



CITY OF DORAL COUNCIL MEETING MEMORANDUM

ITEM TITLE:

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING/DENYING A MODIFICATION TO THE MIDTOWN DORAL PLANNED UNIT DEVELOPMENT (PUD) MASTER DEVELOPMENT AGREEMENT TO PROVIDE FOR PAYMENT IN LIEU OF THE REQUIRED OFF-SITE PARK PARCEL DONATION FOR PHASE II; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE

DEPARTMENT RECOMMENDATION:

Approval

BRIEF HISTORY:

The Applicant seeks a Fifth Modification to MDA amending a condition in the Second Modification to the Development Agreement (the "Second Modification") to revise a prior obligation providing that the Applicant shall provide an off-site park parcel donation, and replacing said planned land conveyance with a monetary and in-kind contribution to the City. The Applicant has filed companion applications requesting a Modification of the Declaration of Restrictions (the "Declaration") modifying the same condition in the Declaration, and a Seventh Amendment to Settlement Agreement modifying the same condition in the Sixth Amendment to Settlement Agreement (the "Sixth Amendment"), relating to the Off-Site Park Parcel Dedication.

LEGISLATIVE ACTION: (IF APPLICABLE)

| Date: | Resolution/Ordinance No. | Comments |
|------------|--------------------------|------------------------------------|
| 12/08/2014 | Ord. No. 2014-03 | Master Development Agreement (MDA) |
| 02/12/2020 | Ord. No. 2019-29 | First Modification to MDA |
| 12/08/2021 | Ord. No. 2021-33 | Second Modification to MDA |
| 04/26/2023 | Ord. No. 2023-13 | Third Modification to MDA |
| 09/11/2024 | Ord. No. 2024-24 | Fourth Modification to MDA |

FINANCIAL INFORMATION: (IF APPLICABLE)

| No. | Amount | Account No. | Source of Funds |
|--------|--------|-------------|-----------------|
| I. | | | |
| Total: | | | |

Fiscal Impact Statement: The proposed item has a fiscal impact on revenues of \$ 900,000.00

STRATEGIC PLAN ALIGNMENT:

The proposed MDA modifications will further the “Revenue Growth” strategic goal of the City of Doral Strategic Plan (2023) by increasing the property value, thereby adding new revenues to the city’s property tax base and fees. It is important to note that additional tax revenues may be used to fund the infrastructure projects in the five-year capital improvement program (CIP).

ATTACHMENT(S):

- A. Exhibit A – Application and Letter of Intent



Memorandum

Date: September 10, 2025

To: Honorable Mayor and Councilmembers

From: Zeida Sardinas
City Manager

Department: Michelle M. Lopez
The Corradino Group
Interim Planning & Zoning Director

Subject: **Century Midtown Properties – Fifth Modification to Master Development Agreement**

Introduction

Century Town Center I, LLC and Century Town Center 2, LLC, is requesting Mayor and City Council approval of a modification to the Fifth Modification to the existing Master Development Agreement (the “MDA”) for Midtown Doral Planned Unit Development (PUD) Phase II in connection with parcels located east of NW 107 Avenue and situated to the north and south of NW 82 Street, further identified by Miami-Dade County Folio Nos. 35-3008-030-0010, and 35-3008-000-0033 (the “Property”). The Applicant seeks a Fifth Modification to MDA modifying a condition in the Second Modification of Development Agreement (the “Second Modification”) to revise a prior obligation providing that the Applicant shall provide an off-site park parcel donation, and replacing said planned land conveyance with a monetary and in-kind contribution to the City.

The Applicant has filed companion applications requesting a Modification of the Declaration of Restrictions (the “Declaration”) modifying the same condition in the Declaration, and a Seventh Amendment to Settlement Agreement modifying the same condition in the Sixth Amendment to Settlement Agreement (the “Sixth Amendment”), relating to the Off-Site Park Parcel Dedication. A copy of the Letter of Intent and Application is provided in “Exhibit A.”

Public Advertisement

The public notice was advertised (legal advertisement) in Miami-Dade County's designated publicly accessible website at least 14 calendar days prior to the proceeding (Council Meeting).

