



CITY OF DORAL NOTICE OF PUBLIC HEARING

All residents, property owners and other interested parties are hereby notified of a **Council Zoning Meeting** on **Wednesday, April 24, 2019 beginning at 6:00 PM.** The purpose of this public hearing is to review and approve the proposed site plan for the Doral Multi-Tenant Retail Development. This meeting will be held at the **City of Doral, Government Center, Council Chambers located at 8401 NW 53rd Terrace, Doral, FL. 33166.**

The City of Doral proposes to adopt the following Resolution:

RESOLUTION No. 19-

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING/DENYING THE SITE PLAN FOR DORAL MULTI-TENANT RETAIL DEVELOPMENT, LOCATED AT 10505 NW 41 ST, DORAL, FLORIDA 33178; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

HEARING NO.: 19-04-DOR-02

APPLICANT: BEP Limited II Partnership (The "Applicant")

PROJECT NAME: Doral Multi-Tenant Retail Development

LOCATION: The subject property is generally located at 1691 NW 107 AVE, City of Doral, Florida 33122.

SIZE OF PROPERTY: 6.83 +/- acre

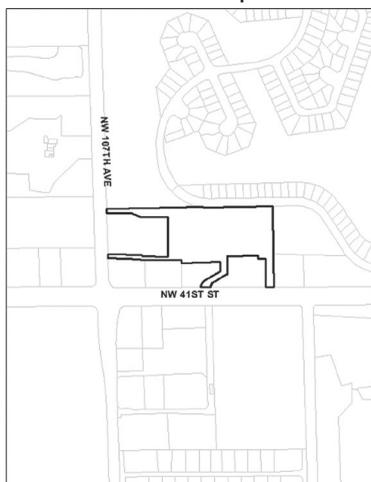
Folio No.: 35-3020-054-0010

REQUEST: The Applicant is requesting to modify the current site plan to include a one-story, approximately 10,752 square-foot retail building on the northwest part of the property, between the existing shopping center and the Winn-Dixie Supermarket.

LEGAL DESCRIPTION: A PORTION OF THE SW 1/4 OF SECTION 20, TOWNSHIP 53 SOUTH, RANGE 40 EAST, DADE COUNTY, FLORIDA, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SAID SW 1/4 OF SECTION 20; THENCE S 88°33'06" E ALONG THE SOUTH LINE OF THE SAID 1/4 OF SECTION 20 FOR 1,115.88 FEET; THENCE DUE NORTH FOR 65.02 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF NW 41ST STREET, AS SAID STREET IS DESCRIBED IN OFFICIAL RECORDS BOOK 14443, PAGES 47, 50 AND 75, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE FROM THE ABOVE ESTABLISHED POINT OF BEGINNING RUN N 88°33'06" W ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF NW 41ST STREET FOR 56.02 FEET; THENCE DUE NORTH FOR 185.64 FEET; THENCE DUE WEST FOR 48.25 FEET; THENCE DUE NORTH FOR 21.26 FEET; THENCE DUE WEST FOR 196.42 FEET; THENCE DUE SOUTH FOR 122.00 FEET; THENCE DUE WEST FOR 8.88 FEET; THENCE S 60°00'00" W FOR 99.45 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE TO THE LEFT ALONG SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 26.00 FEET AND A CENTRAL ANGLE OF 60°00'00" FOR AN ARC DISTANCE OF 27.23 FEET TO THE POINT OF TANGENCY; THENCE DUE SOUTH FOR 3.69 FEET TO A POINT ON THE AFORESAID NORTH RIGHT-OF-WAY LINE OF NW 41ST STREET; THENCE N 88°33'06" W ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF NW 41ST STREET FOR 66.02 FEET; THENCE DUE NORTH FOR 2.60 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE TO THE RIGHT ALONG SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 61.00 FEET AND A CENTRAL ANGLE OF 60°00'00" FOR AN ARC DISTANCE OF 63.88 FEET TO THE POINT OF TANGENCY; THENCE N 60°00'00" E FOR 110.27 FEET; THENCE DUE NORTH FOR 59.31 FEET; THENCE DUE WEST FOR 252.00 FEET; THENCE DUE NORTH FOR 18.50 FEET; THENCE DUE WEST FOR 263.80 FEET; THENCE N 34°23'15" W FOR 3.64 FEET; THENCE DUE WEST FOR 208.92 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NW 107TH AVENUE; THENCE N 00°01'17"E ALONG THE SAID EAST RIGHT-OF-WAY LINE OF NW 107TH AVENUE FOR 30.00 FEET; THENCE DUE EAST FOR 224.73 FEET; THENCE S 34°23'15" E FOR 9.69 FEET; THENCE DUE EAST FOR 165.37 FEET; THENCE DUE NORTH FOR 251.93 FEET; THENCE DUE WEST FOR 178.03 FEET; THENCE N 65°57'37" W OR 61.41 FEET; THENCE DUE WEST FOR 161.36 FEET TO A POINT ON THE AFORESAID EAST RIGHT-OF-WAY LINE OF NW 107TH AVENUE; THENCE N 00°01'17" E ALONG THE SAID EAST RIGHT-OF-WAY LINE OF NW 107TH AVENUE FOR 28.00 FEET TO THE SOUTHWEST CORNER OF TRACT "C-2" OF THE PLAT OF DORAL DUNES SECOND ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 148, PAGE 21 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE DUE EAST ALONG THE SOUTH LINE OF SAID TRACT "C-2" FOR 603.11 FEET TO A POINT ON THE SOUTHERLY LINE OF TRACT "A" OF THE PLAT OF DORAL DUNES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 132, PAGE 93, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID POINT LYING ON A CIRCULAR CURVE CONCAVE TO THE NORTH, SAID POINT BEARING S 10°51'02" W FROM THE CENTER OF SAID CURVE; THENCE RUN SOUTHEASTERLY AND EASTERLY ALONG THE SAID SOUTHERLY LINE OF TRACT "A," ALONG SAID CURVE TO THE LEFT, HAVING FOR ITS ELEMENTS A RADIUS OF 10°51'02" FOR AN ARC DISTANCE OF 53.03 FEET TO THE POINT OF TANGENCY; THENCE DUE EAST CONTINUING ALONG THE SAID SOUTHERLY LINE OF TRACT "A" FOR 419.49 FEET; THENCE DUE SOUTH FOR 525.32 FEET TO THE POINT OF BEGINNING.

