



**CITY OF DORAL  
COUNCIL MEETING MEMORANDUM**

**ITEM TITLE:**

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, (APPROVING/DENYING) VARIANCES FROM THE CITY’S LAND DEVELOPMENT CODE AS FOLLOWS (1) TO ALLOW 445 PARKING SPACES WHERE 520 PARKING SPACES ARE REQUIRED BY SEC. 77-139; (2) TO ALLOW 8.10% OF PERVIOUS OR HEAT REFLECTIVE PARKING SURFACES WHERE A MINIMUM OF 20% IS REQUIRED BY SEC. 77-195; AND (3) TO DEVIATE FROM THE NUMBER AND CONFIGURATION OF LANDSCAPE ISLANDS WITHIN SURFACE PARKING AREAS AS REQUIRED BY SEC 71-213, FOR PUBLIX AT DORAL PLAZA, FOR THE PROPERTY LOCATED AT 9705–9779 NW 41ST STREET IN THE CITY OF DORAL, FLORIDA, PURSUANT TO 53-460 & 53-468(B) OF THE CITY’S LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE

**DEPARTMENT RECOMMENDATION:**

CONSIDERATION

**BRIEF HISTORY:**

Publix Super Markets Inc., (the “Applicant”), is requesting three variances for the Property located at 9705-9779 NW 41<sup>st</sup> Street, further identified by Miami-Dade County Property Appraiser by Folio No. 35-3020-012-0020 (the “Property”) in the City of Doral (the “City”). The Applicant presented the variance applications at a properly noticed zoning workshop held on June 25, 2025. The objective of the workshop was to inform city residents of the request, present additional details and consider the public’s feedback on the project.

**LEGISLATIVE ACTION: (IF APPLICABLE)**

| Date: | Resolution/Ordinance No. | Comments |
|-------|--------------------------|----------|
|       |                          |          |
|       |                          |          |
|       |                          |          |

**FINANCIAL INFORMATION: (IF APPLICABLE)**

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

|  |  |  |  |
|--|--|--|--|
| 2.   |  |  |  |
| Total:   |  |  |  |
| <b>Fiscal Impact Statement:</b> The proposed item has a fiscal impact on revenues and/or expenditures of \$ <u>0</u> |  |  |  |

**STRATEGIC PLAN ALIGNMENT:**

The proposed project is going to 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 the 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
- B. Exhibit B – Site Plan
- C. Exhibit C – DERM
- D. Exhibit D – DSWM
- E. Exhibit E – Traffic
- F. Resolution



## Memorandum

---

Date: March 11, 2026

To: Honorable Mayor and Councilmembers

From: Zeida Sardinas  
City Manager

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

Subject: **Publix at Doral Plaza – Variances**

---

### **Introduction**

Publix Super Markets Inc., (the “Applicant”) submits a variance request application for the redevelopment of the property located at 9705–9779 NW 41st Street, identified by Miami-Dade County Property Appraiser Folio No. 35-3020-012-0020 (the “Property”), within the City of Doral (the “City”).

The variance request application includes three components: a reduction in the required number of parking spaces, a variance from the minimum Solar Reflective Index (SRI) standards, and a modification to the number and configuration of landscaped islands within the parking area. Supporting documentation, including the letter of intent and formal 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.

| <b>Table I</b>               |                                       |  |
|------------------------------|---------------------------------------|--|
| <b>Publix at Doral Plaza</b> |                                       |  |
| <b>Property Information</b>  |                                       |  |
|                              | <b>General Information</b>            | <b>Responses</b>                               |
| 1                            | Project Name                          | Publix at Doral Plaza – Site Plan              |
| 2                            | Applicant                             | Publix Super Markets Inc.                      |
| 3                            | Acres                                 | ± 11 acres (Tract B)                           |
| 4                            | Location                              | 9705–9779 NW 41 <sup>st</sup> Street, Doral FL |
| 5                            | Folio Numbers Associated with Project | 35-3020-012-0020                               |
| 6                            | Existing Future Land Use Category     | Business (B)                                   |
| 7                            | Existing Zoning District              | Corridor Commercial (CC)                       |
| 8                            | Code Compliance Violation             | N/A  |

Source: City of Doral, Planning and Zoning Department (2026).

