

ORDINANCE No. 2019-17

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, REQUESTING AN AMENDMENT TO THE OFFICIAL ZONING MAP OF THE CITY OF DORAL FROM INDUSTRIAL (I) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT FOR A ±23.7 ACRE PARCEL OF LAND LOCATED NORTH OF NW 41 STREET AND BETWEEN NW 79 AVENUE AND STATE ROAD 826, DORAL, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, 7777 Investment, LLC (the “Applicant”) has submitted an application requesting an amendment to the Official Zoning Map of the City of Doral from Industrial (I) District to Planned Unit Development (PUD) for the property located north of NW 41st Street and between NW 79th Avenue and State Road 826/Palmetto Expressway, as legally described in Exhibit A; and

WHEREAS, on February 5, 2019, the City of Doral held a zoning workshop to provide residents and interested stakeholders an opportunity to review the proposed project and provide comments to City Staff; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners on record within five hundred (500) feet, a public hearing was held before the City Council of the City of Doral on June 19, 2019, at which hearing the item was deferred to the August 13, 2019 Council Meeting; and

WHEREAS, the City Council held a public hearing on August 13, 2019, at which hearing all interested persons were afforded an opportunity to be heard and this application for rezoning was approved subject to conditions on First Reading; and

WHEREAS, public hearings have been completed as indicated herein by the City Council in consideration of a request to change the zoning pursuant to Florida Statutes,

and including careful consideration of written and oral comments by members of the public; and

WHEREAS, the City Council finds that the proposed rezoning is consistent with the City's Comprehensive Plan and Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND 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 rezoning of the property totaling ±23.7 acres located north of NW 41st Street between NW 79th Avenue and State Road 826/Palmetto Expressway, Doral, Florida from Industrial (I) District to Planned Unit Development (PUD) is hereby approved, as depicted in "Exhibit B", subject to the following conditions:

- 1.) Two (2) detached monument signs are permitted on the SR 826/Palmetto Expressway ("Palmetto") with maximum height of 30 feet and maximum sign face area of 400 square feet, provided that the gross property line along the Palmetto and adjacent rights of way facing the Palmetto (including roadways and canals) constitute a minimum of 1,000 linear feet. No digital changeable copy, setback a minimum of four (4) feet from the Palmetto, and minimum distance between signs along the Palmetto shall be 400 linear feet. No time/temperature reader. Signs shall not be closer than 100 feet from existing off-premise billboard sign located north of the property.
- 2.) Three (3) detached monument signs are permitted on NW 79th Avenue with maximum height of 22 feet for two (2) signs and 15 feet for the 3rd sign, maximum sign area of 200 square feet for two (2) signs, and one (1) sign with maximum sign area of 140 square feet, maximum of 48 square feet of digital changeable copy on 2 of the 3 signs, setback a minimum of seven (7) feet from the street right-of-

way line, and time/temperature reader on one (1) sign within the digital changeable copy area. Signs must be spaced a minimum of 350 feet apart.

- 3.) Wall signs are permitted up to 2 square feet in sign area for each one (1) linear foot of tenant frontage. Wall signs must be flat or parallel to the wall. No box or opaque signs are permitted.
- 4.) One (1) blade sign is allowed per tenant with maximum size of 10 square feet per sign.
- 5.) Building identification signs are permitted to cover up to 2% of wall area and will contain only the building name and/or number with no reference to tenant or business names. No box or opaque signs are permitted.
- 6.) Directory signs are permitted with maximum sign face area of 50 square feet and shall not exceed 50% of base height.
- 7.) Directional signs are permitted with a maximum sign face area of eight (8) square feet and up to 10 feet in height.
- 8.) In the final signage program prior to building permit issuance, the applicant will specify the number, location, size and height of all proposed signs, subject to City approval.
- 9.) The applicant will provide a minimum of 9.5% of the site in landscaped open space, with an additional 5.5% or more as hardscape of the site covered with porous materials including pavers, tree grates, landscape planters and rain gardens located adjacent to and between the westernmost retail building and NW 79th Avenue (including drive aisle and parking areas). All open space must be concentrated in the NW 79th Avenue frontage to the maximum extent possible.
- 10.) As part of the site plan, the applicant will design a linear art exhibition in the NW 79th Avenue frontage area with structures and trees for shade, seating and public artwork.
- 11.) The applicant shall design and install decorative crosswalks at the NW 41st Street and NW 79th Avenue intersections, subject to City approval.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any

reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Conflicts. All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 5. Effective Date. This Ordinance shall become effective immediately upon adoption.

