

**RESOLUTION No. 24-**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING THE SITE PLAN FOR LITHIA MOTORS, INC., FOR THE PROPERTY LOCATED AT 9300 NW 13 STREET, 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**, Lithia Motors, Inc. c/o Golden Property Development (the "Applicant") is seeking site plan approval for the property located at 9300 NW 13<sup>th</sup> Street, further identified by the Miami-Dade County Property Appraiser by Folio No. 35-3033-003-0010 (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 April 17, 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 Subaru Dealership, for the property located at 9300 NW 13<sup>th</sup> Street, further identified by folio number 35-3033-003-0010, as legally described in "Exhibit A." The proposed site plan comprises of a 2-story auto dealership dedicated to auto retail, showroom, and service shop. 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 "Subaru," prepared by Ingenium Enterprises, Inc., dated stamped received May 6, 2024.
2. The Project shall be landscaped in accordance with the landscape plan, signed by Michael Szura, LA, dated stamped received May 6, 2024, as amended, and included with the site plan submittal.
3. The Applicant shall comply with Ordinance No. 2015-09 "Public Arts Program," as amended, at the time of building permit (if applicable).

4. The Applicant shall comply with Chapter 63, "Green Building Incentives," of the City's Land Development Code at the time of building permit (if applicable).
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 Building Department a certified drainage inspection report prior to the issuance of a certificate of occupancy.
7. The property owner shall maintain the landscaping within the public rights-of-way adjacent to the property. Maintenance includes trees, plants, sod, and other landscape material.
8. The Applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) 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, storm water 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.
9. If more than one (1) acre of land is disturbed during construction the Contractor/Developer is responsible to obtain NPDES Stormwater permit coverage through the Florida Department of Environmental Protection (FDEP), Construction Generic Permit (CGP). If the project is less than one (1) acre, but part of a larger common plan of development or sale that will ultimately disturb one or more acres, permit coverage is also required. Instruction to request and obtain a CGP can be found at: <http://www.dep.state.fl.us/water/stormwater/npdes/docs/cgp.pdf>. Contractor/Developer should submit the Notice of Intent (NOI) with the appropriate processing fees to the NPDES Stormwater Notices Center. Contractor/Developer must apply for permit coverage at least two (2) days before construction begins.
10. Construction shall be permitted only during the hours set forth in Ordinance No. 2011-01 "Noise Ordinance."
11. The Applicant shall comply with all applicable conditions and requirements of the Miami-Dade County Department of Regulatory and Economic Resources.
12. The Applicant shall comply with all applicable conditions and requirements of the Miami-Dade County Fire Rescue Department.

13. All applicable local, state and federal permits must be obtained before commencement of the development.
14. 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.

**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 9 day of October, 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:

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