparency in the organization's annual report. In response to Vice Chairwoman Edmonson's question of commitment, Mr. Goldstein stated he was committing to an aspiration goal of 25 percent and, more importantly, reporting all activities to the County Commission what they were doing.

Assistant County Attorney Collier advised that the Board should modify, Request No. 9, in the foregoing proposed application, to change the time for the sale of alcohol from 9:00 a.m. to 11:30 a.m.

In response to Vice Chairwoman Edmonson's recollection of the City of Miami stipulating that a percentage of its residents be given priority in the hiring process for the Marlins Stadium, Chairman Martinez explained that the Marlins Stadium was a joint project.

Pursuant to Commissioner Diaz' previous request for clarification regarding local participation, Mr. Collier informed Commission members that a colleague was en route to provide the requested information.

Commissioner Diaz explained that he requested clarification so he would be informed regarding projects in his Commission District (Dist. 12); however, he was not opposed to the requirement of 25 percent participation from local residents.

In response to Commissioner Suarez' inquiry regarding Mr. Goldstein's statement that the total gross revenue from the sale of food would exceed that of liquor, Mr. Goldstein clarified that he meant that the sale of liquor must always be in conjunction with the sale of food.

There being no further questions or comments, the Board proceeded to vote.

**Commissioner Jordan presented and moved a resolution to approve the Development of Regional Impact Amended Development Order: Requests 1, 2, and 3. subject to Condition Number 20, as provided in the Miami-Dade County Department of Planning & Zoning Recommendation to the Developmental Impact Committee (DIC), as amended to include development of an aspiration goal to ensure 25 percent of the employees were from District 1 during the development and construction phases, and to provide quarterly progress reports. This motion was seconded by Chairman Martinez, and upon being put to a vote, passed by a vote of 11-0 (Commissioners Heyman and Sosa were absent).**

**The foregoing resolution was adopted by the Board and set forth in the Record of Resolutions and assigned Resolution #Z- 08-11**

**Subsequently, Commissioner Jordan presented and moved a resolution to approve Application No. 1 as amended to change the hours reflected for the sale of alcoholic beverages on Sundays to 11:30 a.m., rather than 9:00 a.m. This motion was seconded by Chairman Martinez, and upon being put to a vote, passed by a vote of 11-0 (Commissioners Heyman and Sosa were absent).**

**The foregoing resolution was adopted by the Board and set forth in the Record of Resolutions and assigned Resolution #Z- 09-11**

**ITEM 2. FONTAINBLEU LAKES, LLC & FONTAINEBLEAU SINGLE FAMILY HOMES WEST, LLC (11-7-CC-2/10/188)**

Mr. LaFerrier read the title of the foregoing application into the record and advised that this application was a request for rezoning from RU-4M and GU to PAD Planned Area Development, and that one (1) protest and zero waivers were received.

Mr. Felix Lasarte, 3470 N.W. 82<sup>nd</sup> Avenue, Miami, representing the applicant appeared before the Board and spoke in support of Application No. 2. He explained that this was a request to reduce the density from a 600 unit multi-family and townhouse development to a single-family development at half the density. Mr. Lasarte stated that the infrastructure was there and it would not impact public service and facilities. He presented a video showing how the development would appear upon completion.

Chairman Martinez opened the public hearing and called for persons wishing to be heard. The following individuals appeared:

1. Mr. Reynaldo Mejia, 725 NW 105 Place, Miami, appeared before the Board representing the La Arboleda Condominiums Board of Directors, and spoke in opposition; and

2. Mr. Tim Dolan, 923 NW 106 Avenue Circle, Miami, appeared before the Board and spoke in opposition.

Seeing no other persons wishing to speak, Mr. Lasarte addressed the concerns presented by Msrs. Mejia and Dolan regarding the proposed development within the park. He explained that although a portion of the park was targeted for development, the density was being reduced by more than half.

Following Mr. Lasarte's comments, the following additional individuals appeared:

3. Ms. Maria Harder, 10550 N.W. 7<sup>th</sup> Terrace, Miami, representing Arboleda One Community, appeared before the Board and spoke in opposition;

4. Mr. Jesus Carcasses, 580 N.W. 99<sup>th</sup> Place, Miami, appeared before the Board and spoke in support;

5. Ms. Alina Cruz-Solis, 10591 N.W. 7<sup>th</sup> Terrace, Miami, appeared before the Board and spoke in opposition;

Seeing no other persons wishing to be heard, Chairman Martinez closed the public hearing.

Commissioner Souto provided a brief overview of the aesthetics and green environment surrounding the Fontainebleau area and noted this area should be kept beautiful. He stated the proposed development would bring improvements and expressed his support.

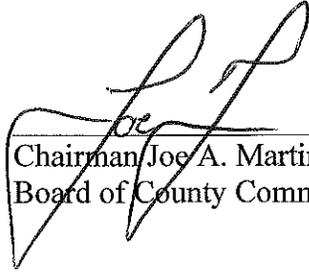
Commissioner Diaz agreed that the area was well maintained and that the proposed development would improve the area.

**Commissioner Souto presented and moved a resolution to approve Application No. 2 with acceptance of Staff's recommendation to approve request #1; approve with conditions requests #2 through #11, and with acceptance of the proffered covenant. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 9-0 (Commissioners Edmonson, Heyman, Sosa, and Suarez were absent).**

**The foregoing resolution was adopted by the Board and set forth in the Record of Resolutions and assigned Resolution #Z-10-11.**

**ADJOURNMENT**

There being no further business to come before the Board, the zoning meeting adjourned at 12:05 p.m.



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Chairman Joe A. Martinez,  
Board of County Commissioners

ATTEST: HARVEY RUVIN, Clerk  
  
By: \_\_\_\_\_  
Christopher Agrippa, Deputy Clerk

**MIAMI-DADE COUNTY**  
**Board of County Commissioners Zoning Board**  
July 21, 2011

Prepared by: Mary Smith-York

**EXHIBITS LIST**

<b>NO.</b>	<b>DATE</b>	<b>ITEM #</b>	<b>DESCRIPTION</b>
1	7/15/2011		Commissioner Sally Heyman's Memorandum of Absence
2	7/21/2011		Official Zoning Agenda
3	7/21/2011	#A	Declaration of Restrictions
4	7/18/2011	#A	Letter from Dan Kimball, U.S. Dept. of the Interior-National Park Service, to the Board of County Commissioners Re: Process #Z2009000176 Santa Fe Haciendas, LLC & CEMEX Construction
5	7/21/2011	#1	Developmental Impact Committee Recommendation
6	7/21/2011	#2	Fontainebleau Lakes – Park Area graphics
7	7/21/2011		Zoning Action Sheets
8	7/21/2011		Speaker Cards
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MEMORANDUM  
BOARD OF COUNTY COMMISSIONERS  
COMMISSIONER SALLY A. HEYMAN  
DISTRICT 4

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TO: The Honorable Joe Martinez  
Chairman and Members of the  
Board of County Commissioners

DATE: July 15, 2011

FROM: Sally A. Heyman  
Commissioner  
District 4

SUBJECT: **Absence from Zoning Meeting,  
Thursday, July 21, 2011**

A handwritten signature in black ink, appearing to read "Sally A. Heyman", written over the printed name and title.

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Please be advised that I will be unable to attend the Zoning meeting scheduled for Thursday, July 21, 2011 due to obligations with the National Association of Counties (NACo) which I sit on their board and attending scheduled Criminal Justice and Pretrial Justice meetings.

Thank you for your attention in this matter.

C: Alina T. Hudak, County Manager  
R.A. Cuevas Jr., County Attorney  
Christopher Agrippa, Transition Division Chief, Clerk of the Board Division  
Marc C. LaFerrier, Director of Planning and Zoning



# Official Zoning Agenda

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSION MEETING OF THURSDAY, JULY 21, 2011

NOTICE: THE FOLLOWING HEARING IS SCHEDULED FOR 9:30 A.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION BE GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBER. PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE COMMISSION CHAMBERS IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE CHAMBERS TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

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COMPA  
Ord -

Bell / Barro

675

Fails

**A. SANTA FE HACIENDAS, LLC & CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC (11-3-CC-2/09-176)**

01-55-38  
BCC/District 11

(1) UNUSUAL USE to permit a Lake Excavation.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Prop. Lake Excavation" as prepared by Fortin, Leavy, Skiles, Inc., Sheet '2-A' dated stamped received 9/27/10 and the remaining 4 sheets dated stamped received 8/17/10 for a total of 5 sheets. Plans may be modified at public hearing.