Property Information

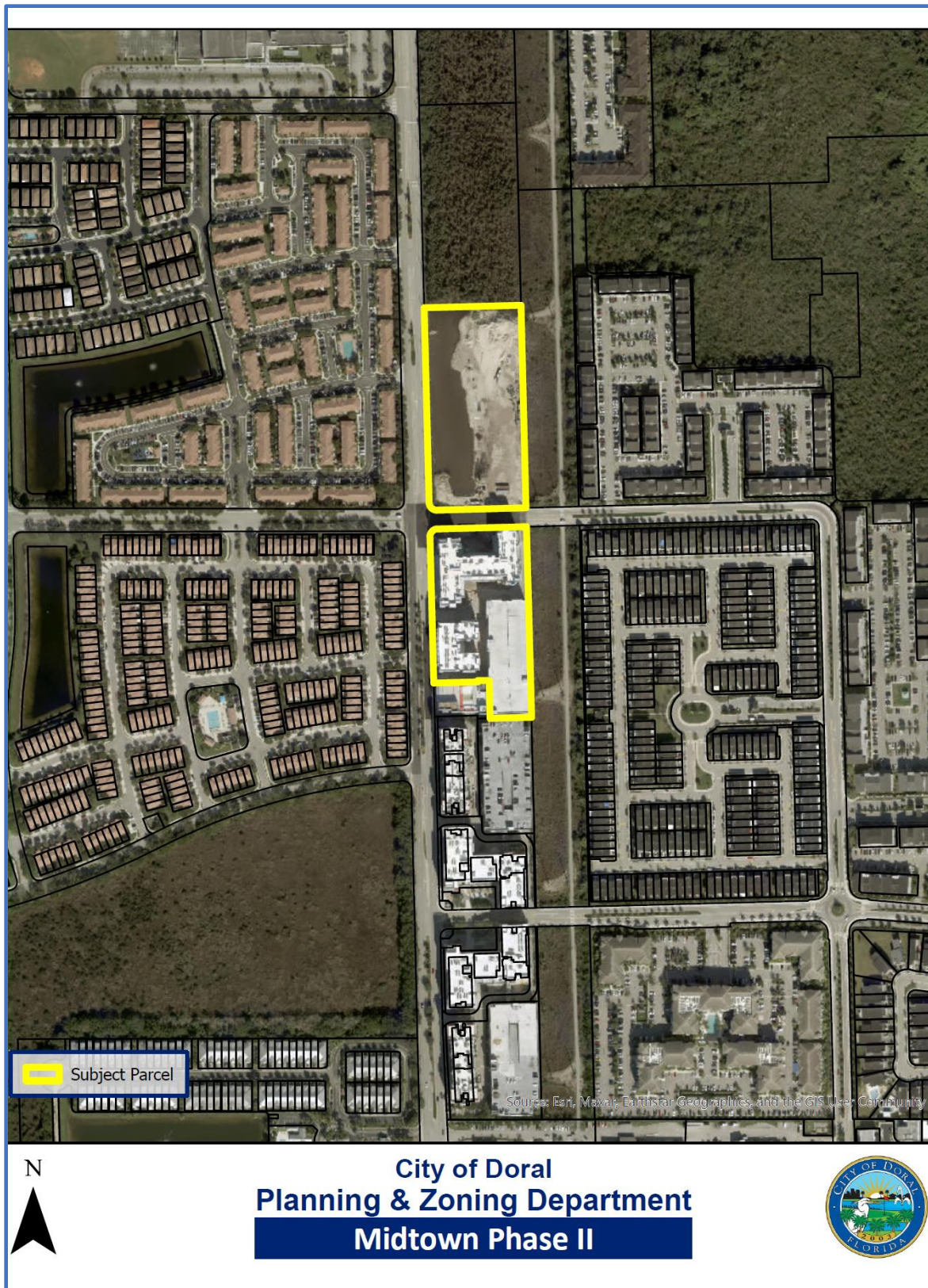
Table I provides a brief overview of the subject project.

| Table I | | |
|-----------------------------------|-----------------------------------|---|
| Midtown Doral PUD Phase II | | |
| Property Information | | |
| | | |
| | General Information | Responses |
| 1 | Project Name | Midtown Doral PUD Phase II |
| 2 | Applicant | Century Midtown Properties, LLC, and Century Town Center 2, LLC (collectively the "Applicant") |
| 3 | Acres | ±8.42 acres |
| 4 | Location | East of NW 107 Avenue is situated north and south of NW 82 Street |
| 5 | Folio Number | 35-3008-030-0010 and 35-3008-000-0033 |
| 6 | Existing Future Land Use Category | Community Mixed Use |
| 7 | Existing Zoning District | Planned Unit Development (PUD) |
| 8 | Code Compliance Violation | Open case for storm drains not properly covered/ damaged and unreasonable noise at construction site. |

Table II provides the adjacent land use categories and zoning districts surrounding the subject property.

