

RESOLUTION No. 18-70

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, PURSUANT TO SECTION 74-152(5) OF THE CITY'S LAND DEVELOPMENT CODE, APPROVING A SPECIAL EXCEPTION APPLICATION TO PERMIT THE SALE OF NEW AND USED AUTOMOBILE DEALERSHIP ON APPROXIMATELY .99+/- ACRE PARCEL OF LAND LOCATED AT 9400 NW 25 STREET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on March 21st, 2018, the Mayor and City Council of the City of Doral (the "City") adopted Ordinance No. 2018-02, amending Section 74-152 of the City's Land Development Code of Ordinances (the "Code") by establishing new regulations to permit the sale of new and used automobiles on sites between three-quarter (3/4) and two (2) net acres; and

WHEREAS, Section 74-152(5) of the Code requires that new and used automobile dealerships located in less than two-acres be approved by the governing body through special exception and meet other corresponding requirements of the Code; and

WHEREAS, in accordance with Section 74-152(5) of the Land Development Code, the Applicant on behalf of 9400 Holdings, Inc., the owner of "The Garage, Inc.," is requesting approval of a special exception, to permit a new and used automobile dealership in a parcel of land located at 9400 NW 25th Street, as legally described in Exhibit "A". The application for the subject special exception is attached hereto as Exhibit "B", which is incorporated herein and made a par thereof by this reference.; and

WHEREAS, staff, after careful review of the Application, has recommended approval.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:**

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Special Exception Decision. The special exception application to permit a new and used automobile dealership in a parcel of land located at 9400 NW 25th Street, as legally described in Exhibit "A", in accordance with Section 74-152(5) of the Code is hereby approved, subject to compliance with the Code and the following conditions:

- A. No repair of vehicles shall conducted on-site;
- B. No others uses shall be located within the same site in conjunction with automobile sales unless it is an accessory use;
- C. Appropriate landscaping consistent with Chapter 71 of the Code shall be installed;
- D. Parking for employees and guests consisted with Section 77-139(3) of the Code shall be provide;
- E. The use of outdoor loudspeakers and outdoor lighting shall be utilized in a manner to avoid spilling beyond site boundaries;
- F. No vehicular test drives on residential streets with 50 foot rights-of-way or less; and
- G. Any other restriction provided in the City Code of Ordinances not otherwise provided here.

Section 3. Implementation. The City Manager, City Clerk, and City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

Section 4. Effective Date. This Resolution shall become effective upon its passage and adoption by the City Council and is binding on all successors and assigns.

The foregoing Resolution was offered by Councilman Cabrera who moved its adoption. The motion was seconded by Vice Mayor Rodriguez and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Ana Maria Rodriguez	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED this 25 day of April, 2018.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, CMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY

EXHIBIT “A”

Exhibit A
Legal Description

The land referred to herein below is situated in Miami-Dade County, Florida, and is described as follows:

Lot 2, Block 1 of "AIRPORT LAKE INDUSTRIAL PLAT SECTION I", according to the plat thereof as recorded in Plat Book 119, Page 24, of the Public Records of Miami-Dade County, Florida.