

RESOLUTION No. 22-63

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A SPECIAL EXCEPTION FOR ABC LIQUORS, INC. TO PERMIT A PACKAGE STORE WITHIN 2,500 FEET FROM PLACES OF WORSHIP, FOR THE PROPERTY LOCATED AT 8050 NW 36 STREET, DORAL, FLORIDA, PURSUANT TO SECTION 74-184 OF THE CITY'S LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 74-193 of the City of Doral Land Development Code (the "City's Code") requires vendors of alcoholic beverages to comply with distance restriction of 2,500 feet from education facilities, places of worship, and similar uses, unless otherwise approved as a special exception; and

WHEREAS, ABC Liquors, Inc. (the "Applicant") is requesting approval of a special exception to permit an ABC Fine Wine & Spirits package store within 2,500 feet from existing places of worship pursuant to Section 74-184 of the City's Code; and

WHEREAS, the City of Doral held a zoning workshop on March 10, 2022, at which meeting the public was afforded an opportunity to examine the application and provide feedback; and

WHEREAS, City staff finds that the special exception complies with the requirements and standards of the City's Code; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within 500-foot radius; and

WHEREAS, the City Council held a public hearing on April 27, 2022, at which hearing all interested persons were afforded an opportunity to be heard; and

WHEREAS, upon due and proper consideration given to this request, the Mayor and the City Council of the City of Doral find the adoption of this Resolution is in the best interest of the health, safety and welfare of the residents of the City of Doral.

NOW, THEREFORE, BE IT RESOLVED BY 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 as part hereof by this reference.

Section 2. Approval. The Mayor and the City Council of the City of Doral hereby approve the special exception request by the Applicant to permit a package store within 2,500 feet from places of worship for ABC Fine Wine & Spirits located at 8050 NW 36 Street, Doral, FL 33166, as legally described in "Exhibit A," subject to the following conditions:

- 1) The Applicant shall obtain site plan approval in accordance with the requirements of the City's Land Development Code.
- 2) The Applicant shall comply with the requirements of all applicable departments and agencies as part of the City of Doral building permit process.
- 3) The hours of operation for ABC Fine Wine & Spirits package store shall be limited from 7:00 a.m. to 1:00 a.m., the following day.
- 4) The Applicant shall comply with noise regulations set forth in Chapter 26, Article V, of the City's Land Development Code.

- 5) Consumption of wine, beer and spirits on premises shall be restricted to classes and in-store tastings within the building.
- 6) The business shall be subject to an inspection by the City Manager or his/her designee for the purpose of determining that the sales of wine, beer and spirits are in compliance with code requirements and conditions.
- 7) Failure to comply with the conditions herein shall result in the revocation of the special exception.

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

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Digna Cabral	Absent/Excused
Councilman Pete Cabrera	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED this 27 day of April, 2022.



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”

LEGAL DESCRIPTION

Copied from
ALTA/NPS LAND TITLE SURVEY (dated 6/2/2021)
by
HADONNE, Land Surveyors & Mappers
(Abraham Hadad, PSM)

Description:

That portions of the West $\frac{1}{2}$ of the Tract 14, "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", in Section 27, Township 53 South, Range 40 East, Miami Dade County, Florida, according to the Plat thereof, as recorded in Plat Book 2, at Page 17, of the Public Records of Miami-Dade County, Florida, lying South of Northwest 36 Street Extension Right-of-Way, and lying East of a line 353.16 feet East of and parallel with the West line of the Northeast $\frac{1}{4}$ of Section 27.