

ORDINANCE No. 2025-03

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING AN AMENDMENT TO THE MIDTOWN PUD PHASE II MASTER DEVELOPMENT AGREEMENT, AS AMENDED FROM TIME TO TIME, AND THE MIDTOWN PUD PHASE II DECLARATION OF RESTRICTIONS, IN ORDER TO REMOVE CERTAIN RESTRICTIONS ON THE USE OF THE CLUB HOUSE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on December 8, 2021, the City of Doral (the “City”) approved and adopted in second reading Ordinance Number 2021-33, which provided for the second modification of Midtown Doral Planned Unit Development project and acceptance of a Declaration of Restrictions by the City; and

WHEREAS, on April 8, 2022, Century Midtown Properties, LLC (“Century”), Century Town Center 1 (CTC-1) and Century Town Center 2 (CTC-2), (collectively the “Applicant”), in conformity with Ordinance 2021-33 executed a “Second Modification of Master Development Agreement”, which provided in paragraph 3., c:

Use of Clubhouse Amenities. The use of the clubhouse amenities shall be limited to the residents of the Midtown PUD, their guests and invitees....

a true and correct copy of the Second Modification of Master Development Agreement is enclosed hereto as Exhibit “A.”; and

WHEREAS, on June 24, 2022, in conformity with Ordinance 2021-33, the Applicant executed a Declaration of Restrictions, which provides in paragraph 3:

Use of Clubhouse Amenities. The use of the clubhouse amenities shall be limited to the residents of the Midtown PUD, their guests and invitees....

a true and correct copy of the June 24, 2022 Century Declaration of Restrictions is attached hereto as Exhibit "B."; and

WHEREAS, Second Modification of the Master Development Agreement was subsequently modified and adopted by the City via Ordinance 2023-13, on May 24, 2023; and

WHEREAS, Ordinance 2023-13, permitted an expansion of the Clubhouse space, but did not affect its use or restrictions; and

WHEREAS, based on traffic mitigation studies, availability of valet parking and use of ride share, the applicant no longer believes that the restriction is necessary, and has submitted an application seeking the removal of paragraph 3., c from the Master Development Agreement and paragraph 3, from the Declaration of Restrictions. A true and correct copy of the Applicant's application is enclosed hereto as Exhibit "C"; and

WHEREAS, the Applicant understands that removal of the restrictions detailed in Paragraph 3 will not allow him to use the Clubhouse for otherwise non-conforming use, such as a gym or fitness center; and

WHEREAS, the City does not object to the conditional removal of paragraph 3 of the April 8, 2022, Second Modification of the Master Development Agreement, or June 24, 2022, Declaration of Restrictions.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals. The aforementioned recitals are incorporated herein by reference.

Section 2. Authorization. The Mayor and City Council hereby authorize the removal of paragraph 3.c. from the April 8, 2024, Second Modification of the Master Development Agreement, and paragraph 3 of the June 24, 2022 Century Declaration of Restrictions, conditioned upon the Applicant's agreement that the Clubhouse shall not be used in a manner that is inconsistent and nonconforming to the City of Doral's Code of Ordinances.

Section 3. Implementation. The City Manager and City Attorney are authorized to take all necessary steps to implement this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective upon Second Reading.

The foregoing Ordinance was offered by _____, who moved its adoption. The motion was seconded by _____ upon being put to a vote, the vote was as follows:

Mayor Christi Fraga	_____
Vice Mayor Maureen Porras	_____
Councilwoman Digna Cabral	_____
Councilman Rafael Pineyro	_____
Councilwoman Nicole Reinoso	_____

PASSED AND ADOPTED on FIRST READING this 16 day of April, 2025.

PASSED AND ADOPTED on SECOND READING this ____ day of _____, 2025.

CHRISTI FRAGA, MAYOR

ATTEST:

CONNIE DIAZ, MMC
CITY CLERK

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

LORENZO COBIELLA
GASTESI, LOPEZ, MESTRE & COBIELLA, PLLC
CITY ATTORNEY