

RESOLUTION No. 19-111

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

WHEREAS, on November 2, 2016, the City of Doral adopted Ordinance No. 2016-29 amending the City's Land Development Code to establish procedures for the Mayor and City Council site plan review and approval process; and

WHEREAS, BEP Limited II Partnership (the "Applicant") has submitted an application for Mayor and Council Site Plan Review and Approval for Doral Multi-Tenant Retail Development located at 10505 NW 41 Street, Doral, FL 33178, as legally described in Exhibit A; and

WHEREAS, Staff finds that the proposed site plan complies with the requirements and standards of the Land Development Code; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within 500-foot radius, a public hearing was held before the Mayor and City Council of the City of Doral on April 24, 2019, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, the Mayor and City Council of the City of Doral find the adoption and implementation of this Resolution is in the best interest and welfare of the residents of the City.

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 incorporate

incorporated herein and made part hereof by this reference.

Section 2. Approval of the Site Plan. The City Council hereby approves the site plan for Doral Multi-Tenant Retail Development provided in Exhibit B. The site plan consist of a one-story approximately 10,752 square foot retail building. The approval of the site plan is subject to the following conditions. Violation of the conditions may result in a code compliance citation or the revocation of this Resolution.

1. All applicable impact fees shall be paid by the Applicant prior to issuance of a building permit.
2. The proposed project shall be built in substantial conformance with the plans entitled "Doral Multi-Tenant Development" prepared by Modis Architects consisting of 11 sheets, dated stamped received February 28, 2019.
3. The Property shall be landscaped in accordance with the landscape plan, prepared by JBC Planning & Design, dated stamped received February 28, as amended, and included with the site plan submittal.
4. Compliance with Ordinance 2015-09 Public Arts Program will be required at the time of building permit, if applicable.
5. Provide irrigation plans at time of building permit.
6. Issuance of this development permit by the City of Doral does not in any way create any right on the part of an Applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Doral for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
7. Approval from Division of Environmental Resources Management (DERM) is required at time of building permit. If DERMs' requirements result in a modification to the approved administrative site plan, which may include but is not limited to, the layout of proposed parking field, the Applicant will be fully responsible to meet those requirements prior to building permit approval.
8. All applicable local, state and federal permits must be obtained before commencement of the development.
9. The project should make every effort to incorporate the city's Low Impact Development (LID) Master Plan and Section 74-881 of the Land Development Code.
10. Provide compliance with the Floodplain Management regulations (Chapter 23, Article II, Floodplain Management) of the City Land Development Code. Project team should contact the City's Floodplain Administrator to review the requirements of the Floodplain Management Ordinance.
11. The Applicant shall comply with applicable conditions and requirements provided by Miami-Dade County Public Works Department, Water and Sewer Department, Fire Rescue Department, and Regulatory and Economics Resources (DRER) prior to issuance of building permit.

12. The hours of operation during the construction shall adhere to as per Noise Ordinance No. 2011-01.
13. The Applicant shall submit a construction staging plan for review and approval prior to commencement of construction. The staging area shall be kept clean at all times, adequately screened and located away from view of existing homes located adjacent to the construction site.
14. Access points for construction vehicles shall be identified as part of the construction plan submitted to the City. Construction vehicles with access to the site shall adhere to existing "no thru truck" areas.
15. The Applicant shall provide a Construction Air Quality Management Plan to the Department prior to the start of construction.
16. The Applicant shall meet the requirements of the Miami-Dade County Water-Use Efficiency Standards Manual, effective January 2009, as may be amended from time to time.
17. A Stormwater Pollution Prevention Plan (SPPP) must be submitted by the Applicant at time of building permit. The Plan shall provide guidelines for implementing and maintaining an erosion and sedimentation control program before the site is cleared or graded, including areas where top soil will be removed and contours of slopes will be cleared. The Plan shall also include location and type of erosion control measures, storm water and sediment management systems, and a vegetative plan for temporary and permanent stabilization. The Plan shall remain on-site for the duration of the construction activity. The erosion and sedimentation control safeguards shall be kept in good working conditions throughout the duration of the construction phase of the project.
18. The Applicant shall preserve existing trees (including native trees) during the development of the project, wherever possible. If the trees must be removed, the Applicant shall be required to mitigate the impact in accordance with DRER requirements. If the relocated trees do not survive, the Applicant shall be required to replace the trees in compliance with DRER requirements.
19. All stormwater shall be retained on site at all times in accordance with all applicable laws and stormwater regulations.
20. All stormwater drainage systems shall be maintained in working conditions at all times including after completion of the construction phase to avoid localize flooding during and after a storm event.
21. All stormwater drainage systems shall be maintained on an annual basis and a report shall be provided to the Code Enforcement Department. The report shall include, but not be limited to, a diagram of all the system components that were maintained throughout the year.
22. Parking shall be prohibited on top of any drainage inlet or drainage manhole.
23. Developer shall be responsible for providing the City a certified drainage inspection report prior to the issuance of a certificate of occupancy.
24. Noncompliance with the approved site plan and the terms of this approval shall be considered a violation of the City Code.
25. Applicant shall comply with any other outstanding conditions recommended by the City Mayor and Council, Public Works Department, or Miami-Dade County.

Section 3. Implementation. The City Manager or his/her designee are hereby authorized to take such action as may be necessary to implement the purpose and provisions of this Resolution.

Section 4. Effective Date. The Resolution shall take effect immediately upon adoption.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Claudia Mariaca	Yes
Councilwoman Digna Cabral	Yes
Councilman Pete Cabrera	Absent/Excused
Councilwoman Christi Fraga	Yes

PASSED AND ADOPTED this 24 day of April, 2019.




JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:


CONNIE DIAZ, MMC
CITY CLERK

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



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY

EXHIBIT “A”

EXHIBIT “B”