Location Map



Information relating to this request is on file and may be examined in the City of Doral, Planning and Zoning Department located at **8401 NW 53rd Terrace, Doral, FL. 33166.** All persons are invited to appear at this meeting or be represented by an agent, or to express their views in writing addressed to the City Clerk, **8401 NW 53rd Terrace, Doral, FL. 33166.** Maps and other data pertaining to these applications are available for public inspection during normal business hours in City Hall. Any persons wishing to speak at a public hearing should register with the City Clerk prior to that item being heard. Inquiries regarding the item may be directed to the Planning and Zoning Department at 305-59-DORAL.

Pursuant to Section 286.0105, Florida Statutes If a person decides to appeal any decisions made by the City Council with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Planning and Zoning Department at 305-59-DORAL no later than three (3) business days prior to the proceeding.

NOTE: If you are not able to communicate, or are not comfortable expressing yourself, in the English language, it is your responsibility to bring with you an English-speaking interpreter when conducting business at the City of Doral during the zoning application process up to, and including, appearance at a hearing. This person may be a friend, relative or someone else. A minor cannot serve as a valid interpreter. The City of Doral DOES NOT provide translation services during the zoning application process or during any quasi-judicial proceeding.

NOTA: Si usted no está en capacidad de comunicarse, o no se siente cómodo al expresarse en inglés, es de su responsabilidad traer un intérprete del idioma inglés cuando trate asuntos públicos o de negocios con la Ciudad de Doral durante el proceso de solicitudes de zonificación, incluyendo su comparecencia a una audiencia. Esta persona puede ser un amigo, familiar o alguien que le haga la traducción durante su comparecencia a la audiencia. Un menor de edad no puede ser intérprete. La Ciudad de Doral NO suministra servicio de traducción durante ningún procedimiento o durante el proceso de solicitudes de zonificación.

