



**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: October 13, 2015

TO: Robert Baldwin, City Manager

FROM: Marc LaFerrier, AICP, Director

SUBJECT: **CD-19-14MOD/SP-29-14MOD:** Dania Entertainment Center, LLC, request an amendment to the Second Amended and Restated Development Agreement for the construction of a casino, fronton, hotel, marina and commercial use on the Dania Jai Alai site located at 301 East Dania Beach Boulevard.

Dania Entertainment Center, LLC (DEC) is proposing an amendment to the Second Amended and Restated Development Agreement between the City of Dania Beach, Florida and Dania Entertainment Center, LLC and the related Capital Improvement Plan (CIP). A public hearing is scheduled for October 13, 2015. A second public hearing is tentatively scheduled for October 27, 2015 at which time the City Commission may take final action on the item. Mailed notice to the public was provided to property owners generally located east of Interstate 95 within the City of Dania Beach. In addition, a display ad was placed in the newspaper to announce the public hearings.

It is important to note that Section 550.155, Florida Statutes, exempts pari-mutuel developments from local codes and regulations unless the proposed pari-mutuel development improvements would present a justifiable and immediate hazard to the health and safety of municipal residents.

The applicant is proposing changes the DEC CIP which was attached as Exhibit "D" to the Second Amended and Restated Development Agreement entered into between the City of Dania Beach, Florida and Dania Entertainment Center, LLC. The main changes relate to the revised elevations for Phase 1, the revised improvements to Fronton Boulevard and a revision to the perimeter buffers for Phase 1.1. Although these changes affect only a few sheets in the CIP, because the Phase 1 improvements are reflected in later phases, these sheets have also been revised. Sheets CIP/A02 through CIP/A04 have also been updated to reflect the actual square footage associated with the existing remodel of Phase 1.1.

- **Sheet CIP/A01** – Revised to reflect only the Phase 1.1 improvements, including the revised Fronton Boulevard improvements, the new dry detention area along Dania Beach Boulevard and the temporary chain link fence along the east buffer line.

- **Sheets CIP/A02 –A04** - Revised to reflect Phase 1.2, together with the Phase 2 improvements. All sheets reflect revised Fronton Boulevard improvements and updated square footage summary given the updated calculations for Phase 1.1.
- **Sheets CIP/A05-A08** – Revised to reflect updated renderings of the Phase 1 elevations, together with revised Fronton Boulevard improvements.
- **Sheet CIP/A09** – Revised to reflect updated elevations and metal façade.
- **Sheet CIP/A10** – Revised to reflect updated signage finish and design and location of wall signage in light of revised elevations and metal façade for Phase 1.1.
- **Sheet CIP/A12** – Revised to reflect circulation plan for Phase 1.1, together with revised Fronton Boulevard improvements.
- **Sheets CIP/A13-A15** – Updated to reflect revised Fronton Boulevard improvements.
- **Sheet CIP/A16** – Revised to reflect landscape plan for Phase 1.1 and revised Fronton Boulevard improvements.
- **Sheet CIP/A17-A19** – Updated to reflect revised Fronton Boulevard improvements.
- **Sheets CIP/A21-A27** – Sheets updated to reflect the updated elevation footprint for Phase 1.1 and revised Fronton Boulevard improvements.

CITY COMMISSION PREVIOUS ACTION

On October 14, 2014, the City Commission approved the Amended and Restated Development Agreement described in Resolution Number 2014-072.

On November 15, 2006, the City Commission approved the Initial Development Agreement to the Developers Agreement with the Aragon Group for the development of a new Jai Alai casino. On June 14, 2007, the City Commission approved the 1st Amendment to the Development Agreement. On August 30, 2011, Dania Entertainment Center LLC (DEC) and the City entered into an Amended and Reinstated Development Agreement.

RECOMMENDATION

Approve the resolution.