LOCATION: Lying West of S.W. 177 Avenue (Krome Avenue) and South of theoretical S.W. 90 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 412 Acres

Department of Planning and Zoning  
Recommendation:

Denial without prejudice.

Protests: 191

Waivers: 517

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED: \_\_\_\_\_

Deferred from 6-23-11 due to a Tie Vote

Open PH to clear current

1st Barro / Bell 11-0

DEFER to 10/6

Edm / Barro 11-0

**B. ARCHIMEDEAN PROPERTIES, LLC (11-6-CC-1/08-175)**

25-54-39  
BCC/District 10

(1) SPECIAL EXCEPTION to permit the expansion of an existing charter school onto additional property to the northeast.

(2) SPECIAL EXCEPTION to permit the expansion of the existing charter school from 800 students to 1,300 students in grades K-12.

(3) MODIFICATION of Condition #6 of Resolution #Z-21-09, passed and adopted by the Board of County Commissioners, and reading as follows:

FROM: "6. That the charter school use be limited to grades Kindergarten through 12<sup>th</sup> and be limited to a maximum of 800 students."

TO: "6. That the charter school use be limited to grades Kindergarten through 12<sup>th</sup> and be limited to a maximum of 1,300 students."

(4) MODIFICATION of Conditions #3, #9 and #11 of Resolution #Z-16-05, last modified by Resolution Z-21-09, passed and adopted by the Board of County Commissioners and reading as follows:

FROM: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Archimedean Academy Inc". Charter

School Addition of Grades 9 to 12, as prepared by Anthony E. Tzamtzis, consisting of 4 sheets, dated stamped received 3/31/09.”

TO: “3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled ‘Archimedean Academy, Inc. Master Plan for Middle and High School Expansion,’ as prepared by Anthony E. Tzamtzis AIA, consisting of 21 sheets dated stamped received April 5, 2011 and a boundary survey as prepared by Delta Surveyors, Inc. consisting of 2 sheets dated stamped received April 12, 2011”

FROM: “9. That night activities and/or functions at the charter school shall be limited to 12 events per year and shall end no later than 10:00 p.m.”

TO: “9. That night activities and/or special events at the charter school shall be limited to 24 events per year and shall end no later than 10:00 p.m.”

FROM: “11. That the charter school use shall be limited to Grades K-12<sup>th</sup> grade for a maximum of 800 students.”

TO: “11. That the charter school use shall be limited to Grades K-12<sup>th</sup> grade for a maximum of 1,300 students.”

- (5) MODIFICATION of Condition #2 of Resolution Z-31-06 last modified by Resolution Z-21-09 passed and adopted by the Board of County Commissioners, and reading as follows:

FROM: “2. That the charter school use shall be limited to grades K through 12th for a total of 800 students as follows:

Year 1	2006-2007 School Year	addition of 80 students (620 Students)
Year 2	2007-2008 School Year	addition of 60 students (680 Students)
Year 3	2008-2009 School Year	addition of 60 students (740 Students)
Year 4	2009-2010 School Year	addition of 60 students (800 Students)”

TO: “2. That the charter school use shall be limited to grades K through 12th with the expansion from 800 to 1,300 students as follows:

Year 1	2011-2012 School Year	No. of permitted students 800-950
Year 2	2012-2013 School Year	No. of permitted students 950-1100
Year 3	2013-2014 School Year	No. of permitted students 1100-1250
Year 4	2014-2015 School Year	No. of permitted students 1250-1300.”

- (6) Deletion of three (3) Declarations of Restrictions Recorded at Official Record Book 23679, Pages 4935-4943, Official Record Book 25853, pages 4991-5006 and Official Record Book 27020, Pages 0954-972.

The purpose of requests #3 - #6 is to permit the applicant to submit revised site plans showing the expansion of the charter school onto additional property and showing additional classroom buildings, to increase the number of students, to increase the number of night activities and functions and to delete three covenants in order to submit one consolidated covenant that encompasses the entire property.

- (7) Applicant is requesting to permit parking on natural terrain (not permitted).

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

LOCATION: 12425 S.W. 72 Street, Miami-Dade County, Florida.

*Z-07-11*

SIZE OF PROPERTY: 12.67 Gross Acres

Developmental Impact Committee Recommendation:

*Approved by acceptance of Souto / Draz*  
~~Denial without prejudice~~  
*Phurmond Covenant*  
*11-D*

Protests: 0

Waivers: 0

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: 0

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED: \_\_\_\_\_

*Deferred from 6-23-11 due to a Tie Vote*

**1. SOUTH FLORIDA STADIUM, LLC ET AL (11-7-CC-1/10-149)**

**03-52-41  
BCC/District 01**

- (1) TO MAKE A SUBSTANTIAL DEVIATION DETERMINATION pursuant to Section 380.06(19) of the Florida Statutes with respect to a proposed tourist attraction/amusement facility in the form of a proposed water theme park on Dolphin Center East II Parcel.
- (2) MODIFICATION of Condition #1a of Resolution Z-26-08, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: SCHEDULE 1

**DOLPHIN CENTER NORTH  
AMENDED DEVELOPMENT ORDER**

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

- 1. The Dolphin Center DRI project, in addition to changes required by other conditions of this DRI Development Order, shall be developed and maintained consistent with the following:
  - a) The project shall consist of up to:
    - 73,000 seat stadium plus 1,916 additional seats in the stadium (as permitted by Section 380.06(24)(f) Florida Statutes).
    - 7,350 paved parking spaces on the stadium site.
    - 325,000 square feet of office development
    - 50,000 square feet of fitness center development
    - 140,000 square feet of retail/commercial development.
    - 450 hotel rooms.

TO:

SCHEDULE 1

DOLPHIN CENTER NORTH  
AMENDED DEVELOPMENT ORDER

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

1. The Dolphin Center North DRI, in addition to changes required by other conditions of this DRI Development Order, shall be developed and maintained consistent with the following:

- a) The project shall consist of up to:

73,000 seat stadium plus 1,916 additional seats in the stadium (as permitted by Section 380.06(24)(f) Florida Statutes).  
7,350 paved parking spaces on the stadium site.  
39.99 acres of Water Park attraction facilities  
225,000 square feet of office development  
50,000 square feet of fitness center development  
140,000 square feet of retail/commercial development.  
450 hotel rooms.

- (3) MODIFICATION of Dolphin Center North Land Use Tabulation, Figure 1 - Map H-proposed Land Use Map of development order exhibits for Dolphin Center North, only as it applies to subject property,

FROM:

DOLPHIN CENTER NORTH LAND USE TABULATION	
USE	SCALE
Attraction seats	74,916 seats
Retail	140,000 sq. ft.
Office	325,000 sq. ft.
Hotel	450 rooms
Fitness Center	50,000 sq. ft.
Buffers, Parks and Preserves:	25.364 Acres
Residential Zoning to Remain	7.4 acres
Landscape Buffer and Bike Path	21.8588 acres
Park	4.3222 acres
Scrub Oak Preserve	6.28 acres
Archaeological Midden	2.44 acres

- The specific locations of bus pullout bays will be finalized in conjunction with Miami-Dade Transit at the time of site plan development.

Notes:

Consistent with local zoning, portions of the property are now platted as Dolphin Center Stadium Site (Plat Book 129, Page 91 of the Public Records of Miami-Dade County, Florida).

Approximately 5,500-6,000 (not to exceed 6,600) temporary unpaved parking spaces may be provided within Dolphin Center West and Dolphin Center East I.

An additional 3,500 paved parking spaces may be provided in Dolphin Center East II.

Refer to Condition 17 of the Dolphin Center Development Order regarding the proposed site access. The location and design of all project ingress and egress must adhere to the Minimum Standards for Design and Construction of Streets and Highways as approved by the State of Florida, subject to Miami-Dade County approval.

