

RESOLUTION NO. Z04-26

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF DORAL, FLORIDA MODIFYING CONDITION
NUMBER 2 OF COUNTY RESOLUTION Z-170-91 AS IT
AFFECTS APPLICANT'S SITE PLAN; IMPOSING
CONDITIONS ON SAME; DEFERRING APPLICANT'S
REQUEST TO PERMIT A SECOND SIGN TO THE DATE
CERTAIN OF MARCH 23, 2005; PROVIDING FOR AN
EFFECTIVE DATE**

WHEREAS, Applicant, Wal-Mart Stores, Inc., has requested a modification to condition #2 of Resolution Z-170-91 as last modified by Resolution Z-14-93 which were both passed and adopted by the Miami-Dade Board of County Commissioners for the property located at 8651 NW 13 Terrace, City of Doral, Florida; and

WHEREAS, the requested modification only applies to the property; and

WHEREAS, Applicant is also requesting that the City permit a second detached sign of 36 square feet on the subject property; and

WHEREAS, staff has recommended modification of condition #2 regarding approval of the plan with several conditions and has recommended denial of the second detached sign of 36 square feet; and

WHEREAS, upon due and proper consideration having been given to the matter, the City of Doral approves modification of condition #2 of Resolution Z-170-91 with the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Out parcel @ Beacon Centre," as prepared by Angel C. Saqui, FAIA, dated 10/03/03, and consisting of 4 sheets.

3. That the applicant proffers to City a Covenant in Lieu of a Unity of Title and an Easement Operating Agreement in the event of out parcels and multiple ownership within the parent tract.

4. That the use be established and maintained in accordance with the approved plan.

5. That the Applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use and Occupancy.

6. That the Applicant obtain a Certificate of Use and Occupancy from (and promptly renew the same annually with) the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

7. That the Applicant comply with all applicable Department of Environmental Resources Management (DERM), Public Works Department and Fire Department regulations.; and

WHEREAS, the modification of condition #2 of Resolution Z-170-91 as last modified by Resolution Z-14-93 shall now read as follows:

"2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Out parcel @ Beacon Centre,' as prepared by Angel C. Saqui, FAIA, dated 10/03/03, and consisting of 4 sheets, and sign sketches entitled 'Gadinsky Realty,' as prepared by Acolite and Claude United, dated 10/29/03."; and

WHEREAS, Applicant's request to permit a second detached sign of 36 square feet is deferred to March 23, 2005; and

WHEREAS, on March 23, 2005, Applicant's request for a second detached sign shall be considered at a public meeting; and

WHEREAS, a motion to approve the application was offered by Vice Mayor Cabrera, who moved its adoption. The motion was seconded by Councilman Van Name and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	yes
Vice Mayor Peter Cabrera	yes
Councilmember Michael DiPietro	yes
Councilwoman Sandra Ruiz	yes
Councilmember Robert Van Name	yes

PASSED AND ADOPTED this 22nd day of September, 2004.



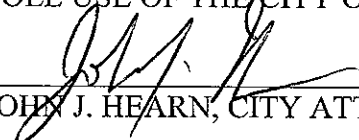
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



SHEILA PAUL, CMC, CITY CLERK

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



JOHN J. HEARN, CITY ATTORNEY