| Table II | | | | |
|-----------------------------------|--------------------------|----------------------------|---------------------------|--------------------------|
| Midtown Doral PUD Phase II | | | | |
| Area | Adjacent Uses | Future Land Use Categories | Zoning Districts | Overlay |
| | | | | |
| North | Vacant | Community Mixed Use | Planned Unit Development | Regional Activity Center |
| South | Commercial & Residential | Community Mixed Use | Planned Unit Development | Regional Activity Center |
| East | Residential | Community Mixed Use | Planned Unit Development | Regional Activity Center |
| West | Residential | Low Density Residential | Multifamily Residential-I | None |

Figure III. Illustrates the Property location in the aerial map:



Background

Midtown Doral PUD is a ±30-acre parcel, lying east of NW 107 Avenue and south of NW 90 Street in Section 8 of the City of Doral. The property is zoned Planned Unit Development (PUD) and categorized Community Mixed Use by the City's Comprehensive Plan Future Land Use Map (FLUM).

The Master Development Agreement between the Applicant and Century Midtown Properties LLC ("the Developer"), dated December 8, 2014 and recorded in Official Records Book 29422, Page 4516 of the public records of Miami-Dade County, approved the development of the property with a maximum of 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 (the "Project"). The development of the Project contemplated three (3) unified phases – Phase I, Phase II, and Phase III.

On February 12, 2020, via Ordinance No. 2019-29, the Mayor and City Council approved the First Modification to the Midtown Doral Master Development Agreement (MDA) and Pattern Book. The action reallocated remaining entitlements to allow for the development of the phases that remained unbuilt, and to establish the remaining development rights under a new phasing schedule: "Phase II", "Phase III", "Phase IV", "Phase V", and "Phase VI" ("the Modification"). The modified phases are owned by separate entities.

Entitlements by Modified Phase:

- Phase II: Up to 505 dwelling units; 89,750 SF commercial gross-leasable area; 47,000 SF clubhouse
- Phase III: Up to 253 dwelling units; 44,875 SF commercial gross-leasable area
- Phase IV: Up to 126 dwelling units; 22,437.5 SF commercial gross-leasable area
- Phase V: Up to 127 dwelling units; 22,437.5 SF commercial gross-leasable area
- Phase VI: Up to 52,000 SF commercial (GLA); 75,000 SF office gross-leasable area

On April 8, 2022, a Second Modification to the Development Agreement and Pattern Book was entered into between the Developer and the City Midtown Doral for "Modified Phase II". The modification increased the entitlements by 170 dwelling units and 4,650 square feet of commercial gross leasable area, required the developer to provide workforce housing equal to ten percent (10%) of the additional units, install electric vehicle charging stations, and operate on-demand shuttle service within the Midtown PUD for residents (and their guests/invitees) to and from the clubhouse during operating hours.

The Second Modification included a proposed future conveyance of an off-site parcel, consisting of approximately fifty (50) acres, which is located generally on the north side of NW 74th Street and west of NW 107 Avenue (Folio 35-3007-008-4680) ("Off-Site Parcel") in exchange for 170 additional residential dwelling units (the "Additional Dwelling Units"). The modification also approved the phased development of the Property with a maximum of 675 dwelling units, 93,000 square feet of gross leasable area of commercial use, and a 47,000 square foot clubhouse.

On September 26, 2024, a Fourth Modification to the Development Agreement was entered into between the Developer, as defined therein, and the City, which is recorded in the Public Records of Miami-Dade County in Records Book 34459 at Pages 3247 – 3269, to allow a maximum of 146 dwelling units in Phase IV, a maximum of 203 dwelling units and 11,340 square feet of gross leasable area of commercial use in Phase V, and maximum of 203 dwelling units and 11,340 square feet of gross leasable area of commercial use in Phase VI; and to allow a total of 2,076 dwelling units, 197,189 square feet of gross leasable area of commercial use, and a 58,052 square foot clubhouse (“Fourth Modification”)

As part of the Second Modification, the developer proposed to dedicate an off-site parcel (Folio No. 35-3007-008-4680), approximately 50 acres located north of NW 74th Street and west of NW 107th Avenue, to the City as parkland to mitigate the impacts of the additional residential units.

