

**RESOLUTION No. 24-91**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING (I) A VARIANCE FROM SECTION 77-185(A)(1) OF THE CITY'S LAND DEVELOPMENT CODE, TO PERMIT 249 PARKING SPACES OF THE 488 PARKING SPACES LENGTHS OF 18-FEET, IN LIEU OF THE 19-FOOT MINIMUM, AND TO PERMIT 87 PARKING SPACES OF THE 488 PARKING SPACES TO BE COMPACT SPACES OF 16 FEET IN PARKING STALL LENGTH AND EIGHT (8) FEET IN WIDTH, WHICH IS A REDUCTION OF ONE (1) FOOT FROM THE NINE (9) FEET REQUIRED BY THE CODE; (II) A VARIANCE FROM SECTION 77-193(2)(D) AND SECTION 71-213(3) OF THE CITY'S LAND DEVELOPMENT CODE FOR PARKING ROW LANDSCAPE STRIP REDUCTION AT FOUR (4) PARALLEL ROWS OF PARKING STALLS ADJACENT AND PERPENDICULAR TO THE PRIMARY GROCERY BUILDING FROM 7.5 TO 0 FOR THE PROPERTY LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF NW 41 STREET AND NW 107 AVENUE, DORAL, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, to Division 2, of Article X "Variances", of Chapter 53, of the City of Doral ("City") Land Development Code ("LDC"), Doral Marketplace LLC ("Applicant") has applied to the City for approval of several non-use variances (the "Application") for the property located at the southwest corner of the intersection of NW 41st Street and NW 107th Avenue ("Property"), as legally described in Exhibit "A", in furtherance of a proposed project generally referred to as the Doral Marketplace Retail Center; and

**WHEREAS**, the proposed Doral Marketplace Retail Center will be developed as a multitenant retail center on approximately 10.05 acres of the overall 175-acre property known as "Bridge Point Doral Distribution Center," abutting properties that have been built for either industrial or commercial use; and

**WHEREAS**, the proposed Doral Marketplace Retail Center will have approximately 88,562 square feet in floor area among six (6) buildings, with the

proposed major grocery store tenant building consisting of approximately 40,080 square feet in floor area; and

**WHEREAS**, in 2023, the property was rezoned from General Use (GU) to Corridor Commercial (CC) to align the zoning district with the Business land use category; and

**WHEREAS**, in furtherance of the proposed project, the Applicant is seeking approval of two (2) non-use variances:

- I. A variance from City Code Section 77-185(a)(1) (i) for 249 parking spaces of the total 488 parking spaces reduce the parking length of 18-feet, where 19-feet is required.; and (ii) for 87 parking spaces of the total 488 parking spaces to be provided to be “compact vehicle” parking spaces dimensioned as 8-feet in width by 16-feet in length where the City Code requires 9-feet in width by 19-feet in length.
- II. A reduction at four (4) parallel rows of parking stalls adjacent and perpendicular to the primary grocery tenant building, from 7.5-feet to 0-feet, where 7.5-foot landscape strip is required for each parking row pursuant to Section 77-193(2)(d) of the City Land Development Code. The proposed variance eliminates landscape strips within the parking area serving the primary grocery tenant (Major Tenant A) and replaces them with pervious pavers and tree planters (diamonds shape). A variance from City Code Section 77-193(1) of the City’s Land Development Code to eliminate the parking area perimeter landscape buffer width in certain areas and providing for a 5-foot parking area perimeter landscape buffer in in other areas, in lieu of the 7-foot minimum, as shown on the plans submitted.

**WHEREAS**, Section 53-468(b) of the City’s Land Development Code sets forth the criteria that shall apply in all variances; and

**WHEREAS**, on April 24, 2024, at a duly advertised meeting, the City Council held a quasi-judicial hearing, and received testimony and evidence related to the application from the Applicant and other persons, including a review of the City's staff report and the data and analysis contained therein, and determined that the four (4) non-use variances are consistent with the Comprehensive Plan, Land Development Code and Doral Boulevard Master Plan, and approve the Application.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:**

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

**Section 2. Decision.** The Application to permit:

- I. A variance from Section 77-185(a)(1) (i) for 249 parking spaces of the total 488 parking spaces reduce the parking length of 18-feet, where 19-feet is required by Section 77-185(a)(1) of the City's Land Development Code. (ii) for 87 parking spaces of the total 488 parking spaces to be provided to be "compact vehicle" parking spaces of 16 feet in parking stall length, a reduction of three feet from 19 feet required under the City Code, and 8 feet in width, a reduction of one foot from 9 feet required under the City Code is hereby approved subject to the following conditions:
  - a. Add a 4-foot high decorative masonry wall for additional screening for the row of parking next to the grocer building without reducing any of the landscaping fronting Doral Boulevard. The design to be approved by the Planning Department.
  - b. Provide a minimum of ten (10) Electric Vehicle (EV) Charging Stations in the standard 9 feet by 19 feet parking spaces.
  - c. Compact Parking Spaces, dimensioned as 8-feet in width by 16-feet in length, shall be labeled as "COMPACT."