Connie Diaz, MMC

City Clerk

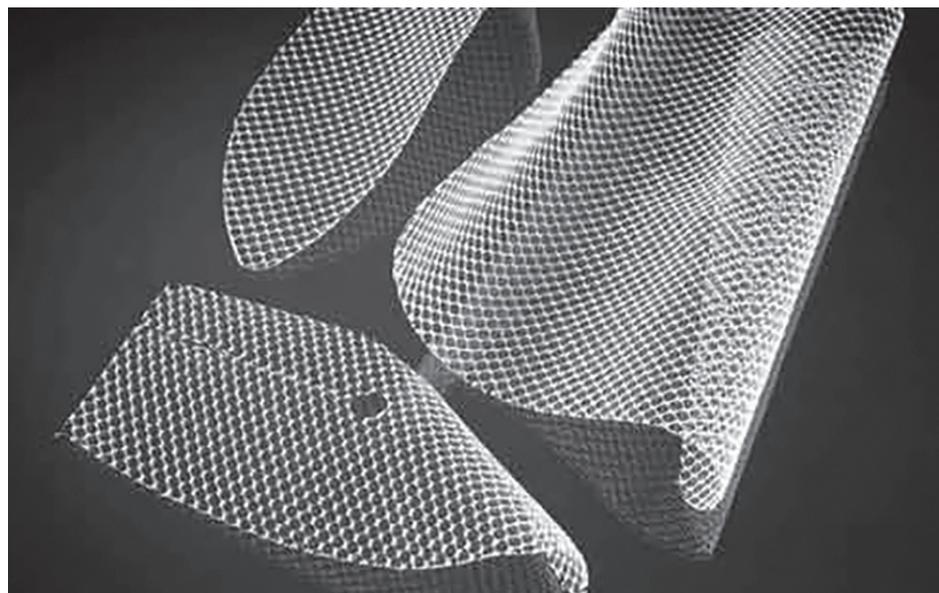
City of Doral

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FROM THE COURTS

Bernstein Liebhard Objects to Fee Share in Transvaginal Mesh Case



Bernstein Liebhard is the fourth law firm to object to its portion of a \$550 million common benefit fund, and the third to cite critical work in mesh trials in New Jersey.

by Amanda Bronstad

A fourth law firm has objected to its share of common benefit fees in the transvaginal mesh litigation, insisting that lawyers tasked with distributing the \$550 million fund failed to compensate it for work in a critical New Jersey trial.

Bernstein Liebhard, based in New York, joins three other law firms that have objected to their allocation of common benefit fees, which are designed to compensate lawyers for work that had a "common benefit" to all the litigation over transvaginal mesh devices. More than 100,000 lawsuits were filed over the devices, most of them coordinated in multidistrict litigation in federal court in West Virginia. But one of the first trials in the nation was in New Jersey's Atlantic County Superior Court, where one of the defendants, Johnson & Johnson's Ethicon, lost an \$11 million verdict in 2013.

In a March 29 objection, Bernstein Liebhard claims that the fee and cost committee in the multidistrict litigation, in recommending less than \$1.4 million in fees, failed to account for the firm's work in that trial. Under a 2012 agreement, attached to Bernstein Liebhard's objection, the MDL leadership had agreed to have a representative of the New Jersey cases on the fee and cost committee.

"But the MDL made no effort to appoint a NJ firm to the FCC and even ignored an express request to do so," wrote Bernstein Liebhard attorney Mike Hissam, of Hissam Forman Donovan Ritchie in Charleston, West Virginia, in the objection. "The NJ firms never served on the FCC. Now, the two NJ firms that expended the most effort for the MDL plaintiffs object to the fee allocation."

Neither Hissam, nor Bernstein Liebhard name partners Stanley Bernstein and Sandy Liebhard, responded to a request for comment.

Henry Garrard, a shareholder at Blasingame, Burch, Garrard & Ashley in Athens, Georgia, who is chairman of the fee and cost committee, declined to comment but noted in an email that "it was up to the court as to membership on the FCC and the court did due deliberation determining his committee."

The fee and cost committee's responses to the objections are due on April 9.

In all, 94 plaintiffs law firms received common benefit fees in the mesh cases. On March 12, the fee and cost committee and Daniel Stack, a retired judge on the Madison County, Illinois, Circuit Court appointed to review the fee allocation process, issued their final recommendations on how to allocate the fees.

Three other firms have objected to their fees: Philadelphia's Kline & Specter; Mazie Slater Katz & Freeman, based in Roseland, New Jersey; and Anderson Law Offices in Cleveland. Three of the four firms worked on the first mesh trial against Ethicon in the nation, which involved plaintiff Linda Gross, a South Dakota woman who had 18 surgeries to fix injuries caused by the Gynecare Prolift mesh implant.

In a March 26 objection over \$6.02 million in fees, Mazie Slater partner Adam Slater raised concerns that some law firms on the fee and cost committee had resorted to self-dealing and bill padding to ensure they would receive the majority of the fees, citing comments that Stack made to him. Slater also referenced the 2012 agreement involving the New Jersey cases, noting that his firm was lead counsel in the first Ethicon trial.

Anderson Law Offices, which raised similar concerns, also worked on that trial.

Bernstein Liebhard, in its objection, said its partner "played a significant role" in both the New Jersey trial and the multidistrict litigation against Ethicon. That partner, Jeffrey Grand, now at Seeger Weiss in New York, did not respond to a request for comment.

Grand signed the 2012 agreement, along with Slater and Jillian Roman of Cohen, Placitella & Roth in Philadelphia. Two members of the fee and cost committee, Renée Baggett of Aylstock, Witkin, Kreis & Overholtz in Pensacola, Florida, and Thomas Cartmell of Kansas City, Missouri-based Wagstaff & Cartmell, co-lead counsel in the Ethicon MDL, also signed the agreement.

Roman, Baggett and Cartmell did not respond to requests for comment.

Amanda Bronstad is the ALM staff reporter covering class actions and mass torts nationwide. She writes the email dispatch Critical Mass. She is based in Los Angeles.