

RESOLUTION No. 24-

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING THE SITE PLAN FOR BOHLER ENGINEERING FL, LLC, FOR THE PROPERTY LOCATED AT 10451 NW 33 ST, DORAL, FLORIDA, PURSUANT TO SECTION 53-184(f) OF THE CITY'S LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Chapter 53 "Administration", Article III. Development Procedures, Sec. 53-184(f) of the City's Land Development Code, establishes the site plan review and approval procedures for the Mayor and City Council to review and approve the site plan; and

WHEREAS, Bohler Engineering FL, LLC. (the "Applicant") is seeking site plan approval to develop an unused portion of the parcel located at 10451 NW 33 Street, further identified by the Miami-Dade County Property Appraiser by Folio No. 35-3029-001-0250 (the "Property"), as legally described in "Exhibit A" (the "Project"); and

WHEREAS, City staff finds that the proposed site plan, attached hereto as "Exhibit B," complies with the requirements and standards of the City's Land Development Code and Comprehensive Plan; and

WHEREAS, a zoning workshop was held on January 18, 2024, during which the public was afforded an opportunity to examine the Project and provide feedback; and

WHEREAS, the City Council reviewed the site plan application, the written and oral recommendations of the Planning and Zoning Department, including the recommended conditions, and hereby finds competent substantial evidence to find the site plan is in compliance with the City's Comprehensive Plan and Land Development Regulations, and that the site plan maintains the basic intent and purpose of the zoning, subdivision or other land use regulations, which is to protect the general welfare of the public, and further finds

that the site plan application should be granted.

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

Section 1. Recitals. The foregoing recitals are confirmed, adopted, and incorporated herein and made as part hereof by this reference.

Section 2. Findings and Conclusions. Based upon an analysis of the site plan application and standards for approval of a site plan under the City's Land Development Regulations, the City Council hereby finds and concludes that the Applicant's request for site plan, as more particularly set forth in "Exhibit B," is in compliance with the Comprehensive Plan and the Land Development Regulations of the City, and there is substantial competent evidence to support approval of the Application.

Section 3. Approval. The Mayor and City Council hereby approve the site plan for SmartStop, for the property located at 10451 NW 33 Street, further identified by folio number 35-3029-001-0250, as legally described in "Exhibit A." The site plan proposes the expansion of one of the existing three-story buildings by constructing a new three-story ±19,500 square-foot building, and the expansion of the existing one-story building by constructing a new one-story, ±3,759 square-foot self-storage facility and a copy of the site plan is provided in "Exhibit B." The approval of the site plan is subject to the following conditions:

1. The Project shall be built in substantial compliance with the plans entitled "Prop. Site Plan Documents for SmartStop Self Storage," prepared by Bohler Engineering, dated stamped received April 10, 2024.

2. The Project shall be landscaped in accordance with the landscape plan, digitally signed by Brett Michael Waldman, PLA, dated stamped received March 19, 2024, as amended, and included with the site plan submittal.
3. The Public Works Department recommends approval. Advisory comment below is necessary during site plan review process and implementation of the project:
 - i. Ensure vehicles that use the outbound only east driveway are only allowed to make right turn. Based on existing pavement markings no left turn is allowed.
4. The Applicant shall comply with Ordinance No. 2015-09 "Public Arts Program," as amended at the time of building permit.
5. The Applicant shall comply with the City's Floodplain Management regulations (Chapter 23, Article II, Floodplain Management) of the City's Code.
6. The Applicant shall provide the City a certified drainage inspection report prior to the issuance of a certificate of occupancy.
7. A Stormwater Pollution Prevention Plan (SWPPP) must be submitted by the Applicant at time of building permit. The Plan should provide guidelines for implementing an erosion and sedimentation control program before the site is cleared or graded, including areas where topsoil will be removed and contours of slopes will be cleared. The Plan shall also include location and type of erosion control measures, stormwater and sediment management systems, and a vegetative plan for temporary and permanent stabilization. The Plan shall remain on-site for the duration of the construction activity.
8. Construction shall be permitted only during the hours set forth in Ordinance No. 2011-01 "Noise Ordinance."
9. The Applicant shall comply with all applicable conditions and requirements of the Miami-Dade County Department of Regulatory and Economic Resources.
10. The Applicant shall comply with all applicable conditions and requirements of the Miami-Dade County Fire Rescue Department.
11. All applicable local, state, and federal permits must be obtained before commencement of the development.
12. Issuance of this development permit by the City of Doral does not in any way create any right on the part of an Applicant to obtain a permit from a

state or federal agency and does not create any liability on the part of the City of Doral for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

13. The Applicant shall obtain a Certificate of Occupancy and a Certificate of Use from the City upon compliance with all terms and conditions. The Certificate of Occupancy and Certificate of Use shall be subject to cancellation upon violation of any of the conditions.
14. Failure by the City to timely enforce any of the above conditions does not constitute a waiver of the same and if the applicant, its successors, or assigns, does not perform such conditions within five (5) days after written notice, the city retains the right to stop construction, if necessary, until that condition is met. The City reserves the right to enforce these conditions by issuing a code compliance citation, revoking this resolution, and/or availing itself of any and all remedies available at law or in equity. By acting under this approval, the applicant hereby consents to all these terms and conditions.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

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

Mayor Christi Fraga	_____
Vice Mayor Oscar Puig-Corve	_____
Councilwoman Digna Cabral	_____
Councilman Rafael Pineyro	_____
Councilwoman Maureen Porras	_____

PASSED AND ADOPTED this 24 day of April, 2024.

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:

GREENSPOON MARDER, LLP
INTERIM CITY ATTORNEY