



CITY OF DORAL NOTICE OF PUBLIC HEARING TO CONSIDER A SMALL-SCALE DEVELOPMENT AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN FUTURE LAND USE MAP

All residents, property owners and other interested parties are hereby notified of a **Council Hearing** on **Wednesday, May 10, 2017, beginning at 6:00 PM**, to consider the following Small-Scale Development Amendment to the City's Comprehensive Plan Future Land Use Map. The City Council will consider this item for **FIRST READING**. This meeting will be held at the **City of Doral, Government Center, Council Chambers located at 8401 NW 53rd Terrace, Doral, Florida, 33166**. The proposed Small-Scale Development Amendment applies to the property shown on the map below.

The City of Doral proposes to adopt the following Ordinance:

ORDINANCE No. 2017-02

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING/DENYING A SMALL-SCALE DEVELOPMENT AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN FUTURE LAND USE MAP FROM BUSINESS (B) AND OFFICE RESIDENTIAL (OR) TO HIGH DENSITY RESIDENTIAL (HDR) FOR 10.0± ACRES GENERALLY LOCATED BETWEEN NW 107th AVENUE AND NW 109th AVENUE AND NORTH OF NW 41 STREET, CITY OF DORAL, FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE

HEARING NO.: 17-01-DOR-05

APPLICANT: CC Doral II, LLC

PROJECT NAME: Doral 4200

LOCATION: Between NW 107th Avenue and NW 109th Avenue and north of NW 41st Street, Doral, Florida 33178.

FOLIO NUMBERS: 35-3019-001-0500

SIZE OF PROPERTY: 10.0± Acres

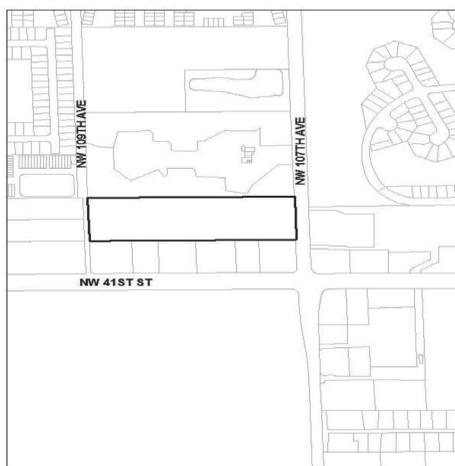
PRESENT LAND USE: Business and Office Residential

PRESENT ZONING: General Use

REQUEST: CC Doral II, LLC is requesting a Small Scale Development Amendment to the City's Comprehensive Plan to modify the Future Land Use Map from Business (B) and Office Residential (OR) to High Density Residential (HDR) for the property generally located between NW 107th Avenue and NW 109th Avenue and north of NW 41st Street.

LEGAL DESCRIPTION: Tract 55 of "Florida Fruit Lands Company's Subdivision No.1" according to the plat hereof as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida, lying in the Southeast ¼ of Section 19, Township 53 South, Range 40 East, City of Doral, Miami-Dade County, Florida.

Location Map



Information relating the subject application is on file and may be examined in the City of Doral, Planning and Zoning Department Located at **8401 NW 53rd Terrace, Doral, FL. 33166**. All persons are invited to appear at this meeting or be represented by an agent, or to express their views in writing addressed to the City Clerk, **8401 NW 53rd Terrace, Doral, FL. 33166**. Maps and other data pertaining to these applications are available for public inspection during normal business hours in City Hall. Any persons wishing to speak at a public hearing should register with the City Clerk prior to that item being heard. Inquiries regarding the item may be directed to the Planning and Zoning Department at 305-59-DORAL.

Pursuant to Section 286.0105, Florida Statutes If a person decides to appeal any decisions made by the City Council with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Planning and Zoning Department at 305-59-DORAL no later than three (3) business days prior to the proceeding.

NOTE: If you are not able to communicate, or are not comfortable expressing yourself, in the English language, it is your responsibility to bring with you an English-speaking interpreter when conducting business at the City of Doral during the zoning application process up to, and including, appearance at a hearing. This person may be a friend, relative or someone else. A minor cannot serve as a valid interpreter. The City of Doral DOES NOT provide interpretation services during the zoning application process or during any quasi-judicial proceeding.

