

RESOLUTION No. 16-108

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, SITTING AS THE LOCAL PLANNING AGENCY GOING FORWARD WITHOUT A RECOMMENDATION OF THE PROPOSED MODIFICATION OF THE DOWNTOWN MIXED USE ORDINANCE APPROVAL GRANTED PURSUANT TO CITY OF DORAL ORDINANCE #2012-09, BY AMENDING THE PATTERN BOOK ENTITLED DOWNTOWN DORAL SOUTH PATTERN BOOK DATED MARCH 2016 AND AN AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT FOR DOWNTOWN DORAL SOUTH, TO REFLECT A REDUCTION IN THE DENSITY AND INTENSITY OF THE DEVELOPMENT PROGRAM, TO THE LOCAL GOVERNING BODY (CITY COUNCIL) CONSISTENT WITH SECTION 163.3225 FLORIDA STATUTES AND SECTION 2-164 OF THE CITY LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, CL Doral, LLC (“Applicant”) also known as Downtown Doral is requesting the LPA to transmit this application to the local governing body (City Council) consistent with Section 2-164 of the Land Development Code; and

WHEREAS, the Applicant is requesting approval of a modification to the Downtown Mixed Use Ordinance approval granted pursuant to City of Doral Ordinance No. 2012-09, an amended Pattern Book entitled Downtown Doral South Pattern Book, dated March 2016, and an “Amended and Restated Master Development Agreement for Downtown Doral South” pursuant to the requirements set forth in Sec. 163.3225 of the Florida Statutes; and

WHEREAS, the Developer are the owners of approximately +/-130.1 acres of land located east on NW 87 Avenue and north of NW 41 Street, within the boundaries of the City of Doral, as legally described in Exhibit A; and

WHEREAS, the Project received approval as the White Course DMU project, pursuant to City of Doral Ordinance No. 2012-09, on March 28, 2012 (the “Original Approval”); and

WHEREAS, as part of the Original Approval, the City and then Developer of the property executed the Master Development Agreement between the parties, dated March 28, 2012; and

WHEREAS, this Amended and Restated Master Development Agreement for Downtown Doral South (the “First Amended Agreement”) is intended to and shall terminate the effectiveness of the Original Agreement and shall constitute the sole master development agreement among the parties pursuant to Section 68-708 of the City Land Development Code and Chapter 163 of Florida Statutes; and

WHEREAS, after careful review and deliberation, staff has determined that this rezoning application is consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA SITTING AS THE LOCAL PLANNING AGENCY THAT:

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

Section 2. Approval. The LPA hereby recommends going forward without a recommendation to the local governing body (City Council) the proposed modification of the Downtown Mixed Use Ordinance granted pursuant to City of Doral Ordinance No. 2012-09, by amending the Pattern Book entitled Downtown Doral South Pattern Book, dated March 2016, and an “Amended and Restated Master Development Agreement for Downtown Doral South, consistent with Section 2-164 of the Land Development Code.

Section 3. Effective Date. This Resolution shall become effective immediately upon adoption.

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

Mayor Luigi Boria	Yes
Vice Mayor Christi Fraga	Yes
Councilman Pete Cabrera	Yes
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Sandra Ruiz	Yes

TRANSMITTED WITHOUT A RECOMMENDATION TO THE LOCAL GOVERNING BODY (CITY COUNCIL) THIS 11 DAY OF MAY, 2016.




LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, GMC
CITY CLERK

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



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

Exhibit A

LEGAL DESCRIPTION OF PROPERTY

The Southeast quarter (S.E. 1/4) of the Southwest quarter (S.W. 1/4) and the Southwest quarter (S.W. 1/4) of the Southeast quarter (S.E. 1/4) and the Southwest quarter (S.W. 1/4) of the Southwest quarter (S.W. 1/4) of Section 22, Township 53 South, Range 40 East, Dade County, Florida.