**Zoning/Land Use/Neighborhood Analysis**

Table II provides an overview of the land uses surrounding the Property.

| <b>Table II</b>  |  |  |  |                |
|--|--|--|--|----------------|
| <b>Publix at Doral Plaza – Site Plan – Neighborhood Analysis</b> |  |  |  |                |
| <b>Adjacent Land Uses and Zoning Districts Matrix</b>            |  |  |  |                |
| <b>Area</b>  | <b>Adjacent Uses</b>   | <b>Future Land Use Categories</b>  | <b>Zoning Districts</b>  | <b>Overlay</b> |
| North  | Residential  | Low Density Residential (LDR)  | Multifamily Residential I (MF-1)   | None           |
| South  | NW 41 <sup>st</sup> Street (office buildings beyond NW 41 <sup>st</sup> Street – future site of Oasis at Doral)                      | Office Residential (OR) & Business (B)   | Office-3 District (O-3) & Corridor Commercial (CC)                             | None           |
| East   | NW 97 <sup>th</sup> Avenue (Walgreens Pharmacy, Doral Centre development, warehouses, and offices beyond NW 97 <sup>th</sup> Avenue) | Office Residential (OR) & Business (B)   | Corridor Commercial (CC) & Industrial Commercial (IC)                          | None           |
| West   | Residential, Doral Park golf course, and Chick-Fil-A fast food restaurant  | Low Density Residential (LDR), Private Parks and Open Space (PPOS), & Business (B) | Multifamily Residential I (MF-1), General Use (GU), & Corridor Commercial (CC) | None           |

Source: City of Doral, Planning and Zoning Department (2026).

Figure I. Existing conditions of the subject site:



