

RESOLUTION Z05-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA APPROVING THE REZONING OF ± .77 ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF NW 87 AVENUE AND NW 29 STREET FROM IU-2 TO BU-IA, SITE PLAN REVIEW AND APPROVAL OF THE DESIGN OF A PROPOSED 13,824 SQUARE FOOT BUILDING; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Avante, Ltd. ("Applicant") has requested approval of a rezoning of ± .77 acres generally located at the southeast corner of NW 87 Avenue and NW 29 Street from IU-2 to BU-IA, site plan review and approval of the design of a proposed 13,824 square foot building; and

WHEREAS, the IU-2 District is designated as Heavy Manufacturing Industrial District; and

WHEREAS, the Applicant is proposing to change the District to a more restrictive and retail oriented use of BU-IA which will be more consistent with the uses on NW 87 Avenue; and

WHEREAS, the BU-IA District allows retail and service convenience facilities which satisfy the essential and frequent needs of the adjacent residential neighborhood as well as the more specialized commercial facilities which may serve several neighborhoods; and

WHEREAS, this property was previously approved as a Development of Regional Impact (DRI) and, on October 12, 2004, Transal Business Park submitted a request to modify the Vested Development Order; and

WHEREAS, the Comprehensive Development Master Plan allows retail uses as long as those uses meet the criteria outlined within the Land Use Element; and

WHEREAS, Applicant seeks to develop this property as a 14,000 square feet retail center and will house a 7,000 square foot golf shop to service the Doral Golf Resort which is located in close proximity; and

WHEREAS, the remaining retail area will be leased to uses which will service the firms and workers in the area; and

WHEREAS, Applicant has proffered a site plan and a Declaration of Restriction limiting the proposed retail use to be in compliance with the limited commercial uses which are permitted in the Comprehensive Master Development Plan for industrial and office designation; and

WHEREAS, after careful review and deliberation, the City Council finds that the proposed request for rezoning from IU-2 to BU-IA, site plan review and approval of the design of a proposed building is in the best interests of the citizens of the City of Doral;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA THAT:

Section 1. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Resolution upon adoption hereof.

Section 2. A rezoning of \pm .77 acres generally located at the southeast corner of NW 87 Avenue and NW 29 Street from IU-2 to BU-IA, site plan review

and the design of a proposed 13,824 square foot building are hereby approved. The site plan approval shall expire in 24 months from the effective date of this Resolution unless a building permit has been issued by that time.

Section 3. This resolution shall become effective upon its passage and adoption by the City Council and is binding on all successors and assigns.

WHEREAS, a motion to approve the Resolution was offered by Vice Mayor Cabrera, who moved its adoption. The motion was seconded by Councilman DiPietro 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 26th day of January, 2005.



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