

RESOLUTION Z10-06

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA AUTHORIZING AND APPROVING A SITE PLAN MODIFICATION, A MODIFICATION OF CONDITION #2 OF RESOLUTION Z-14-93 TO INCORPORATE SAID SITE PLAN, AND A MODIFICATION TO THE DECLARATION OF RESTRICTIONS AS IT PERTAINS TO DENSITY LIMITATIONS FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF NORTHWEST 87TH AVENUE AND NORTHWEST 13TH TERRACE, DORAL, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Kimley-Horn and Associates, Inc., ("Applicant") representing Wal-Mart Stores East, LP, has requested approval of a Site Plan Modification for Wal-Mart Store #2091-05 as depicted on the attached site plan, a Modification of Condition #2 of Resolution Z-14-93 to incorporate said site plan and a Modification to the Declaration of Restrictions Recorded in Official Records Book 15256-1568, Pages, 1-8 pertaining to outdated density limitations contained in Paragraph 2 ("Exhibit "A"), for the subject property which is generally located on the SE corner of NW 87th Avenue and NW 13th Terrace, Doral, Florida; and

WHEREAS, on September 8th, 2010 the City Council held a public hearing and after careful review and deliberation, including a review of staff's recommendation, determined that it is in the best interests of the citizens of the City of Doral to approve the above referenced requests; subject to the conditions set forth below;

1 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF**
2 **THE CITY OF DORAL, FLORIDA THAT:**

3 **Section 1.** Subject to the conditions outlined below, the City Council
4 of the City of Doral hereby approves Applicant's request for approval of a site
5 plan modification for the property generally located on the SE corner of NW
6 87th Avenue and NW 13th Terrace Doral, Florida.

7 **Section 2.** Subject to the conditions outlined below, the City Council of
8 the City of Doral hereby approves the modification of Condition #2 of
9 Resolution Z-14-93 as outlined below:

10 ***From:*** "2. That in the approval of the plan, the same be substantially in
11 accordance with that submitted for the hearing entitled 'The Plaza at Beacon
12 Center,' as prepared by Post, Buckley, Schuh and Jernigan, Inc., dated last
13 revised 12-18-92, consisting of 4 pages; floor and elevation plans prepared by
14 Alfonso Architects, dated 7-28-92, consisting of 2 pages for a total of 6 pages.

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16 ***To:*** "2. That in the approval of the plan, the same be substantially in
17 accordance with that submitted for the hearing entitled 'Walmart Supercenter
18 #2091-05' as prepared by Kimley-Horn and Associates, Inc., date last revised,
19 4-21-2010 (cover sheets) 7-29-10 (site plan), 7-30-10 (landscape plans) and
20 floor and elevation plans prepared by BRR Architecture, dated 9-01-
21 10 (architectural plans) for a total of 19 pages.

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23 **Section 3.** Subject to the conditions outlined below, the City Council of
24 the City of Doral hereby approves the modification to existing Declaration of
25 Restrictions Declaration of Restrictions Recorded in Official Records Book
26 15256-1568 to eliminate the square footage restriction contained in paragraph
27 2 ("Exhibit "A");

1 **Section 4.** The above listed approvals are subject to the following
2 conditions:

- 3 1. The traffic signal proposed for the intermediate driveway (located
4 adjacent to the SW corner of the bldg.) will be a site plan requirement.
5 Alternatively, the subject driveway shall be modified to allow right-
6 in/right-out movements only. Additionally, a raised median section
7 should be constructed in the "middle lane" of NW 87 Avenue to allow left
8 turns in while "forcing" right turns out (for both the Wal-mart and the
9 commercial restaurant property across the street). The additional left
10 turn exit lane at NW 13 Terrace should accommodate the increased flow
11 to southbound NW 87 Avenue.
- 12 2. Based on the current conditions and the associated disruption in safe
13 traffic flow, the Public Works Department strongly recommends the
14 closing the "Hooter's" restaurant driveway closest to NW 87 Avenue on
15 NW 13 Terrace, especially considering the larger traffic volumes
16 anticipated exiting the site, and the removal of the traffic separator
17 currently prohibiting left turns into the subject driveway.
- 18 3. Due to the proposed traffic lane improvements at the NW 87
19 Avenue/NW 13 Terrace intersection, it is anticipated that traffic flow
20 along NW 13 Terrace should also improve. Regarding Public Works'
21 request to re-evaluate NW 13 Terrace to improve internal flow, it has

1 been determined that the existing conditions (including medians) should
2 remain.

3 4. That all conditions outlined in the previous Covenant, a copy of which is
4 attached hereto, remain in full force and effect unless herein modified.

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6 **Section 5.** This Resolution shall be recorded in the Public Records of
7 Miami-Dade County, Florida and the Applicant shall pay the costs of
8 recording said document.

9 **Section 6.** This Resolution shall take effect immediately upon adoption.

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The foregoing resolution was offered by Councilman DiPietro who moved its adoption. The motion was seconded by Vice Mayor Van Name and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Robert Van Name	Yes
Councilman Pete Cabrera	Yes
Councilwoman Sandra Ruiz	Yes
Councilman Michael DiPietro	Yes


PASSED and ADOPTED this 8th day of September 2010.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:


BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


JIMMY MORALES, ESQ., CITY ATTORNEY