The foregoing Ordinance was offered by Vice Mayor Mariaca who moved its adoption. The motion was seconded by Councilmember Cabrera 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	Yes
Councilwoman Christi Fraga	Yes

PASSED AND ADOPTED on FIRST READING this 13 day of August, 2019.

PASSED AND ADOPTED on SECOND READING this 28 day of August, 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 A

LEGAL DESCRIPTION:

PARCEL 1:

For a Point of Beginning, commence at the Southwest corner of the East 1/2 of the Southeast 1/4 of Section 22, Township 53 South, Range 40 East; thence run North 1°32'24" West along the West line of said East 1/2 of the Southeast 1/4 of Section 22, a distance of 85 feet to a Point; thence run South 89°37'40" East and parallel with the South line of the Southeast 1/4 of said Section 22 a distance of 400 feet to a Point; thence run North 1°32'24" West and parallel to the West line of the East 1/2 of the Southeast 1/4 of said Section 22, a distance of 861.55 feet to a Point; thence run South 89°51'50" East and parallel to the North line of the Southeast 1/4 of said Section 22 a distance of 822.02 feet to the right-of-way line of the Palmetto Road Expressway as recorded in Plat Book 67 at Page 39 of the Public Records of Dade County, Florida; thence South 1°30'40" East along said right-of-way line a distance of 407.82 feet to a Point; thence continuing along said right-of-way line South 4°11'58" West a distance of 201.00 feet to a point; thence continuing along said right of way line South 45°13'29" West a distance of 481.15 feet to the South line of the Southeast 1/4 of said Section 22; thence along the South line of said Section 22 a distance of 853.67 feet to the Point of Beginning.

LESS AND EXCEPT:

Right of Way Deed to Dade County for Canal Purposes filed under CFN 64R-174653, recorded in Official Records Book 4363, Page 91, described as follows:

The South 45 feet of the Southeast 1/4 of the Southeast 1/4 of Section 22, Township 53 South, Range 40 East, less the right of way for Palmetto Expressway as recorded in Plat Book 67, at Page 39, of the Public Records of Dade County, Florida.

ALSO LESS AND EXCEPT:

Right of Way Deed to Dade County for Highway Purposes recorded in Official Records Book 7261, Page 992 and described as follows:

The West 35 feet of the North 85 feet of the South 130 feet of the East 1/2 of the Southeast 1/4 of Section 22, Township 53 South, Range 40 East, Dade County, Florida.

ALSO LESS AND EXCEPT:

Right of Way Deed to Dade County for Highway Purposes recorded in Official Records Book 15247, Page 2055 and described as follows:

The West 35.00 feet of the East 1/2 of the Southeast 1/4 of Section 22, Township 53 South, Range 40 East, Dade County, Florida, LESS the North 1732 feet thereof AND LESS the South 45 feet thereof AND LESS that portion thereof previously obtained for road purposes.

ALSO LESS AND EXCEPT:

That portion within the Right of Way of Palmetto Expressway (State Road No. 826) according to the Right of Way Monumentation Map recorded in Plat Book 152, Page 65, of the Public Records of Miami-Dade County, Florida.