Subject to appropriate zoning approvals: (1) Uses may be relocated from Dolphin Center West or Dolphin Center East 1 between each other and to the Stadium Site. (2) Dolphin Center East 2 is limited to up to 100,000 sq of office use. However, all use within Dolphin Center East 2 may be relocated to Dolphin Center East 1, Dolphin Center West and the Stadium Site. Attraction seats may only be located on the Stadium Site.

TO:

DOLPHIN CENTER NORTH LAND USE TABULATION	
USE	SCALE
Attraction seats	74,916 seats
Water Park	39.99 acres
Retail	140,000 sq. ft.
Office	225,000 sq. ft.
Hotel	450 rooms
Fitness Center	50,000 sq. ft.
Buffers, Parks and Preserves:	25.364 Acres
Residential Zoning to Remain	7.4 acres
Landscape Buffer and Bike Path	21.8588 acres
Park	4.3222 acres
Scrub Oak Preserve	6.28 acres
Archaeological Midden	2.44 acres

- The specific locations of bus pullout bays will be finalized in conjunction with Miami-Dade Transit at the time of site plan or plat approval.
- \* Present Archaeological Site.

Notes:

Consistent with local zoning, portions of the property are now platted as Dolphin Center Stadium Site (Plat Book 129, Page 91 of the Public Records of Miami-Dade County, Florida).

Approximately 5,500-7,500 temporary unpaved parking spaces may be provided within Dolphin Center West and Dolphin Center East 1.

Up to 1,350 paved parking spaces may be provided in Dolphin Center East 2.

Refer to Condition 17 of the Dolphin Center Development Order regarding the proposed site access. The location and design of all project ingress and egress must adhere to the Minimum Standards for Design and Construction of Streets and Highways as approved by the State of Florida, subject to Miami-Dade County approval.

Subject to appropriate zoning approvals: (1) Uses may be relocated from Dolphin Center West or Dolphin Center East 1 between each other and to the Stadium Site. (2) Dolphin Center East 2 is limited to up to 39.99 acres of Water Park (inclusive of required parking).

The purpose of requests #2 and #3 is to allow the applicant to modify the existing development order to include a tourist attraction/amusement facility in the form of a water theme park in Dolphin Center East 2 parking lot and to decrease the development total Square Footage for the office use in the land use tabulation table for the previously approved Dolphin Center North.

- (4) UNUSUAL USE to permit a tourist attraction/amusement facility to wit: a water theme park.
- (5) MODIFICATION of Condition #4 and #5 of Resolution Z-211-85, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "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."

TO: "4 The density of development in the Dolphin Center East 2 shall be limited to a tourist attraction/amusement facility, to wit: a water theme park."

FROM: "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."

TO: "5 The development in Dolphin Center East 1 and Dolphin Center West shall be limited to 140,000 square feet of retail, 225,000 square feet of office, 50,000 square feet of fitness center, and 450 hotel rooms. Nothing shall prohibit the use of Dolphin East 1, Dolphin Center East 2, or Dolphin Center West for parking to serve the adjacent Stadium Site."

- (6) MODIFICATION of Condition #2 of Resolution Z-211-85, last modified by Resolution Z-131A-95 both passed and adopted by the Board of County Commissioners, 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 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."

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 HOK 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 13, 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 1," 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."

In addition, as to Dolphin Center East 2, a plan entitled "Miami Dolphins Water Park," as prepared by Water Technology, Inc., dated stamped received April 25, 2011, with sheets L-12.01, S1.10 and S1.20 handwritten revision dated 4/28/11, consisting of 81 sheets."

(7) MODIFICATION of Condition #15 of Resolution Z-131A-95, passed and adopted by the Board of County Commissioners last modified by Resolution CZAB3-13-98 passed and adopted by the Community Zoning Appeals Board 3, reading as follows:

FROM: "15 That the lot south of N.W. 199<sup>th</sup> 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."

TO: "15 That the lot south of N.W. 199<sup>th</sup> Street (Dolphin Center East 2) be used for a tourist attraction/amusements facility, to wit: a water park and parking. The use of the improved parking by recreational vehicles, campers, buses and jitneys (except buses and jitneys which serve the water park and which may park in bus parking spaces shown on the site plan) is prohibited. The use of the parking areas for picnics, tailgate parties, flea markets, carnivals and other non-stadium or water park related uses are expressly prohibited."

The purpose of request #5 thru #7 is to allow the applicant to modify the existing development order to include a tourist attraction/amusement facility in the form of a water theme park in Dolphin Center East II parking lot and to decrease the development total Square Footage for the office use in the land use tabulation table for the previously approved Dolphin Center North.

- (8) SPECIAL EXCEPTION of spacing requirements to permit proposed concession areas selling alcoholic beverages spaced less than the required 2500' from a public school.
- (9) Applicant is requesting to permit Sunday sales of beer and alcoholic beverages between the hours 9 a.m. and 9 p.m. (10 a.m. and 1 a.m. permitted).

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

LOCATION: Lying between the Florida Turnpike and N.W. 27 Avenue and on both side of N.W. 199 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 329 Acres

*DRI-2-08-11*

Developmental Impact Committee

Recommendation:

*Zoning Appl 2-09-11*

Approval of request #1, upon a finding that this application does not constitute a substantial deviation requiring further Development of Regional Impact review; and approval with conditions of requests #2 through #9.

Protests: 0

Waivers: 0

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED: \_\_\_\_\_

**2. FONTAINBLEAU LAKES, LLC & (11-7-CC-2/10-188)  
FONTAINEBLEAU SINGLE FAMILY HOMES WEST, LLC**

**05-54-40  
BCC/District 10**

- (1) GU and RU-4M to PAD
- (2) Unusual Use to permit the filling of an existing lake
- (3) Modification of condition # 4 of Resolution CZAB10-21-06, passed and adopted by the Community Zoning Appeals Board #10, only as it applies to the PAD development on the site, reading as follows:

FROM: '4.That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Fontainebleau East" (68 pages) and "Fontainebleau West" (51 pages), as prepared by Pascual Perez Kiliddjian & Associates Architects Planners, dated stamped sealed December 5, 2005 (East Parcel) and August 5,2005 (West Parcel), except as herein modified to provide the required number of parking spaces.

TO: '4.That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Fontainebleau Lakes P.A.D.," (44 sheets), as prepared by Orestes Lopez-Recio, "Fontainebleau Lakes P.A.D. (16 sheets), as prepared by Witkin Hults Design Group, "Lake Fill Plan" (2 sheets), as prepared by

Development Consulting Group, all plans dated stamped received April 20, 2011. Except as herein modified to provide the required number of parking spaces.

The purpose of request #3 is to permit the applicant to submit revised plans showing a PAD development in lieu of the previously approved multifamily residential development.

- (4) Applicants are requesting to permit the proposed PAD development with a common open space of 18.67% (30% required).
- (5) Applicants are requesting to permit the Attached Residences with a private open space of 23.39% (60% required).
- (6) Applicants are requesting to permit the Detached Residences with a private open space of 46.8% (125% required).
- (7) Applicants are requesting to permit the Single Family Residences to have access by means of a private drive, (public right-of-way required).
- (8) Applicants are requesting to permit certain residences to setback varying from 13'-6" to 22' from the rear property lines (25' minimum required).
- (9) Applicants are requesting to permit swimming pools and Jacuzzis in the development to setback 5' from all property lines, as well as, to permit pool decks to setback 3' from all property lines. (75' required from the front property line), (5' required from the interior side and rear property lines).

#### REQUESTS #1 THROUGH #9 ON PARCEL "A" (PAD)

- (10) Modification of Paragraphs #1 and #2 of a Declaration of Restrictions recorded in Official Record Book 24467, Pages 3173-3181, reading as follows:

FROM: "1. The property shall be developed substantially in accordance with the plans previously submitted, prepared by Pascual Perez Kiliddjian & Associates entitled "Fontainebleau East" consisting of 68 sheets dated, signed and sealed February 8, 2006 and "Fontainebleau West" consisting of 51 sheets dated, signed and sealed February 8, 2006, ("Site Plan"), said plans being on file with the County Department of Planning and Zoning, and by reference made a part of this Declaration."

