

**RESOLUTION NO. 13-131**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A SITE PLAN MODIFICATION TO THE LANDMARK AT DORAL SITE PLAN APPROVED PURSUANT TO CITY OF DORAL RESOLUTION Z05-39, A VARIANCE FROM SECTION 68-506(1)a OF THE LAND DEVELOPMENT CODE TO ALLOW ZERO PERCENT (0%) RESIDENTIAL IN THE SHOPFRONT USE CATEGORY IN LIEU OF THE MINIMUM TWENTY-FIVE PERCENT (25%) RESIDENTIAL, A VARIANCE FROM SECTION 68-507(3)(I) OF THE LAND DEVELOPMENT CODE TO PERMIT A HEIGHT OF 75- FEET IN LIEU OF A MAXIMUM HEIGHT OF 35-FEET IN THE ROWHOUSE USE CATEGORY, AND A MODIFICATION TO THE SECOND AMENDED AND RESTATED DECLARATION OF RESTRICTIONS RECORDED IN MIAMI-DADE COUNTY OFFICIAL RECORDS, BOOK 28578, PAGE 2545, FOR THE PROPERTY GENERALLY LOCATED EAST OF NW 107TH AVENUE BETWEEN NW 58<sup>TH</sup> STREET AND THEORETICAL NW 62<sup>ND</sup> STREET, PROVIDING FOR RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Landmark at Doral Holdings, LLC, owner (the “Developer”), has requested a site plan modification to the Landmark at Doral site plan; a variance from Section 68-506(1)(a) of the Land Development Code (“LDC”) to allow zero percent (0%) residential in the shopfront use category in lieu of the minimum twenty-five percent (25%) residential; a variance from Section 68-507(3)(i) of the LDC to permit a height of 75-feet in lieu of a maximum height of 35-feet in the rowhouse use category; and a modification to the existing Declaration of Restrictive Covenants recorded in Miami-Dade County Official Records Book 28578, Page 2545, to incorporate the modified site plan for the property generally located East of NW 107<sup>th</sup> Avenue between NW 58<sup>th</sup> Street and theoretical NW 62 Street, Doral, Florida; and

**WHEREAS**, City of Doral Resolution Z05-39 approved the site plan for Landmark at Doral Traditional Neighborhood Development; and

**WHEREAS**, the modification will increase the number of dwelling units by 327 to a total of 631 and decrease commercial uses from 168,883 square feet to 60,000 square feet; and

**WHEREAS**, on November 27, 2013, the City Council held a public hearing and after careful review and deliberation, including a review of staff's report and recommendation and the evidence presented at the hearing, determined the application is consistent with the City's Comprehensive Plan and Land Development Regulations.

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

**Section 1. Recitals.** The above recitals are true, correct, and incorporated herein by this reference.

**Section 2. Approval.** The City Council of the City of Doral hereby approves the (1) site plan modification (Exhibit "A"); (2) variance from Section 68-506(1)(a) of the LDC to allow zero percent (0%) residential in the shopfront use category in lieu of the minimum twenty-five percent (25%) percent; (3) variance from Section 68-507(3)(i) of the LDC to permit a height of 75-feet in lieu of a maximum height of 35-feet in the rowhouse use category; and (4) a modification to the existing Declaration of Restrictive Covenants recorded in Miami-Dade County Official Records Book 28578, Page 2545, to incorporate the modified site plan for the property generally located East of NW 107<sup>th</sup> Avenue between NW 58th Street and theoretical NW 62 Street, Doral, Florida; subject to the Developer's compliance with the following conditions:

1. All commercial deliveries shall be between the hours 7:00 am and 9:00 pm.
2. Section 12 of the Declarations of Restrictions be amended to provide the City the first right of refusal pertaining to the conveyance of the library site.

**Section 3. Recordation.** This Resolution shall be recorded in the Public Records of Dade County, Florida, with the Applicant to pay the costs thereof.

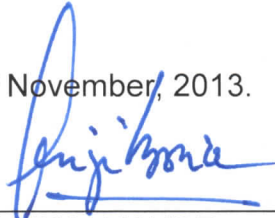
**Section 4. Effective Date.** This resolution shall become effective upon its passage and adoption by the City Council.

The foregoing resolution was offered by Councilmember Rodriguez-Aguilera, who moved its adoption. The motion was seconded by Councilmember Rodriguez and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Christi Fraga	Yes
Councilwoman Ana-Maria Rodriguez	Yes
Councilwoman Bettina Rodriguez Aguilera	Yes
Councilwoman Sandra Ruiz	Yes

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

PASSED AND ADOPTED this 27<sup>th</sup> day of November, 2013.



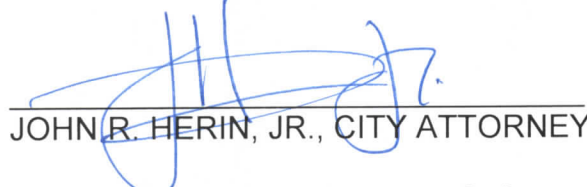
\_\_\_\_\_  
LUIGI BORIA, MAYOR

ATTEST:



\_\_\_\_\_  
BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



\_\_\_\_\_  
JOHN R. HERIN, JR., CITY ATTORNEY

This Resolution/Development Order was filed in the Office of the City Clerk of this  
16 day of December, 2013.



\_\_\_\_\_  
Barbara Herrera, City Clerk