

RESOLUTION No. 2006-71-417-Z-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION OF CORNERSTONE GROUP HOLDINGS, LLC, FOR A MODIFICATION TO RESOLUTION Z-211-85, TO DELETE AND AMEND CERTAIN CONDITIONS FOR PROPERTY LOCATED SOUTHEAST OF N.W. 27TH AVENUE AND 191ST STREET, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR A DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING FOR CONDITIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Cornerstone Group Holdings, LLC ("Applicant") owns the property generally located Southeast of N.W. 27th Avenue and 191st Street, more particularly described on Exhibit "A" attached hereto ("Property"), and

WHEREAS, the Property was previously the subject of a district boundary change that was approved by Miami Dade County pursuant to Resolution No. Z-211-85 in 1985, and

WHEREAS, the Applicant has filed an application to amend Resolution Z-211-85 as follows:

1. DELETION OF CONDITION #2 (related to request #22) of Resolution Z-211-85, which requires office development in the Dolphin Center South DRI to adhere to the Office Park District (OPD) zoning district regulations;
2. MODIFICATION OF CONDITION #3 (related to request #22) of Resolution Z-211-85 to read as follows:

FROM: The density of development in the Dolphin Center South shall be limited to 325,000 square feet of retail, 250,000 square feet of trademart (mixed use showrooms retail and office), 225,000 square feet of office, and 300 hotel rooms.

TO: The density of development in the Dolphin Center South shall be limited to 429,951 square feet of retail, 20,000 square feet

of trademart (mixed use showrooms retail and office), 25,000 of office, and 638 residential units

WHEREAS, the City Council held a public hearing on the application on July 5, 2006, and

WHEREAS, the City's Planning and Zoning staff has made a determination that the application is consistent with the Comprehensive Development Master Plan, and

WHEREAS, the City's Planning and Zoning staff recommends approval of the application, and

WHEREAS, the City Council considered the testimony of the Applicant, if any, and

WHEREAS, the City Council also considered the testimony of the City's Planning and Zoning staff, and the Staff Report attached hereto as Exhibit "B," incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. APPROVAL OF MODIFICATION: The City Council of the City of Miami Gardens, hereby approves the application of Cornerstone Group Holdings, LLC, for a modification of Resolution Z-211-85 as follows:

- a. DELETION OF CONDITION #2 (related to request #22) of Resolution Z-211-85, which requires office development in the Dolphin Center South DRI to adhere to the Office Park District (OPD) zoning district regulations;
- b. MODIFICATION OF CONDITION #3 (related to request #22) of

Resolution Z-211-85 to read as follows:

FROM: The density of development in the Dolphin Center South shall be limited to 325,000 square feet of retail, 250,000 square feet of trademart (mixed use showrooms retail and office), 225,000 square feet of office, and 300 hotel rooms.

TO: The density of development in the Dolphin Center South shall be limited to 429,951 square feet of retail, 20,000 square feet of trademart (mixed use showrooms retail and office), 25,000 of office, and 638 residential units.

Section 3. CONDITIONS: This approval is subject to the following conditions:

- a. The approval of an amendment to the Development of Regional Impact on the Property, to permit retail and multi-family uses on the Property, and the approval of a rezoning of the Property by the City of Miami Gardens.
- b. That a site plan be submitted to, and meet with, the approval of the City upon the submittal of an application for a building permit and/or Certificate of use and Occupancy; said plan to include among other things, lake excavation, location of structures, the types, sizes and locations of signs, lighting standards, off-street parking areas, exit and entrance drives, perimeter walls or fences and the landscaping details.
- c. That the Applicant submit to the Planning and Zoning Division of the Development Services Department for its review and approval, a landscape plan that should include the type and size of planting material prior to the issuance of building permits and to be planted prior to the issuance of any Certificate of Use and Occupancy.

Section 4. DECLARATION OF RESTRICTIVE COVENANTS: As a further condition of this approval, the Applicant has proffered the Declaration of Restrictive Covenants attached hereto as Exhibit "B," which has been accepted by the City.

Section 5. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS ZONING MEETING HELD ON JULY 5, 2006.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY O. CREW, CITY MANAGER

MOVED BY: Vice Mayor Braynon

SECONDED BY: Councilman Bratton

VOTE: 6-1

Mayor Shirley Gibson	<u>x</u> (Yes)	___ (No)
Vice Mayor Oscar Braynon, II	<u>x</u> (Yes)	___ (No)
Councilman Melvin L. Bratton	<u>x</u> (Yes)	___ (No)
Councilman Aaron Campbell	<u>x</u> (Yes)	___ (No)
Councilman Ulysses Harvard	<u>x</u> (Yes)	___ (No)
Councilwoman Sharon Pritchett	___ (Yes)	<u>x</u> (No)
Councilwoman Barbara Watson	<u>x</u> (Yes)	___ (No)