TO: "1. The property shall be developed substantially in accordance with the plans previously submitted, prepared by Pascual Perez Kiliddjian & Associates entitled "Fontainebleau East" consisting of 68 sheets, signed and sealed February 8, 2006, and "Fontainebleau West" consisting of 51 sheets dated, signed and sealed February 8, 2006, ("Site Plan"), plans entitled "Fontainebleau Retail Development," as prepared by Leo A. Daly, plans entitled "West Flagler Commercial Development," as prepared by Witkin, Hults Design Group, stamped received 7/07/09, consisting of 16 sheets and 2 sheets entitled "Lake Excavation Plan" as prepared by Milian, Swain & Assocs., Inc, dated stamped received 8/19/09, for a total of 18 sheets and plans prepared by Orestes Lopez-Recio entitled "Fontainebleau Lakes P.A.D" consisting of 44 sheets dated, stamped received April 20, 2011, "Fontainebleau Lakes P.A.D" consisting of 16 sheets dated, stamped received April 20, 2011, as prepared by Witkin Hults Design Group, "Lake Fill Plan" consisting of 2 sheets dated, stamped

received April 20, 2011, as prepared by Development Consulting Group, all plans dated stamped received April 20, 2011, said plans being on file with the County Department of Planning and Zoning, and by reference made a part of this Declaration."

FROM: "2. Notwithstanding the Zoning on the Property, the total new residential development will not exceed one thousand one hundred twenty-two (1,122) residential dwelling units on the east golf course, described as the Fontainebleau Overall East, attached as Exhibit B, and seven hundred fourteen (714) residential dwelling units on the west golf course, described as the Fontainebleau Overall West attached as Exhibit C."

TO: "2. Notwithstanding the zoning on the Property, the total new residential development will not exceed seven hundred seventy (770) residential dwelling units on the east golf course, described as the Fontainebleau Overall East, attached as Exhibit B, and four hundred three (403) residential dwelling units on the west golf course, described as the Fontainebleau Overall West, attached as Exhibit C."

REQUEST #10 ON PARCELS "A", "B & "C"

(11) Deletion of a Declaration of Restrictions recorded in Official Record Book 27111, Pages 1246 - 1258.

REQUEST #11 ON PARCEL "C"

The purpose of requests #10 and #11 is to allow the applicant to submit revised plans showing a reduction in the number of residential units on the west golf course site and to delete a covenant on Parcel "C" in order to submit a revised covenant limiting the number of residential units to 770 for the east golf course and to clarify that there will be no transfer of residential units.

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

LOCATION: Lying north of Flagler Street, south of State Road 836, West of NW 87<sup>th</sup> Avenue and East of NW 107<sup>th</sup> Avenue, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 273 ACRES +/-

*Souto / Druz  
19 - 0*

SIZE OF PROPERTY: 329 Acres

Developmental Impact Committee Recommendation: *Z-10-11*

Approval of request #1; approval with conditions of requests #2 through #11, subject to the acceptance of the proffered covenant.

Protests: 1

Waivers: 0

*[Signature]*

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: *Edm*

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED: \_\_\_\_\_ *Suzanne*

*Huy  
SOS*

THE END

NOTICE OF APPEAL RIGHTS

Decisions of the Community Zoning Appeals Board (CZAB) are appealed either to Circuit Court or to the Board of County Commissioners (BCC) depending upon the items requested in the Zoning Application. Appeals to Circuit Court must be filed within 30 days of the transmittal of the CZAB resolution. Appeals to BCC must be filed with the Zoning Hearings Section of the Department of Planning and Zoning within 14 days of the posting of the results in the department.

Further information and assistance may be obtained by contacting the Zoning Hearings Section for the Department of Planning and Zoning at (305) 375-2640. For filing or status of Appeals to Circuit Court, you may call the Clerk of the Circuit Court at (305) 349-7409.

This instrument was prepared by:  
Name: Kerri L. Barsh, Esq.  
Address: Greenberg Traurig  
333 Ave. of the Americas  
40<sup>th</sup> Floor  
Miami, FL 33131

7-21-11  
Kerri L. Barsh  
Zoning

(Space reserved for Clerk)

### DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A" attached hereto (the "Property"), which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the County that the representations made by the Owner and its co-applicant, CEMEX Construction Materials Florida, LLC (the "Operator"), during consideration of Public Hearing No. 09-176 will be abided by, the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

1. **Compliance with Approved Plan.** The approved lake excavation use and ancillary uses shall be established and maintained in accordance with the approved plan.
2. **Applicable Lake Excavation Plans.** The complete lake excavation plans prepared and sealed by a Florida-licensed surveyor and/or professional engineer shall be submitted to and meet with the approval of the Director of Planning and Zoning (the "Director") upon the submittal of an application for an excavation use permit; said plans shall be substantially in accordance with that submitted for the hearing entitled "Prop. Lake Excavation," as prepared by Fortin, Leavy, Skiles, Inc., Sheet "2A," dated stamped received 9/27/10 and the remaining sheets dated stamped received 8/17/10, for a total of 5 sheets.
3. **Progressive Sloping of Perimeter Banks.** The grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the excavation progresses. In accordance with this requirement, the Operator shall submit "as built" surveys prepared and sealed by a Florida-licensed surveyor and/or professional engineer upon request of the Director or the Director of the Department of Environmental Resources Management (DERM).
4. **Restoration.** Upon completion of the project, the Property shall be restored and left in an acceptable condition meeting with the approval of the Director and the Director of the DERM.

[L:\forms\181837302\_7

Section-Township-Range: Section 1- Township 55 South - Range 38 East  
Folio number: 30-5801-000-0010  
MIA 181,837,302v7 7-18-11

(Public Hearing)  
09-176

## Declaration of Restrictions

5. **Continuous Operations.** If the lake excavation operation is discontinued, abandoned, or inactive for a period of 12 months (starting from the commencement date of lake excavation) without any mining activity, the existing excavation shall be sloped to conform with the approved plans.
6. **Ten-Year Duration.** The time for the completion of Phase I of the project, including the lake excavation and grading, shall be 10 years from commencement, and the work shall be carried on expeditiously so that the work will be completed within the allocated time.
7. **Fencing.** If, in the opinion of the Miami-Dade County Board of County Commissioners, the excavation is hazardous to the surrounding area, the Property will be fenced in by the Owner.
8. **Hours of Operation.** The hours of the lake excavation operation shall be controlled by the Director, except that the Operator shall be permitted to operate between the hours of 7:00 A.M. and 5:00 P.M. on weekdays, Saturday and Sunday operation and/or hours of operation other than 7:00 A.M. to 5:00 P.M. on weekdays, may be allowed by the Director only if the same does not become a nuisance to the surrounding area.
9. **Financial Assurance.** To ensure compliance with all terms and conditions imposed, a cash bond or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department of Planning and Zoning, payable to Miami-Dade County, in an amount as may be determined and established by the Director; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the land, such as mortgagees. The bond amount shall be based on the volume of cut required to create the approved slope configuration.
10. **Signage.** All excavations shall be posted every 50 feet with warning signs a minimum of 18" x 18" in size.
11. **Department of Environmental Resources Management Requirements.** The Owner and/or Operator, as applicable, shall comply with all applicable conditions and requirements of the Department of Environmental Resources Management.
12. **Public Works Requirements.** The Owner and/or Operator, as applicable, shall comply with all applicable conditions and requirements of the Public Works Department.
13. **Fire-Rescue Requirements.** The Owner and/or Operator, as applicable, shall comply with all applicable conditions and requirements of the Fire-Rescue Department.
14. **Compliance with All Applicable Permits.** All applicable federal, state and local permits must be obtained prior to commencement of the lake excavation. In the event that any federal, state or local permit related to excavation is revoked or otherwise held to be invalid, the excavation operation shall immediately cease.
15. **Landscaped Berm.** The Operator shall, prior to the commencement of the lake excavation, construct and maintain a continuous landscaped berm at a 100-foot setback from the southern property line. The berm shall be an average of 15 feet in height and