NOTA: Si usted no está en capacidad de comunicarse, o no se siente cómodo al expresarse en inglés, es de su responsabilidad traer un intérprete del idioma inglés cuando trate asuntos públicos o de negocios con la Ciudad de Doral durante el proceso de solicitudes de zonificación, incluyendo su comparecencia a una audiencia. Esta persona puede ser un amigo, familiar o alguien que le haga la traducción durante su comparecencia a la audiencia. Un menor de edad no puede ser intérprete. La Ciudad de Doral NO suministra servicio de traducción durante ningún procedimiento durante el proceso de solicitudes de zonificación.

Connie Diaz, CMC

City Clerk

City of Doral

4/18

17-89/000216055M

FROM THE COURTS



MIKE SCARCELLA

When the U.S. Department of Justice introduced the program, it said it would provide prosecutors and corporations with a clearer understanding of what the government offers a company that voluntarily discloses its wrongdoing.

DOJ's FCPA Pilot Program Wins White-Collar Praise, to a Point

by Sue Reisinger

Weighing the risks of self-reporting a bribery violation, or hiding it, has always been a thorny issue for companies.

And that's the dilemma at the heart of the U.S. Justice Department's pilot program for violations of the Foreign Corrupt Practices Act. While the one-year program has made companies a little more trusting of prosecutors, the decision to self-report a foreign bribe is no less gut wrenching, according to FCPA lawyers.

The Justice Department is mulling whether to continue the pilot program or to modify it. Most lawyers who have participated in the program said it should be continued, but with more clarity for companies.

DOJ introduced the program in April 2016, saying it would provide prosecutors and corporations a clearer understanding of what the government offers a company that voluntarily discloses its wrongdoing, fully cooperates with an investigation and institutes remedial compliance measures.

The top prize is a letter from DOJ saying it is declining to prosecute the crime.

Earlier this month, Kenneth Blanco, acting assistant attorney general for the DOJ Criminal Division, told participants at the ABA National Institute on White Collar Crime that the department would extend the program to evaluate how well it worked, and whether it should be modified.

To assess the program, this publication talked with three FCPA defense attorneys, one prosecuting attorney and an in-house counsel who each took part in pilot program cases this past year. Except for the in-house counsel, none of the participants would discuss the specific case they worked on. The Justice Department declined to comment for this story.

The attorneys unanimously supported continuing the program, although several defense lawyers argued that certain changes would give companies even more clarity as they confront questions about whether to disclose misconduct to prosecutors.

The pilot program's guidance "does help to create some parameters," said Jay Holtmeier, who co-leads the FCPA and anti-corruption group in the New York office of Wilmer Cutler Pickering Hale and Dorr. "But the biggest question—whether the Justice Department will decline or not—really is not defined in the program."

That means a company could voluntarily disclose its violation, and DOJ could still decide to prosecute it, he said.

Holtmeier represented Johnson Controls Inc. (now Johnson Controls International), which was one of five companies that received a declination letter last year, according to the DOJ pilot program's website.

"I think the department in good faith has tried to articulate factors that are more measurable and transparent than previously," said Holtmeier, a former federal prosecutor in Manhattan. But he said some factors still need to be fine-tuned, such as knowing how much discount the company will receive off the penalty range, or how a disgorgement amount is decided.

Greater transparency and a higher level of certainty also were recommendations from Patrick Pericak, now senior managing director with business advisor FTI Consulting in Washington. Pericak is a former DOJ lawyer who was involved in the first pilot program case—the department declined prosecution against Nortek Inc., a Providence company that manufactures building products.

"I think the department is reluctant to lock itself in too much," Pericak said. "And companies will never be in a position to have 100 percent certainty. But I think there will be greater certainty as time goes on, if the program is continued."

Facing off against Pericak in the Nortek case was Luke Cadigan, a Cooley partner in Boston who formerly worked at K&L Gates. "A lot of people are calling for more clarity," Cadigan said. "But I think over time as you have more resolutions [DOJ] will start to make clear what circumstances will lead to what resolutions. More cases will bring more clarity."

Contact Sue Reisinger at sreisinger@alm.com. On Twitter: @suereisinger.