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**RESOLUTION Z05-11**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA APPROVING THE REZONING OF ± 5 ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF NW 117 AVENUE AND NW 82 STREET FROM GU TO RU-3M WITH RU-TH USES; APPROVING THE SITE PLAN WITH ELEVATIONS FOR THE DEVELOPMENT OF 40 TOWNHOME UNITS; PROVIDING FOR AN EFFECTIVE DATE**

12 WHEREAS, Sika Investments, LLC ("Applicant") has requested approval of a  
13 rezoning of ± 5 acres generally located at the southeast corner of NW 117 Avenue and  
14 NW 82 Street from GU (General Use) to RU-3M (Minimum Apartment House  
15 District) with RU-TH uses; and

16 WHEREAS, on March 23, 2005, the City Council held a quasi-judicial hearing  
17 and received testimony and evidence related to the Application from the Applicant and  
18 other persons and found as follows:

19 1. Applicant has also requested approval of a Site Plan with elevations for  
20 the development of 40 townhome units;

21 2. The current zoning on the property was intended to be used as an  
22 interim district which typically governs lands that were not given a specific zoning  
23 designation;

24 3. The overall proposed design is consistent with the remainder of the  
25 present and future proposed developments within Section 7;

26 4. Reducing the townhouse units to 38 units would allow open/park space  
on the northwest side of the project; and

1           WHEREAS, after careful review and deliberation, the City Council finds that  
2 the proposed request for rezoning from GU to RU-3M with RU-TH uses, and a site  
3 plan with elevations for the development of 38 townhome units is in the best interests  
4 of the citizens of the City of Doral;

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

7           **Section 1.** The foregoing “WHEREAS” clauses are hereby ratified and  
8 confirmed as being true and correct and are hereby made a part of this Resolution upon  
9 adoption hereof.

10           **Section 2.** A rezoning of  $\pm$  5 acres generally located at the southeast corner  
11 of NW 117 Avenue and NW 82 Street from GU to RU-3M with RU-TH uses is hereby  
12 approved.

13           **Section 3.** A Site Plan with elevations for the development of 38 townhome  
14 units is hereby approved, subject to the following:

15       1. The Site Plan prepared by Pascual Perez Kiliddjian & Associates, sheets SP-1,  
16 L-1, A-1 through A-11, dated 2-21-05, must be amended to show 38 units and  
17 open/park space on the northwest side of the project. In addition, Applicant will seek  
18 approval to have the adjacent right-of-way dedicated as open/park space. The amended  
19 Site Plan must come back to the Council for approval.

20       2. The maximum allowable number of units to be built shall be 38 units.

21           **Section 4.** This Resolution shall be recorded in the Public Records of  
22 Miami-Dade County and the Applicant shall pay the cost of recording the document.

1           **Section 5.**     This resolution shall become effective upon its passage and  
2 adoption by the City Council and is binding on all successors and assigns.

3           WHEREAS, a motion to approve the Resolution was offered by Vice Mayor  
4 Cabrera, who moved its adoption. The motion was seconded by Councilman Van-  
5 Name and upon being put to a vote, the vote was as follows:

6	Mayor Juan Carlos Bermudez	<u>yes</u>
7	Vice Mayor Peter Cabrera	<u>yes</u>
8	Councilmember Michael DiPietro	<u>yes</u>
9	Councilwoman Sandra Ruiz	<u>yes</u>
10	Councilmember Robert Van Name	<u>yes</u>

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12           PASSED AND ADOPTED this 23 day of March, 2005.

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Juan Carlos Bermudez  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

Mercy Arce for Sheila Paul  
SHEILA PAUL, CITY CLERK

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

John J. Hearn  
JOHN J. HEARN, CITY ATTORNEY