## Declaration of Restrictions

- shall be planted with native trees and shrubs to provide a visual buffer to the neighboring residents.
16. **Operational Setbacks.** The Operator shall not excavate or blast within 200 feet of the southern property line, in accordance with that submitted for the hearing entitled "Prop. Lake Excavation," as prepared by Fortin, Leavy, Skiles, Inc., Sheet "2A," dated stamped received 9/27/10 and the remaining sheets dated stamped received 8/17/10 (the "Skiles Plan"), for a total of 5 sheets.
  17. **Blasting Setbacks.** The Operator agrees not to conduct blasting operations within 500 feet of any occupied residence existing at the time of the approval of Public Hearing Item No. 09-176.
  18. **Assurance of Expansion of Contiguous Mining.** Operator shall obtain and renew on an annual basis, an Excavation Use Permit from the Department of Planning and Zoning, upon compliance with all terms and conditions, subject to cancellation upon violation of any of the conditions. Once issued, the Excavation Use Permit for the subject Property and the Excavation Use Permit(s) for the existing contiguous quarrying operations for the property to the north of the subject property shall remain active and be maintained by the same operator until the Operator's excavation of the respective quarry property has been completed and/or unless the respective bond has been released. Other operational permits and approvals required by Miami-Dade County for the quarrying operations on the Property and for the existing contiguous quarrying operations shall also be maintained by the same Operator until the Operator's excavations on the respective quarry property are completed or unless the respective bond has been released.
  19. **Dust and Noise Abatement and Vibration Minimization Protocols.** The Operator shall comply with the dust and noise abatement practices and vibration minimization protocols set forth in the Good Neighbor Program dated June 13, 2011, and attached to this Declaration as Exhibit "B."
  20. **Significant Reduction of Area to be Excavated.** The Operator shall not excavate, blast, or conduct mining outside the area designated on the Skiles Plan as Phase I, which is an approximate 172- acre area located more than a half-mile east of the Everglades National Park. Further excavation, blasting or mining on the Property outside the Phase I area shall require public hearing approval by the County Commission.
  21. **Creation of Homeowners' Task Force.** Within thirty days of final approval of the unusual use, the Owner and Operator shall establish a Homeowners' Task Force whose responsibility is to meet with the neighboring residents on no less than a quarterly basis until mining is concluded, to discuss issues of concern and potential solutions, as well as educate and update the neighboring residents on mining activities. County staff will be invited to serve on the Task Force and venue for the meetings will be at a location and time convenient for the neighboring residents.
  22. **Funding of County's Inspection and Enforcement Expenses.** Commencing within thirty days of final approval of the unusual use and annually thereafter until mining activities are concluded, the Owner and Operator shall deposit in an escrow with the Miami-Dade Department of Planning and Zoning, the sum of \$ 12, 000 to fund the

## Declaration of Restrictions

County's inspection and enforcement costs so as to ensure compliance with the conditions of approval, including this Declaration.

23. **County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.
24. **Covenant Running with the Land.** This Declaration shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the undersigned Owner, and its heirs, successors, and assigns until such time as the covenant is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and its heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.
25. **Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.
26. **Modification, Amendment, Release.** This Declaration may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.
27. **Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.
28. **Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this Declaration is complied with.
29. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed

## Declaration of Restrictions

to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

30. **Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.
31. **Severability.** Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion
32. **Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida, at the cost of the Owner following the approval of the application for Public Hearing No. 09-176. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the application for Public Hearing No. 09-176, in its entirety, and upon written request, the Director or the executive officer of the successor of the Department of Planning and Zoning, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.
33. **Acceptance of Declaration.** Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.
34. **Owner.** The term, "Owner," shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

**Declaration of Restrictions**

(Space reserved for Clerk)

Signed, witnessed, executed and acknowledged on this 19<sup>th</sup> day of July, 2011.

IN WITNESS WHEREOF, Santa Fe Hacienda, LLC, (the "Owner"), has caused this Declaration of Restrictions to be signed in its name by its proper officials.

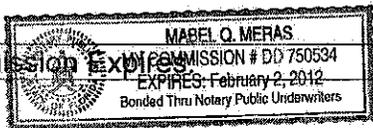
**Witnesses:**

Signature <i>Masoud Shojaee</i>	Santa Fe Haciendas, LLC, a Florida limited liability company
Print Name MASOUD P. SHOJAE	<i>Masoud Shojaee</i>
Signature <i>Chantel Melendi</i>	
Print Name Chantel Melendi	
STATE OF FLORIDA	COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by Masoud Shojaee, the Managing Member of Santa Fe Haciendas, LLC, on behalf of the LLC. He is personally known to me or has produced \_\_\_\_\_, as identification.

Witness my signature and official seal this 19<sup>th</sup> day of July, 2011, in the County and State aforesaid.

	<i>Masoud Shojaee</i>
	Signature
	Notary Public-State of Florida
	Print Name



Section-Township-Range: Section 1- Township 55 South - Range 38 East  
Folio number: 30-5801-000-0010

(Public Hearing)  
09-176

**Declaration of Restrictions**

**Exhibit "A"**

Legal Description:

A PORTION OF SECTION 1, TOWNSHIP 55 SOUTH, RANGE 38 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 1; THENCE NO2'06'03"W, ALONG THE WEST LINE OF SAID SECTION 1, FOR A DISTANCE OF 1980.77 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; THENCE CONTINUE NO2'06'03"W, ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 3299.09 FEET TO THE NORTHWEST CORNER OF SAID SECTION 1; THENCE N89'30'05"E, ALONG THE NORTH LINE OF SAID SECTION 1, FOR A DISTANCE OF 5279.86 FEET TO THE NORTHEAST CORNER OF SAID SECTION 1; THENCE S02'06'00"E, ALONG THE EAST LINE OF SAID SECTION 1, FOR A DISTANCE OF 1493.52 FEET TO ITS INTERSECTION WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE SOUTHEAST, A RADIAL LINE TO SAID POINT BEARS N76'17'57"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, SAID ARC BEING COINCIDENT WITH THE WESTERLY RIGHT-OF-WAY LINE OF S.W. 177<sup>TH</sup> AVENUE (KROME AVENUE), AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 87150, SHEET 25 OF 29, SAID ARC HAVING A RADIUS OF 5954.58 FEET, THROUGH A CENTRAL ANGLE OF 15'48'03" FOR AN ARC DISTANCE OF 1642.14 FEET TO A POINT OF TANGENCY; THENCE S02'06'00"E, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SAID LINE BEING 225.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 1, FOR A DISTANCE OF 177.88 FEET; THENCE S89'30'05"W, ALONG A LINE 1980.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 1, FOR A DISTANCE OF 1181.98 FEET; THENCE S02'06'00"E, ALONG A LINE 1406.52 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 1, FOR A DISTANCE OF 660.26 FEET; THENCE S89'30'05"W, ALONG A LINE 1320.00 FEET NORTH AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 1, FOR A DISTANCE OF 1232.57 FEET; THENCE NO2'06'03"W, ALONG A LINE 2639.13 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 1, FOR A DISTANCE OF 660.26 FEET; THENCE S89'30'05"W, ALONG A LINE 1980.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 1, FOR A DISTANCE OF 2640.16 FEET TO THE POINT OF BEGINNING.

ALL OF THE ABOVE DESCRIBED LAND SITUATED, BEING AND LYING IN MIAMI-DADE COUNTY, FLORIDA.



United States Department of the Interior  
NATIONAL PARK SERVICE

Everglades and Dry Tortugas National Parks  
40001 State Road 9336  
Homestead, Florida 33034

Item A,  
BCC Zoning  
m/21/11



In Reply Refer to:

L30

July 18, 2011

Clerk of the Board, Suite 17-202  
Stephen P. Clark Center  
111 NW First Street  
Miami, Florida 33128

Re: Process Number Z2009000176  
Santa Fe Haciendas, LLC & CEMEX Construction Materials Florida, LLC

Dear Board of County Commissioners:

Santa Fe Haciendas, LLC has submitted an application to Miami-Dade County requesting an unusual use to permit a lake excavation on a site that is currently zoned for agriculture. The boundary of Everglades National Park is located approximately 2700 feet from the western edge of the excavation proposed in Phase 1 of the operation and approximately 700 feet from the western edge of the excavation proposed in Phase 2 of the operation. Given the proximity of this proposed excavation to Everglades National Park, we are concerned that the proposed excavation may have adverse impacts on the natural resources of the Park. It is our understanding that the current hearing process will only address Phase 1 of the operation; however, we have analyzed both phases of the proposal and have focused our assessment on potential impacts to Everglades National Park.