TOGETHER WITH:

The South half (S. 1/2) of the Northwest quarter (N.W. 1/4) of the Southwest quarter (S.W. 1/4) and the South half (S. 1/2) of the Northeast quarter (N.E. 1/4) of the Southwest quarter (S.W. 1/4) and the South half (S. 1/2) of the Northwest quarter (N.W. 1/4) of the Southeast quarter (S.E. 1/4), all in Section 22, Township 53 South, Range 40 East, Dade County, Florida.

LESS:

The Southeast quarter (S.E. 1/4) of the Northwest quarter (N.W. 1/4) of the Southeast quarter (S.E. 1/4) of Section 22, Township 53 South, Range 40 East, Dade County, Florida.

ALSO LESS:

The East half (E. 1/2) of the Southwest quarter (S.W. 1/4) of the Southeast quarter (S.E. 1/4) of Section 22, Township 53 South, Range 40 East, Dade County, Florida.

ALSO LESS:

The South 80 feet of the Southwest quarter (S.W. 1/4) of Section 22, Township 53 South, Range 40 East, Dade County, Florida.

ALSO LESS:

The South 80 feet of the West half (W. 1/2) of the Southwest quarter (S.W. 1/4) of the Southeast quarter (S.E. 1/4) of Section 22, Township 53 South, Range 40 East, Dade County, Florida.

ALSO LESS:

That portion of the Plat of DORAL RIGHT OF WAY, according to the Plat thereof as recorded in Plat Book 104, Page 93, of the Public Records of Dade County, Florida, lying East of the West line of the Southwest quarter (S.W. 1/4) of Section 22, Township 53 South, Range 40 East, Dade County, Florida.

ALSO LESS:

A Parcel of land lying in the S.W. 1/4 of Section 22, Township 53 South, Range 40 East, being more particularly described as follows:

COMMENCE at the southwest corner of said Section 22; thence run North, along the west line of the S.W. 1/4 of said Section 22 and along the centerline of N.W. 87th Avenue as shown on the plat of DORAL RIGHT OF WAY, Plat Book 104, Page 93, for a distance of 103.05 feet to a point; thence run East for a distance of 40.00 feet to a point on the east right-of-way line of said N.W. 87th Avenue and the POINT OF BEGINNING of the following described parcel of land; thence run North, along said easterly right-of-way line of N.W. 87th Avenue, for a distance of 206.95 feet to the point of curvature of a circular curve to the right having a radius of 1,869.86 feet; thence run Northeasterly, along said east right-of-way line of N.W. 87th Avenue and along the arc of said curve for a distance of 183.57 feet, through a central angle of 5°37'30" to the point of tangency; thence run North 05°37'30" East, along said east right-of-way line of N.W. 87th Avenue, for a distance of 300.00 feet to the point of curvature of a circular curve to the left having a radius of 1,949.86 feet; thence run Northerly, along said east right-of-way line of N.W. 87th Avenue and along the arc of said curve, for a distance of 326.91 feet, through a central angle of 9°36'22" to a point; thence run North 87°45'52" East for a distance of 134.24 feet to a point; thence run South 53°14'24" East for a distance of 200.00 feet to a point; thence run South 01°45'36" West for a distance of 665.00 feet to a point; thence run South 88°14'24" East for a distance of 630.00 feet to a point; thence run North 01°45'36" East for a distance of 239.29 feet to a point; thence run North 78°45'36" East for a distance of 75.00 feet to a point; thence run South 11°14'24" East for a distance of 540.00 feet to a point on the north right-of-way line of N.W. 41st Street; thence run North 88°14'24" West, along the north right-of-way line of N.W. 41st Street and along the line parallel to and 80.00 feet North of the south line of the S.W. 1/4 of said Section 22, for a distance of, 1,109.20 feet to the point of curvature of a circular curve to the right having a radius of 25.00 feet; thence run Northwesterly, along the east right-of-way line of the aforementioned N.W. 87th Avenue and along the arc of said curve, for a distance of 38.50 feet, through a central angle of 88°14'24" to the point of tangency and the POINT OF BEGINNING.

Said lands lying in Dade County, Florida, containing 130.15 acres more or less.