II. A variance from Section 77-193(2)(d) of the City's Land Development Code A reduction at four parallel rows of parking stalls adjacent and perpendicular to the primary grocery tenant building, from 7.5-feet to 0 feet, where 7.5-foot landscape strip is required for each parking row pursuant to Section 77-193(2)(d) of the City Land Development Code. The proposed variance eliminates basically all landscape strips within the parking area serving the primary grocery tenant (Major Tenant A) and replaces them with a limited number of tree planter (diamonds shape),A variance from section 77-193(1) of the City's LDC to eliminate the parking area perimeter landscape buffer width in certain areas, and providing for a 5 foot parking area perimeter landscape buffer in other areas, in lieu of the 7-foot minimum, as shown on the plans submitted. The variance is approved subject to following conditions:

- a. Provide pervious pavers in parking area serving Major Tenant A, as provided for in Exhibit B.
- b. Provide tree diamonds in parking area serving Major Tenant A, where landscape buffer has been eliminated, as provided for in Exhibit B.
- c. Installation of two (2) shade trellises along designated walkways in parking area serving Major Tenant A, as provided for in Exhibit B.

**Section 3. Findings of Fact.** In making the aforementioned decision, and in evaluating the requested variances, the City Council's determination is based upon substantial competent evidence having considered the testimony and evidence in the record presented by all interested parties, including the staff report prepared by the City's planning and zoning department, and further reviewed the following review criteria in Chapter 53, Article X, Section 53-468(b) of the City's Land Development Code to determine the justification for granting of relief from requirements of the development code:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district.
- (2) The special conditions and circumstances are not the result of the actions of the applicant.
- (3) Literal interpretation and enforcement of the development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the development code and would work unnecessary and undue hardship on the applicant.
- (4) The variance, as granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure.
- (5) Granting of the variance request will not confer on the applicant any special privilege that is denied by the development code to other lands, buildings, or structures in the same zoning district.
- (6) The granting of the variance will be in harmony with the general intent and purpose of this Land Development Code and will not be injurious to the surrounding properties or detrimental to the public welfare.

**Section 4. Effective Date.** This Resolution shall become effective upon passage by the City Council.

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

Mayor Christi Fraga	Yes
Vice Mayor Oscar Puig-Corve	Yes
Councilwoman Digna Cabral	Yes
Councilman Rafael Pineyro	Yes
Councilwoman Maureen Porras	Yes

PASSED AND ADOPTED this 24 day of April, 2024.



CHRISTI FRAGA, 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:

By:   
GREENSPOON MARDER, LLP  
INTERIM CITY ATTORNEY

**LEGAL DESCRIPTION**

THAT PORTION OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 30; THENCE SOUTH 01°44'50" EAST, ALONG THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 30, FOR 174.40 FEET; THENCE NORTH 88°15'10" EAST 51.83 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 08°39'38" WEST 42.41 FEET; THENCE SOUTH 03°44'49" EAST 166.36 FEET TO A POINT ON A CIRCULAR CURVE TO THE RIGHT FROM WHICH A RADIAL LINE BEARS NORTH 50°02'26" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 70.00 FEET AND A CENTRAL ANGLE OF 38°41'10", FOR AN ARC DISTANCE OF 47.26 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 600.00 FEET AND A CENTRAL ANGLE OF 11°41'37", FOR AN ARC DISTANCE OF 122.46 FEET TO A POINT OF TANGENCY; THENCE NORTH 89°39'39" WEST 1023.30 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 60.00 FEET AND A CENTRAL ANGLE OF 75°29'15", FOR AN ARC DISTANCE OF 79.05 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 500.00 FEET AND A CENTRAL ANGLE OF 13°45'04", FOR AN ARC DISTANCE OF 120.00 FEET TO A POINT OF TANGENCY; THENCE NORTH 00°25'20" WEST 142.50 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 60.00 FEET AND A CENTRAL ANGLE OF 44°25'29", FOR AN ARC DISTANCE OF 46.52 FEET TO A POINT ON A LINE 55 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST 1/4 OF SECTION 30; THENCE NORTH 89°34'32" EAST ALONG SAID PARALLEL LINE 721.90 FEET; THENCE SOUTH 77°57'21" EAST 32.42 FEET; THENCE NORTH 89°34'32" EAST ALONG A LINE 62 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 30 FOR 396.56 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 190.00 FEET AND A CENTRAL ANGLE OF 07°47'18", FOR AN ARC DISTANCE OF 25.83 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 56.00 FEET AND A CENTRAL ANGLE OF 67°13'19", FOR AN ARC DISTANCE OF 65.70 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 586.00 FEET AND A CENTRAL ANGLE OF 07°04'03", FOR AN ARC DISTANCE OF 72.28 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN THE CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA, AND CONTAINING 437,973 SQUARE FEET (10.0545 ACRES), MORE OR LESS.

Exhibit B  
Site Plan