With respect to lake excavations east of Everglades National Park, technical analyses produced by the South Florida Water Management District (1998) and mining industry consultants (MacVicar, Frederico, & Lamb, 1997) indicate that the amount of seepage increases as lakes are located closer to the boundary of the Park. This seepage increase impacts hydrologic conditions in the adjacent wetlands/marshes of the Park and also impacts the ability to provide water downstream to protect eastern watersheds of the Park (e.g., supplying water to the downstream C-111 Detention Areas and the C-111 Spreader Canal Phase 1 Project). Based on these technical analyses and our assessment of potential impacts to the Park associated with the subject application, we support Phase 1 lake excavation that is no closer than 2,700 feet from the boundary of the Park.

The Park is also supportive of a condition, recommended by Miami-Dade County Department of Environmental Resources Management (DERM) (March 10, 2011), that a seepage management plan must be submitted to, and approved by, DERM prior to any excavation closer than 2,700 feet from the Park boundary. However, we recommend that the following three conditions should also be included in the permit:

1. The submitted seepage management plan must demonstrate that Phase 2 excavation will have no detrimental impacts on wetlands/marshes in Everglades National Park;
2. Prior to any excavation closer than 2,700 feet from the Park boundary, the seepage management plan must be implemented and fully operational; and

3. While Phase 1 excavation is underway, groundwater monitoring on adjacent lands shall be carried out to identify and characterize off-site impacts, if any, and to evaluate the results of groundwater modeling that has been conducted in advance of Phase 1 excavation.

We recommend that the above conditions be included in the Phase 1 permit to make it very clear to the applicant that Phase 2 excavation, closer to the Park, will not occur until a seepage management plan is submitted and approved by DERM; that there will be no detrimental impacts to wetlands/marshes in the Park associated with Phase 2 excavation; and that the seepage management plan is implemented and fully operational prior to Phase 2 excavation. The groundwater monitoring condition should provide valuable information in terms of subsequent consideration of Phase 2 excavation.

Please contact Roy Sonenshein (305-224-4250) or me (305-242-7712) if you have any questions in regard to the Park's position on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan B. Kimball". The signature is written in a cursive, slightly slanted style.

Dan B. Kimball  
Superintendent

South Florida Stadium LLC E T A L  
(10-149) BCC 7/21/11  
Memorandum



*Item #1*

**Date:** July 21, 2011  
**To:** The Board of County Commissioners  
**From:** Developmental Impact Committee  
Executive Council  
**Subject:** Developmental Impact Committee Recommendation

---

**APPLICANT:** South Florida Stadium, LLC, et al (Z10-149)

**SUMMARY OF REQUESTS:**

The applicants are seeking a substantial deviation determination on a Development of Regional Impact (DRI) pursuant to Section 380.06(19) of the Florida Statutes. The purpose of this substantial deviation determination is to allow the placement of an amusement facility (water theme park) on the subject property. The applicants are also seeking approval of an Unusual Use request to permit the aforementioned water theme park. Additionally, the applicants are modifying several Resolutions to include in the Development Order (D.O.) the proposed water theme park use. Specifically, the applicants are modifying Schedule I (Dolphin Center North) which reflects the inclusion of 39.99 acres of Water Theme Park attraction facilities to the D.O. and the reduction of a previously approved 325,000 sq. ft. office development by 100,000 square feet for a proposed total of 225,000 sq. ft. of office space, along with other modifications, which will allow the submittal of revised plans for the proposed 39.99-acre water theme park on the subject property. In addition, the applicants are seeking a Special Exception of spacing requirements to permit the sale of alcoholic beverages from the proposed concession stands to be spaced less than the required 2500' from a school, and to permit Sunday sales of alcoholic beverages between the hours 9 a.m. to 9 p.m. (10 a.m. to 1 a.m. permitted).

**LOCATION:** Lying between the Florida Turnpike and N.W. 27 Avenue and on both side of N.W. 199 Street, City of Miami Gardens, Florida.

**COMMENTS:**

This application went before the Developmental Impact Committee because the applicant is modifying conditions of a previously approved DRI. Section 33-303.1(D)(7) of the Code of Miami-Dade County charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

The meeting of the DIC Executive Council was held on June 15, 2011 and the attached Department memoranda were reviewed and considered by said Committee.

**DIC RECOMMENDATION:**

**Approval with conditions**, as set forth in the Department of Planning and Zoning's recommendation.

In addition, as part of the motion, the Executive Council added the following conditions regarding approval of separate resolutions:

1. Development of Regional Impact Amended Development Order Resolution: Approval of requests 1, 2, and 3, subject to condition number 20 as provided in the Miami-Dade County Department of Planning and Zoning Recommendation to the Developmental Impact Committee.
2. Zoning Resolution: Approval of requests 4, 5, 6, 7, 8 and 9, subject to conditions numbered 1-19, as provided in the Miami-Dade County Department of Planning and Zoning Recommendation to the Developmental Impact Committee.

The Executive Council is of the opinion that this application will be in keeping with the Comprehensive Development Master Plan designation for the subject property. In addition, the Council found that the approval of this application with conditions will not be contrary to the public interest, is in keeping with the spirit of the regulations, and will permit the reasonable use of the premises. As such, the Executive Council finds that this application will permit a development which is **consistent** with the CDMP and **compatible** with the surrounding area.



**BOARD OF COUNTY COMMISSIONERS**  
**ZONING HEARINGS**  
**COUNTY COMMISSIONERS CHAMBERS OF THE STEPHEN P. CLARK CENTER -**  
**2ND FLOOR**  
**111 NW 1 Street, Miami**  
**Thursday, July 21, 2011 at 9:30 a.m.**

**TIE VOTE**

**DISTRICT**

A.	11-3-CC-2	<u>SANTA FE HACIENDAS, LLC &amp; CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC</u>	09-176	01-55-38	11
B.	11-6-CC-1	<u>ARCHIMEDEAN PROPERTIES, LLC</u>	(DEVELOPMENTAL IMPACT COMMITTEE) 08-175	25-54-39	10

**CURRENT**

**DISTRICT**

1.	11-7-CC-1	<u>SOUTH FLORIDA STADIUM, LLC ET AL</u>	(DEVELOPMENT OF REGIONAL IMPACT) 10-149	03-52-41	N 1
2.	11-7-CC-2	<u>FONTAINBLEAU LAKES, LLC &amp; FONTAINBLEAU SINGLE FAMILY HOMES WEST, LLC.</u>	(DEVELOPMENTAL IMPACT COMMITTEE) 10-188	05-54-40	N 10



**BOARD OF COUNTY COMMISSIONERS**  
**ZONING HEARINGS**  
**COUNTY COMMISSIONERS CHAMBERS OF THE STEPHEN P. CLARK CENTER -**  
**2ND FLOOR**  
**111 NW 1 Street, Miami**  
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					<u>DISTRICT</u>
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B. 11-6-CC-1	<u>ARCHIMEDEAN PROPERTIES, LLC</u>	(DEVELOPMENTAL IMPACT COMMITTEE)	08-175	25-54-39	10

*one reso*

*one reso*

*Two Reso numbers*

**CURRENT**

1. 11-7-CC-1	<u>SOUTH FLORIDA STADIUM, LLC ET AL</u>	(DEVELOPMENT OF REGIONAL IMPACT)	10-149	03-52-41	N 1
2. 11-7-CC-2	<u>FONTAINBLEAU LAKES, LLC &amp; FONTAINEBLEAU SINGLE FAMILY HOMES WEST, LLC.</u>	(DEVELOPMENTAL IMPACT COMMITTEE)	10-188	05-54-40	N 10

*one reso*

Item 2  
Zoning 7/21/11

### Fontainbleau Lakes – Park Area



Overall Park Area Calculations:

East Course: 78.4 acres

West Course: 62.1 acres

Total Park Area: 140.5 acres

Tropical Park

My Home  
Miami-Dade County, Florida

MIAMI-DADE

miamidade.gov

Property Information Map



Aerial Photography - 2009

0 528 ft

This map was created on 7/21/2011 8:57:41 AM for reference purposes only.