PARCEL 2:

The East 1/2 of the Southeast 1/4, of Section 22, Township 53 South, Range 40 East, Dade County, Florida, less the North 1732 feet and less the following described property:

For a Point of Beginning, commence at the Southwest corner of the East 1/2 of the Southeast 1/4 of Section 22, Township 53 South, Range 40 East; thence run North 1°29'17" West along the West line of said East 1/2 of the Southeast 1/4 of Section 22, a distance of 85 feet to a Point; thence run South 89°37'40" East and parallel with the South line of the Southeast 1/4 of said Section 22 a distance of 400 feet to a Point; thence run North 1°29'17" West and parallel to the West line of the East 1/2 of the Southeast 1/4 of said Section 22, a distance of 861.55 feet to a Point; thence run North 89°51'50" East and parallel to the North line of the Southeast 1/4 of said Section 22 a distance of 823.49 feet to the right-of-way line of the Palmetto Road Expressway as recorded in Plat Book 67 at Page 39 of the Public Records of Dade County, Florida; thence South 1°30'40" East along said right-of-way line a distance of 411.93 feet to a Point; thence continuing along said right-of-way line South 4°11'58" West a distance of 201.00 feet to a point; thence continuing along said right of way line South 45°13'29" West a distance of 481.15 feet to the South line of the Southeast 1/4 of said Section 22; thence along the South line of said Section 22 a distance of 853.67 feet to the Point of Beginning.

LESS AND EXCEPT:

Right of Way Deed to Dade County for Highway Purposes recorded in Official Records Book 7261, Page 992 and described as follows:

The West 35 feet of the North 85 feet of the South 130 feet of the East 1/2 of the Southeast 1/4 of Section 22, Township 53 South, Range 40 East, Dade County, Florida.

ALSO LESS AND EXCEPT:

Right of Way Deed to Dade County for Highway Purposes recorded in Official Records Book 15247, Page 2055 and described as follows:

The West 35.00 feet of the East 1/2 of the Southeast 1/4 of Section 22, Township 53 South, Range 40 East, Dade County, Florida, LESS the North 1732 feet thereof AND LESS the South 45 feet thereof AND LESS that portion thereof previously obtained for road purposes.

PARCELS 1 AND 2 BEING ALSO KNOWN AS:

The East 1/2 of the Southeast 1/4, of Section 22, Township 53 South, Range 40 East, Miami-Dade County, Florida, less the North 1732 feet thereof;

LESS AND EXCEPT:

That portion of the East 1/2 of the Southeast 1/4, of Section 22, Township 53 South, Range 40 East, lying within the limited access right of way for State Road 826 (Palmetto Road Expressway) and within the canal right of way, as both are shown on the RIGHT OF WAY MAP, recorded in Plat Book 67, at Page 39, of the Public Records of Miami-Dade County, Florida;

ALSO LESS AND EXCEPT:

Right of Way Deed to Dade County for Canal Purposes filed recorded in Official Records Book 4363, Page 91, described as follows:

The South 45 feet of the Southeast 1/4 of the Southeast 1/4 of Section 22, Township 53 South, Range 40 East, less the right of way for Palmetto Expressway as recorded in Plat Book 67, at Page 39, of the Public Records of Miami-Dade County, Florida.

ALSO LESS AND EXCEPT:

Right of Way Deed to Dade County for Highway Purposes recorded in Official Records Book 7261, Page 992 and described as follows:

