

RESOLUTION NO. 24-201

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING THE SEVENTH AMENDMENT TO THE SECTION 8 SETTLEMENT AGREEMENT BETWEEN DELCOP GROUP, LLC, AND THE CITY OF DORAL; PROVIDING FOR RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a Settlement Agreement dated June 12, 2005, was entered into by the City of Doral and Atlas Developers Property I, LLC and Atlas II, LLC, the then owners of a ±465 acre parcel of land located in Section 8, Township 53 South, Range 40 East (the "Property") in the City of Doral (the "City") to address concerns of the City with respect to the development of the land; and

WHEREAS, the Settlement Agreement was subsequently amended by that certain Amendment to Settlement Agreement, approved by the City on February 12, 2007, pursuant to Resolution No. 07-06, that certain Second Amendment to Settlement Agreement approved by the City on January 23, 2008, pursuant to Resolution No. Z08-03, that certain Third Amendment approved by the City on May 28, 2014, pursuant to Resolution No. 14-78, that certain Fourth Amendment to Settlement Agreement approved by the City on October 21, 2015, pursuant to Resolution No. 15-209, and that certain Fifth Amendment to the Settlement Agreement approved by the City on October 27, 2021, pursuant to Resolution No. 21-248 (collectively, the "Agreement"); and

WHEREAS, the Settlement Agreement was entered into by the parties to assure the City of the performance of certain obligations and the commitment of certain restrictions on the Property, including infrastructure improvements and maximum dwelling units within approximately 346 acres referred to as the "Section 8 Residential Lands", as a settlement to litigation proceedings between the parties; and

WHEREAS, over time the Property has been divided into smaller parcels and conveyed to various owners; and

WHEREAS, the Midtown Doral Planned Unit Development (PUD) was approved by the Mayor and City Council on December 3, 2014, encompassing 1,548 dwelling units, 300,000 square feet of gross leasable area of commercial use, 75,000 square feet of net leasable area of office use, and a 47,000 square foot clubhouse; and

WHEREAS, on February 12, 2020, the Mayor and City Council approved a modification to the Master Development Agreement and Pattern Book for Midtown Doral pursuant to Ordinance No. 2019-29, to allow the development of the unbuilt parcels in respective individual phases (the “Modified Project Phases”) including, “Modified Phase II,” “Modified Phase III,” “Modified Phase IV,” “Modified Phase V,” and “Modified Phase VI”;

WHEREAS, the Second Modification of Master Development Agreement was approved by the Mayor and City Council on December 8, 2021, to allow an increase from 505 dwelling units to 675 dwelling units and an increase of 4,650 square feet of gross leasable area of commercial use for Midtown Doral PUD Phase II; and

WHEREAS, the Third Modification to the Master Development Agreement and a modification to the Pattern Book for Midtown Doral PUD Phase II via Ordinance No. 2023-13, was approved by the Mayor and City Council on May 24, 2023 to modify the development program to allow an additional 59 dwelling units and an increase of 11,052 square feet of clubhouse space, and a reduction of 31,936 square feet of gross leasable area of commercial use; and

WHEREAS, the current development entitlements for Midtown Doral PUD Phases IV, V, & VI comprises of 253 multifamily units, 96,875 square feet of gross leasable area of commercial use and a 75,000 square feet of net leasable area of office use; and

WHEREAS, the Applicant is requesting a modification to the Midtown Doral PUD Phases IV, V, & VI to allow an increase of 299 dwelling units, a reduction of 74,135 square feet of gross leasable area of commercial use, and a removal of 75,000 square feet of net leasable area of office use.

WHEREAS, after careful review and deliberation hereby find it to be in the best interest of its residents to approve the Seventh Amendment to the Settlement Agreement between Delcop Group, LLC, and the City of Doral.

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 as part hereof by this reference.

Section 2. Approval. The City Council of the City of Doral hereby approves the Seventh Amendment to the Settlement Agreement, attached hereto and incorporated herein as "Exhibit A."

Section 3. Recordation. This Resolution and the Seventh Amendment to Settlement Agreement (Exhibit "A") shall be recorded in the public records of Miami-Dade County, Florida, with the Applicant to pay the cost thereof.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

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


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| 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 14 day of August, 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:



LORENZO COBIELLA
GASTESI, LOPEZ & MESTRE, PLLC
CITY ATTORNEY