Web Site © 2002 Miami-Dade County. All rights reserved.



Close

Summary Details:

Folio No.:	30-4022-002-0010
Property:	7900 BIRD RD
Mailing Address:	MIAMI-DADE COUNTY PARKS AND RECREATION 275 NW 2 ST 4FL MIAMI FL 33128-1794

Property Information:

Primary Zone:	8900 UNZONED
CLUC:	0047 DADE COUNTY
Beds/Baths:	0/0
Floors:	4
Living Units:	0
Adj Sq Footage:	246,249
Lot Size:	272.31 ACRES
Year Built:	1965
Legal Description:	TROPICAL PARK PB 34-65 PORT OF NE1/4 OF SE1/4 BEG 200 FT S OF NW COR OF NE1/4 CONT S 4306.57FT E1349.5FT N1366.93FT E1197.69FT NELY605.17FT N1495.23

Assessment Information:

Year:	2010	2009
Land Value:	\$32,620,682	\$35,586,198
Building Value:	\$11,167,562	\$11,489,513
Market Value:	\$43,788,244	\$47,075,711
Assessed Value:	\$43,788,244	\$47,075,711

Taxable Value Information:

Year:	2010	2009
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$43,788,244/ \$0	\$47,075,711/ \$0
County:	\$43,788,244/ \$0	\$47,075,711/ \$0
School Board:	\$43,788,244/ \$0	\$47,075,711/ \$0

Sunlife Stadium

My Home  
Miami-Dade County, Florida

MIAMI-DADE

miamidade.gov

Property Information Map



Aerial Photography - 2009

0 405 ft

This map was created on 7/21/2011 8:54:27 AM for reference purposes only.

Web Site © 2002 Miami-Dade County. All rights reserved.



Close

Summary Details:

Folio No.:	34-1134-011-0010
Property:	2269 NW 199 ST
Mailing Address:	MIAMI-DADE COUNTY GSA R/E MGMT 2269 DAN MARINO BLVD MIAMI GARDENS FL 33056-2600

Property Information:

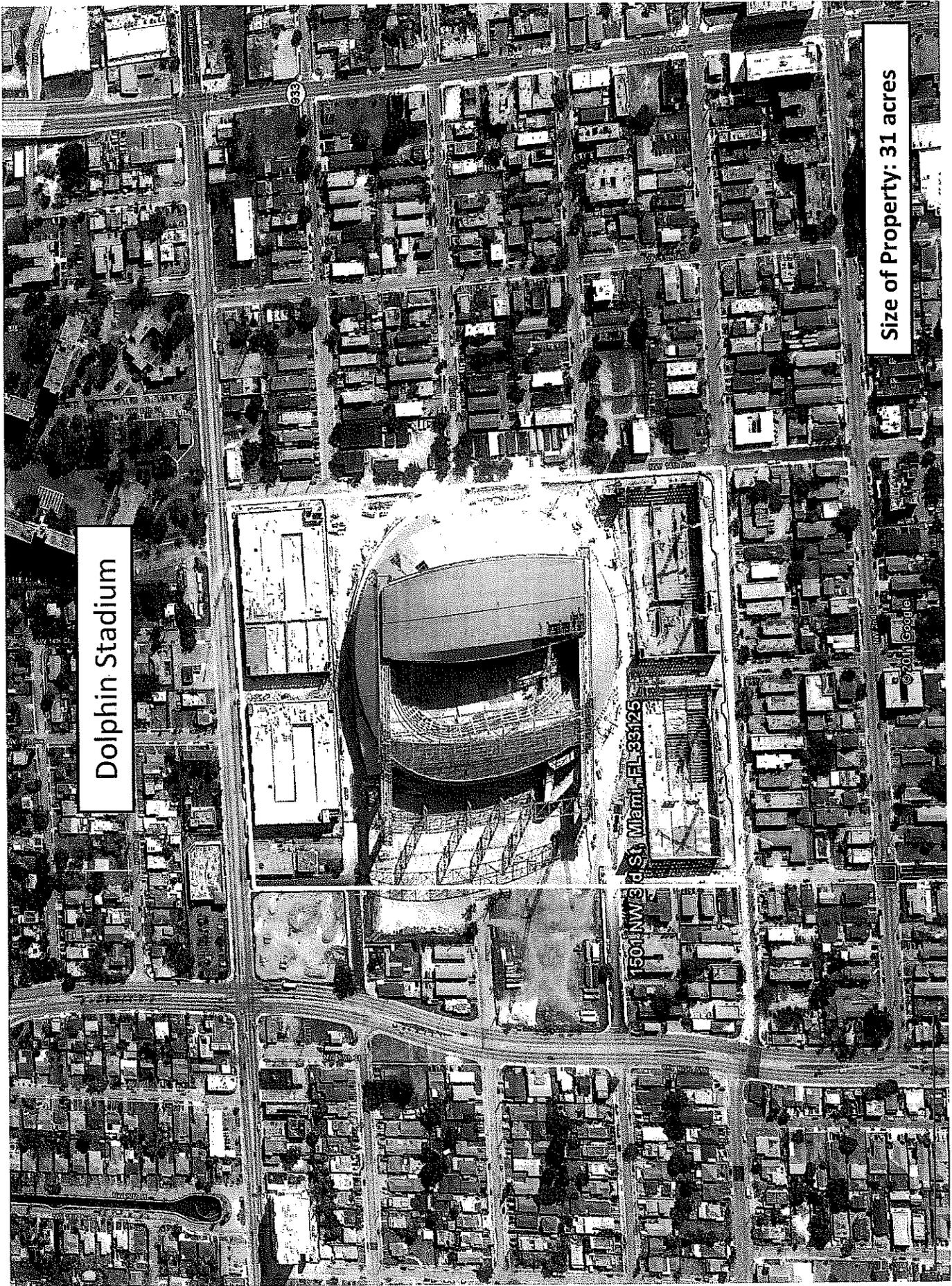
Primary Zone:	6400 COMMERCIAL, MEDIUM INTENSITY
CLUC:	0015 ENTERTAINMENT
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	1,629,549
Lot Size:	143.71 ACRES
Year Built:	1987
Legal Description:	DOLPHIN CENTER - STADIUM SITE PB 129- 91 TR A LOT SIZE 143.72 AC F/A/U 30- 1134-011-0010

Assessment Information:

Year:	2010	2009
Land Value:	\$17,216,218	\$17,216,218
Building Value:	\$105,328,812	\$105,328,812
Market Value:	\$122,545,030	\$122,545,030
Assessed Value:	\$122,545,030	\$122,545,030

Taxable Value Information:

Year:	2010	2009
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$150,000/ \$122,395,030	\$150,000/ \$122,395,030
County:	\$150,000/ \$122,395,030	\$150,000/ \$122,395,030
City:	\$150,000/ \$122,395,030	\$150,000/ \$122,395,030
School Board:	\$150,000/ \$122,395,030	\$150,000/ \$122,395,030



Dolphin Stadium

Size of Property: 31 acres

1501 NW 3rd St Miami, FL 33125

© 2011 Google

**ZONING ACTION**

**MEMORANDUM**

**Harvey Ruvin**  
**Clerk of the Circuit and County Courts**  
**Clerk of the Board of County Commissioners**  
 (305) 375-5126  
 (305) 375-2484 FAX  
 www.miami-dadeclerk.com



**DATE:** July 21, 2011

**#Z-**

**ITEM:** A.

**APPLICANT: SANTA FE HACIENDAS, LLC & CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC (11-3-CC-2/09-176)**

**MOTION:** To accept into the record: (1) the Revised Covenant and (2) the Letter from the U.S. Department of the Interior National Park Service.