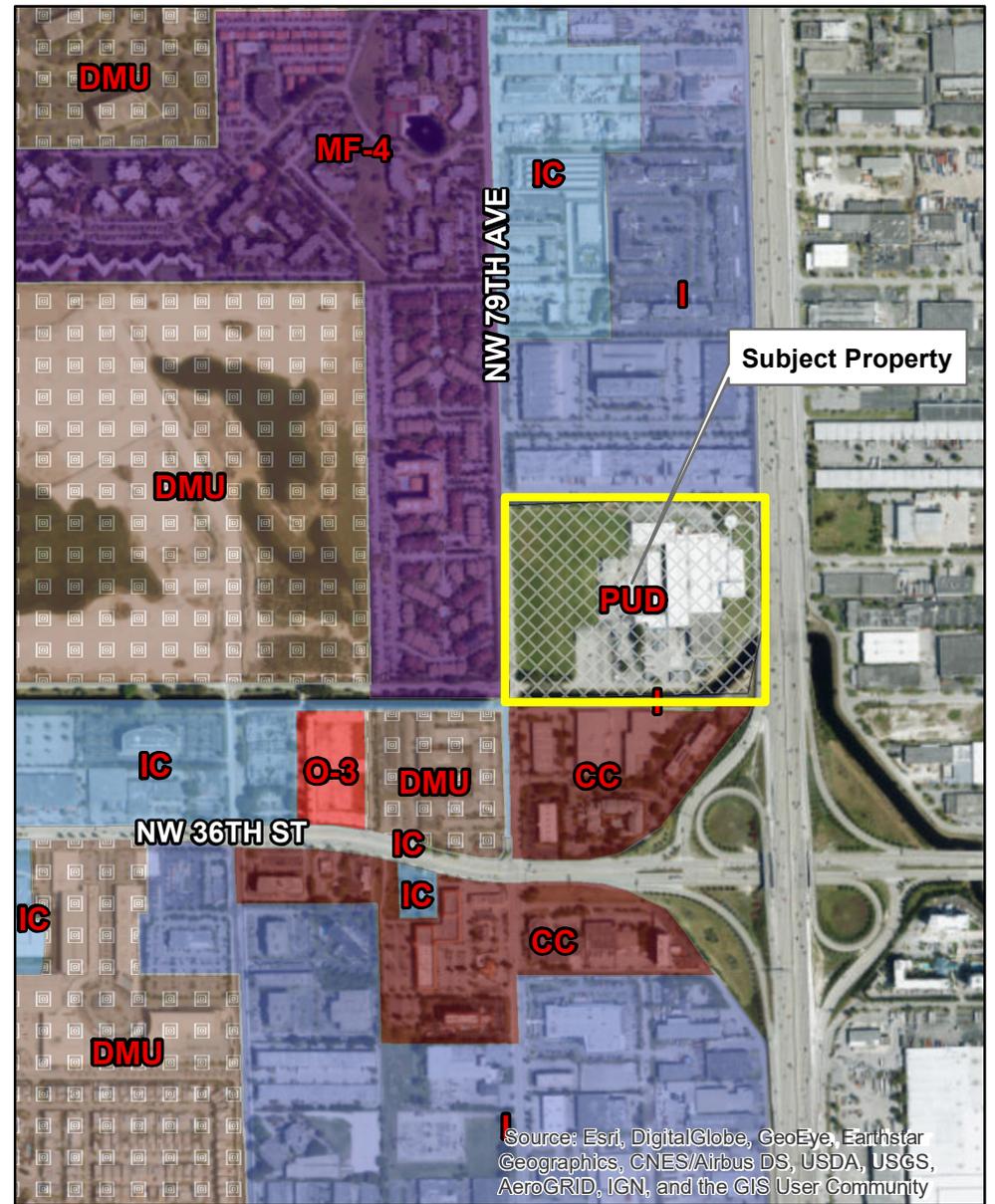
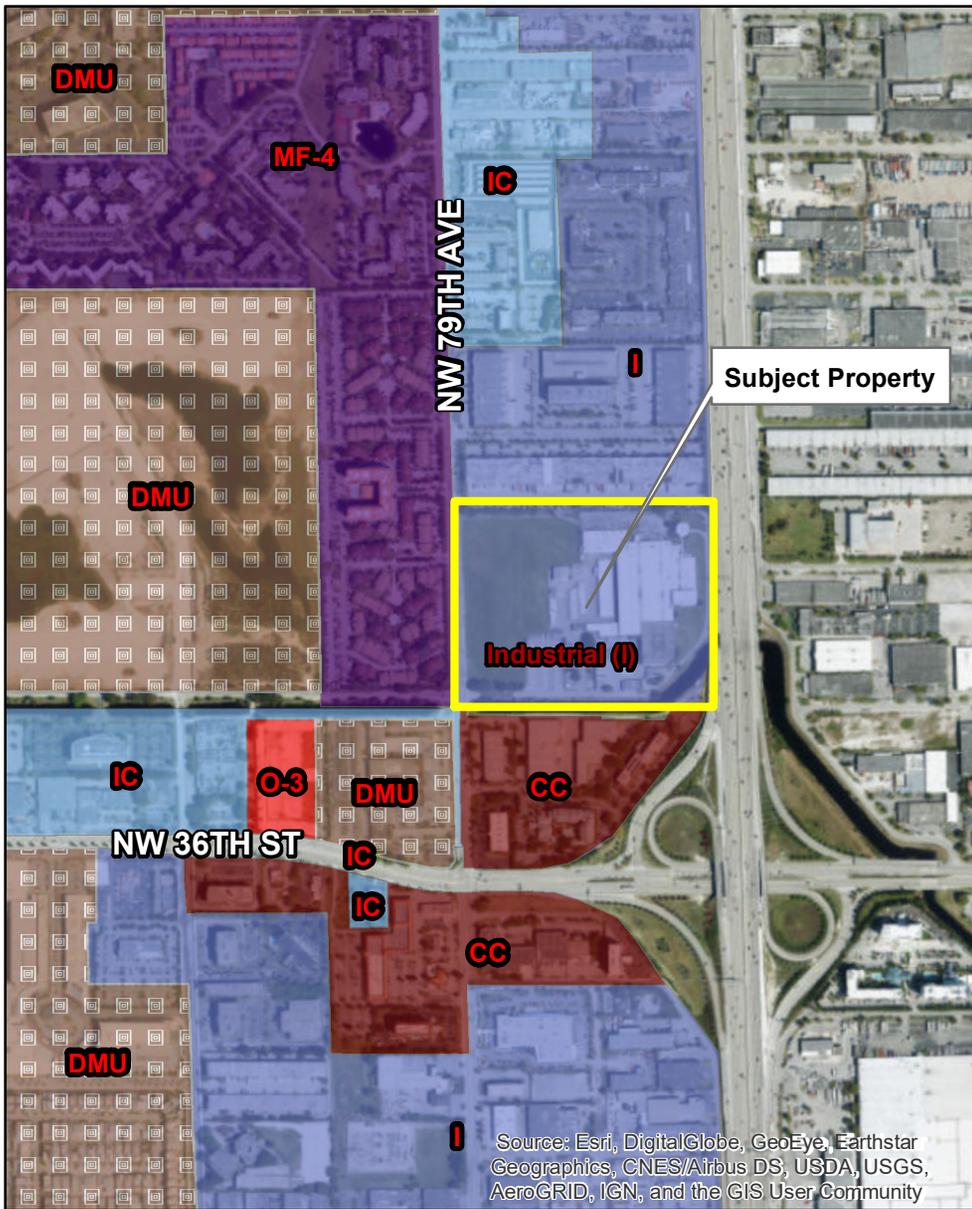
The West 35 feet of the North 85 feet of the South 130 feet of the East 1/2 of the Southeast 1/4 of Section 22, Township 53 South, Range 40 East, Miami-Dade County, Florida.

ALSO LESS AND EXCEPT:

Right of Way Deed to Dade County for Highway Purposes recorded in Official Records Book 15247, Page 2055 and described as follows:

The West 35.00 feet of the East 1/2 of the Southeast 1/4 of Section 22, Township 53 South, Range 40 East, Dade County, Florida, LESS the North 1732 feet thereof AND LESS the South 45 feet thereof AND LESS that portion thereof previously obtained for road purposes.

EXHIBIT “B”



Legend

- Multi Family 4 (MF-4)
- Office 3 (O-3)
- Downtown Mixed Use (DMU)
- Planned Unit Development (PUD)
- Corridor Commercial (CC)
- Industrial Commercial (IC)
- Industrial (I)

Current Zoning

City of Doral



Planning & Zoning Department
Zoning Map

Proposed Zoning