Staff Analysis

The ±50-acre parcel is environmentally sensitive and is currently owned by the Developer. To understand the depth of the encumbrances tied to the property, the City underwent due diligence and found that multiple restrictions exist which could limit its use:

- The off-site parcel is a wetland. All mitigation credits have been previously stripped for purposes of developing Islands at Doral.
- The entirety of the Off-Site Parcel is presently under a Conservation Easement to the benefit of the Water Management District and the Army Corp. of Engineers recorded in Official Record Book 20778, Page 2621 and amended through the First Amendment to the Conservation Easement recorded in Official Record Book 27780, Pages 4630-4750 Official Records of Miami-Dade County, for the purpose of preserving, enhancing and restoring wetlands within the Water Management District's jurisdiction (the "Conservation Easement")
- The easement restricts the City's ability to develop the parcel for public use and imposes substantial maintenance and liability obligations. The land shall remain undisturbed.
- On April 7th, 2025, South Florida Water Management District ("SFWMD") conducted an inspection of the conservation easement associated with the ERP. During the inspection, invasive vegetation was observed within the preserve which exceeds 5% coverage. Additionally, interior wetland area is transitioning to hardwood dominance due to the presence of wax myrtle, which is not suitable for the wetland environment per the approved mitigation plan and will need to be treated along with other invasive species.
- The Developer is in non-compliance with South Florida Water Management District ("SFWMD") for its failure to transfer the ERP to Islands at Doral Master Association, Inc., and Section 7 Association, Inc. which, at this time, should be the responsible party for the maintenance and operation of the Environmental Resources Permit (the ERP), as required by ERP No. 13-01931.
- In accordance with Rule 62-330.340, Florida Administrative Code, if the City accepts the Off-Site Parcel, upon transfer to the City, the City shall become a co-permittee of the ERP No. 13-01931 with the Doral Master Association, Inc., and Section 7 Association, Inc. in perpetuity. As a co-permittee, the City will be jointly responsible for the maintenance and operation of the Nature Preserve and the common areas located within Islands at Doral Master Association, Inc., and Section 7 Association, Inc. which are subject to the ERP (the "Mitigated Areas").

Due to the maintenance costs and liability that exist in perpetuity, the ERP requirement that the Doral Master Association, Inc., and Section 7 Association, Inc. remain as co-permittee, and the ERP restrictions which would prohibit the City from utilizing the off-site parcel in a manner that is consistent with the intended use and that provides a true public benefit to the Doral community and its residents (i.e., a passive park that provides for public view corridors), Staff recommends that the City not accept the off-site parcel. As such, the Applicant is requesting City approval of the Fifth Modification to the Master Development Agreement to revise Paragraph 3(b) of the Second Modification with the following conditions:

b. Contribution toward City Parks. To help mitigate the Application's impact on the City's park and recreational facilities, CTC-2 shall make a one-time monetary contribution of \$500,000.00 to the City which shall be used for the acquisition, improvement, and/or maintenance of City park and recreation facilities and/or for programming at City park and recreation facilities. The one-time contribution set forth herein shall be paid to the City no later than one-hundred and eighty (180) days of the date of this Modification. If CTC-2 fails to make the monetary contribution described above, the City may withhold the issuance of any future permits or certificates of occupancy, in addition to exercising any other remedies available at law or in equity. In addition to the monetary contribution set forth above, CTC-2 agrees to provide an in-kind contribution of architectural, engineering, construction, equipment or similar professional services or goods (the "In-Kind Contribution") for Legacy Park, or comparable park space (the "Parks Project"). The value of such In-Kind Contribution shall be \$400,000.00, as valued under the City's procurement process. Within one-hundred and eighty (180) days of the effective date of this Modification, the City shall deliver written notice to CTC-2 identifying and describing the Parks Project, specifying the type and scope of in-kind services to be performed (the "Required Work"), and establishing a reasonable timeframe for commencement and completion of the Required Work.

CTC-2 shall diligently perform and complete the Required Work within the timeframe specified by the City in its written notice.

Only services actually performed and accepted by the City shall count toward satisfaction of the \$400,000.00.

Prior to commencement of the Required Work, the CTC-2 shall deliver to the City a performance and payment bond, issued by a surety authorized to do business in Florida and acceptable to the City, in an amount not less than 110% of the estimated value of the Required Work. The bond shall guarantee the faithful performance and timely completion of the Required Work.

In the event CTC-2 fails to commence or complete the Required Work within the specified timeframe, or otherwise default in the performance of their obligations, the City may draw upon the performance bond to complete the Required Work, or pursue specific performance, damages, or any and all remedies available at law or in equity; and the obligation to provide the \$400,000.00 in value shall remain in full force until fully satisfied.

This amendment complies with Paragraph 22 of the Second Modification, which allows changes to the Development Agreement with the consent of the City and the affected Phase owner, following a public hearing.

Recommendation

The Staff requests that the Mayor and City Councilmembers authorize approval of the proposed modification to the Midtown Doral PUD Master Development Agreement.