**DATE:** July 21, 2011

**#Z-**

**ITEM:** A.

**APPLICANT: SANTA FE HACIENDAS, LLC & CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC (11-3-CC-2/09-176)**

**MOTION:** To Defer to 10/6/2011.

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro	M	X		
Bell	S	X		
Bovo		X		
Diaz		X		
Heyman				X
Jordan		X		
Monestime		X		
Moss		X		
Sosa				X
Souto		X		
Suarez		X		
Vice Chairwoman Edmonson		X		
Chairman Martinez		X		
<b>TOTAL</b>		11	0	2

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro	S	X		
Bell		X		
Bovo		X		
Diaz		X		
Heyman				X
Jordan		X		
Monestime		X		
Moss		X		
Sosa				X
Souto		X		
Suarez		X		
Vice Chairwoman Edmonson	M	X		
Chairman Martinez		X		
<b>TOTAL</b>		11	0	2

**ZONING ACTION**

**MEMORANDUM**

Harvey Ruvin  
 Clerk of the Circuit and County Courts  
 Clerk of the Board of County Commissioners  
 (305) 375-5126  
 (305) 375-2484 FAX  
 www.miami-dadeclerk.com



**DATE:** 07/21/2011

**#Z-07-11**

**ITEM:** B

**APPLICANT:** ARCHIMEDEAN PROPERTIES, LLC  
 (11-6-CC-1/08-175)

**MOTION:** Approval with acceptance of the revised proffered covenant.

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro		X		
Bell		X		
Bovo		X		
Diaz	S	X		
Heyman				X
Jordan		X		
Monestime		X		
Moss		X		
Sosa				X
Souto	M	X		
Suarez		X		
<b>Vice Chairwoman Edmonson</b>		X		
<b>Chairman Martinez</b>		X		
<b>TOTAL</b>		11	0	2

**DATE:** 07/21/2011

**#Z- 08-11**

**ITEM:** 1

**APPLICANT:** SOUTH FLORIDA STADIUM, LLC ET AL  
 (11-7-CC-1/10-149)

**MOTION:** Approval of Development of Regional Impact Amended Development Order: Requests 1, 2, and 3 subject to condition number 20 as provided in the Miami-Dade County Department of P&Z Recommendation to the DIC as amended to include development of an aspiration goal to ensure 25 percent of the employees were from District 1 during the development and construction phases and to provide quarterly progress reports.

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro		X		
Bell		X		
Bovo		X		
Diaz		X		
Heyman				X
Jordan	M	X		
Monestime		X		
Moss		X		
Sosa				X
Souto		X		
Suarez		X		
<b>Vice Chairwoman Edmonson</b>		X		
<b>Chairman Martinez</b>	S	X		
<b>TOTAL</b>		11	0	2



# AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 7/21/11 BCC Mtg. Date: \_\_\_\_\_ Agenda Item#: \_\_\_\_\_

Subject: Santa Fe Kemex

Name: Adelina Amat

Address: 17900 SW 100 St., Miami FL 33196

**Lobbyist information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization?  Yes  No

If yes, please list name: \_\_\_\_\_  
Organization Firm Client

Have you registered with the Clerk of the Board?  Yes  No

Do you require an interpreter?

¿Necesita un intérprete?  Spanish/Español      Èske w bezwen yon Entèprèt?  Creole/Kreyol

# AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 7/21/11 BCC Mtg. Date: 7/21/11 Agenda Item#: 01-55-38

Subject: Sta. Fe Haciendas

Name: Alice Pena

Address: 14390 S.W. 199 Ave. Miami FL 33196

**Lobbyist information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization?  Yes  No

If yes, please list name: Home residents  
Organization Firm Client

Have you registered with the Clerk of the Board?  Yes  No

Do you require an interpreter?

¿Necesita un intérprete?  Spanish/Español  Creole/Kreyol  
Èske w bezwen yon Entèprèt?

# AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 21 July 11 BCC Mtg. Date: 21 July 11 Agenda Item#: 01-55-38

Subject: LA HACIENDA LLC

Name: Jorge Abreu

Address: 10100 SW 177 Ave

**Lobbyist information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization?  Yes  No

If yes, please list name: \_\_\_\_\_  
Organization Firm Client

Have you registered with the Clerk of the Board?  Yes  No

Do you require an interpreter?

*¿Necesita un intérprete?*  Spanish/Español *Èske w bezwen yon Entèprèt?*  Creole/Kreyol

# AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 7/2/11 BCC Mtg. Date: \_\_\_\_\_ Agenda Item#: 01-55-38

Subject: SANTA FE/CEMEX

Name: JOSE AMAT

Address: 17900 SW 100 ST. MIAMI FL 33196

**Lobbyist information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization?  Yes  No

If yes, please list name: \_\_\_\_\_  
Organization Firm Client

Have you registered with the Clerk of the Board?  Yes  No

Do you require an interpreter?

¿Necesita un intérprete?  Spanish/Español  Creole/Kreyol  
Èske w bezwen yon Entèprèt?  Creole/Kreyol



# AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 21 July 2011 BCC Mtg. Date: \_\_\_\_\_ Agenda Item#: 01-55-3F

Subject: SANTA FE / CEMEX

Name: ANDRES FERNANDEZ

Address: 18575 SW 100 ST.

**Lobbyist information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization?  Yes  No

If yes, please list name: \_\_\_\_\_  
Organization Firm Client

Have you registered with the Clerk of the Board?  Yes  No

Do you require an interpreter?

*¿Necesita un intérprete?*  Spanish/Español *Èske w bezwen yon Entèprèt?*  Creole/Kreyol

# FOR Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: \_\_\_\_\_ BCC Mtg. Date: JW Agenda Item#: \_\_\_\_\_

Subject: Fontainebleau Lakes LLC

Name: JENS CARASSEG

Address: 170 NW 99 PL

**Lobbyist information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization?  Yes  No

If yes, please list name: \_\_\_\_\_  
Organization Firm Client

Have you registered with the Clerk of the Board?  Yes  No

Do you require an interpreter?

Necesita un intérprete?  Spanish/Español  Eske w bezwen yon Entèprèt?  Creole/Kreyol

# AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

11-7-CC-2/10-188

Today's Date: 7-21-11 BCC Mtg. Date: 7/21/11 Agenda Item#: 11-7-CC-2/10-188

Subject: FONTAINEBLEAU LAKES

Name: REYNALDO MEJIA

Address: 725 NW 105 PL, LA ARBOLEDA, MIAMI, FL 33172

**Lobbyist information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization?  Yes  No

If yes, please list name: \_\_\_\_\_  
Organization Firm Client

Have you registered with the Clerk of the Board?  Yes  No

Do you require an interpreter?

¿Necesita un intérprete?  Spanish/Español  Creole/Kreyol  
Èske w bezwen yon Entèprèt?

# AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Six minutes

Today's Date: 7/21/11 BCC Mtg. Date: 7/21/11 Agenda Item#: 11-7-CC-2/10-188

Subject: Ford's Clean Lakes LLC

Name: H. Tim Dolan

Address: 923 NW 100 Ave Cir, Miami, FL 33172

**Lobbyist information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization?  Yes  No

If yes, please list name: \_\_\_\_\_  
Organization Firm Client

Have you registered with the Clerk of the Board?  Yes  No

Do you require an interpreter?  
 Necesita un intérprete?  Spanish/Español  Èske w bezwen yon Entèprèt?  Creole/Kreyol

# AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 7/21/11 BCC Mtg. Date: \_\_\_\_\_ Agenda Item#: \_\_\_\_\_ *No show.*

Subject: Fountainbleve Lake Fill

Name: Juan C. Pineda

Address: 901 SW 100 CT

**Lobbyist information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization?  Yes  No

If yes, please list name: \_\_\_\_\_  
Organization Firm Client

Have you registered with the Clerk of the Board?  Yes  No

Do you require an interpreter?

*¿Necesita un intérprete?*  Spanish/Español *Èske w bezwen yon Entèprèt?*  Creole/Kreyol