Interior view of the property

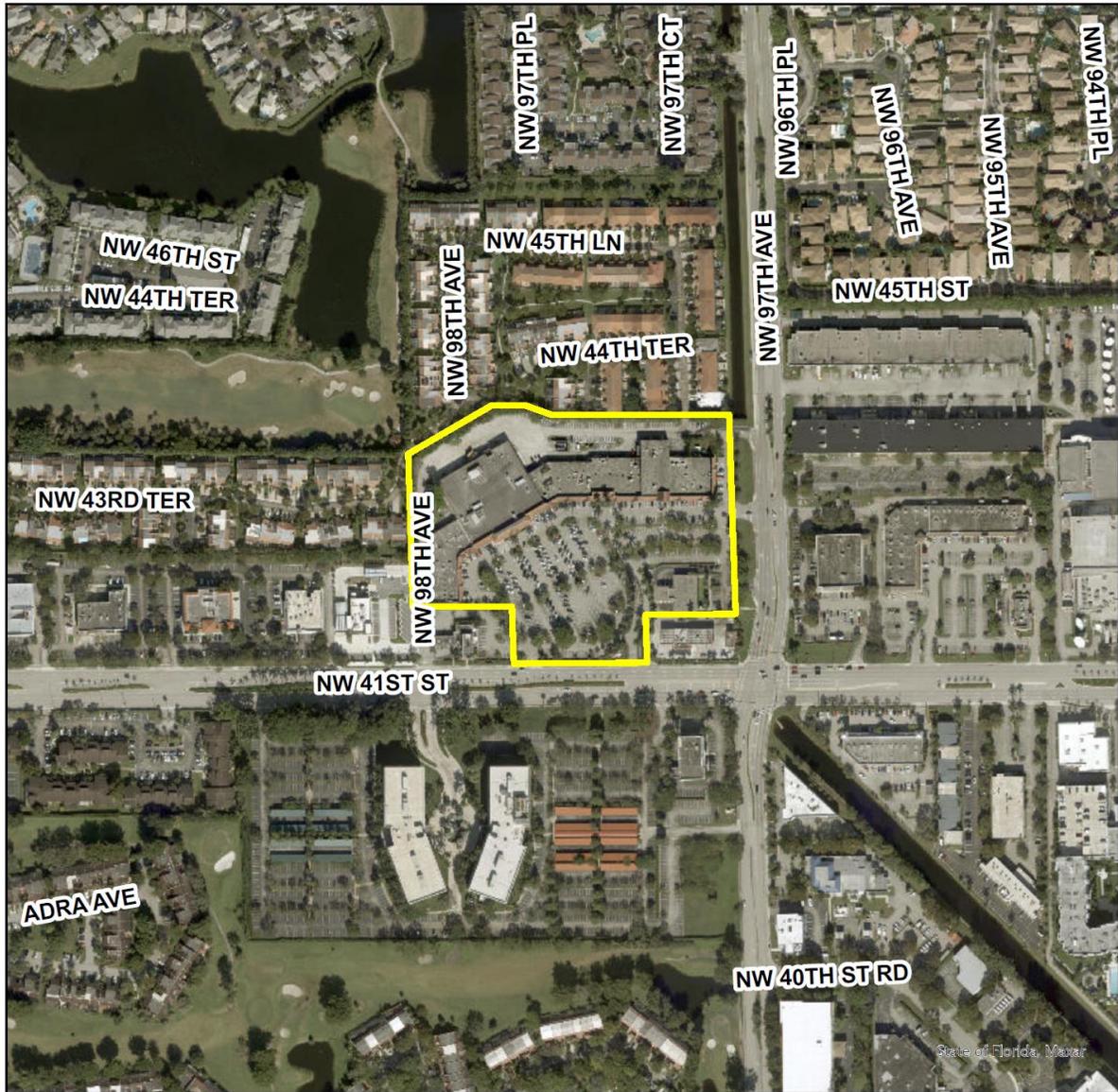


View from NW 97<sup>th</sup> Avenue



View from NW 41<sup>st</sup> Street

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



**City of Doral**

Legend

 Subject Property

**Planning & Zoning Department**  
**Publix Aerial Map**

6/5/2025

## **Background**

Publix Super Markets Inc., (the “Applicant”) is requesting approval of a site plan and three (3) variance requests for the redevelopment of the property located at 9705–9779 NW 41<sup>st</sup> Street, identified by Miami-Dade County Property Appraiser Folio No. 35-3020-012-0020 (the “Property”), within the City of Doral (the “City”).

The Property is currently developed with a shopping center anchored by a Publix Super Market, which has operated continuously since 1987 and serves as an important amenity for the surrounding community. The existing buildings contain approximately 116,155 square feet of commercial space and are supported by roughly 522 standard parking spaces. The Property consists of approximately ±11 acres (±458,058 square feet) identified as Tract B within the overall development. Although the full development area (Tracts A through C) totals approximately ±12.04 acres (±524,558 square feet), this application applies exclusively to Tract B. Tract A (Folio No. 35 3020 012 0010) and Tract C (Folio No. 35 3020 012 0030) are not included in the proposed redevelopment and are not part of this site plan review.

- Tract A: 36,500 sq. ft. (Not included within Application Request.)
- Tract B: 458,058 sq. ft.
- Tract C: 30,000 sq. ft. (Not included within Application Request.)

The Applicant proposes redeveloping the Tract B portion of the site by reducing the existing building footprint (previous ABC Liquors unit to be demolished), introducing new landscaped green areas that incorporate a breezeway, enhancing landscaping throughout the property, redesigning the parking layout, and implementing architectural upgrades to modernize and improve the building façade.

The Applicant is proposing the following as per letter of intent (LOI):

- Demolishing ±39,795 of current Publix storeroom and adjacent retail
- Demolishing ±10,657 square feet of other in line retail space
- Re-building ±53,951 SF of Publix space, mezzanine and adjacent retail
- Updating current site lighting, parking areas, drainage systems and utilities
- Modifying one access point providing for additional movement
- Implementing off-site safety improvements on NW 41<sup>st</sup> Street and NW 97<sup>th</sup> Avenue
- Upgrading current canopy and façade
- Implementing pedestrian and parking improvements
- Implementing site circulation improvements
- Updating all current landscaping, including additional green space in the building reduction area

The Applicant presented the variance requests and site plan application at a properly noticed zoning workshop held on June 25, 2025. The objective of the workshop was to inform city residents of the request, present additional details and consider the public’s feedback on the project and proposed variances.

## **Staff Analysis**

### **Comprehensive Plan Consistency Review**

The Property is designated Business (B) by the City's Comprehensive Plan Future Land Use Map (FLUM). The Business (B) category accommodates the full range of sales service activities including retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, theaters, medical buildings, nursing homes, entertainment and cultural facilities, amusement and commercial recreation establishments and university and college facilities. Building height is limited to no more than six (6) stories and landscaped open space must comprise a minimum of 15% of a project site. Floor area ratio (FAR) is limited to 0.5 for the first floor and 0.25 for every additional floor, exclusive of structured parking. In the Business land use strip immediately west of the Miami-Dade County Resource Recovery Facility along (theoretical) NW 102nd Avenue, uses that exhibit 24-hour site usage such as hotels, motels, hospitals, and nursing homes are not allowed.

The proposed redevelopment reflects a Floor Area Ratio (FAR) of approximately 22%, which is below the 50% maximum coverage allowed under the Business (B) designation. Additionally, the project includes roughly 17% square feet of landscaped open space, surpassing the required minimum of 15%. Overall, the proposal is consistent with the objectives and regulations outlined in the City's Comprehensive Plan.

### **Land Development Regulations Consistency Review**

The Property is currently zoned Corridor Commercial (CC) by the City's Official Zoning Map. The purpose of the Corridor Commercial District (CC) is to provide for medium to high-intensity business uses on major corridors and prime commercial areas.

The proposed site plan is consistent with Chapter 68, Article IV Commercial Districts, Division 3 Corridor Commercial (CC), Sec. 68-383 Permitted Uses-Generally, of the City's Code which allows for retail services. Furthermore, Sec. 53-128. - Use compatibility table, permits retail uses in Corridor Commercial (CC) districts.

The Land Development Code setbacks for the Corridor Commercial (CC) include: a twenty (20) feet setback for the front, fifteen (15) feet setback for the side street, and a five to fifteen (5 -15) feet setback for the side interior and rear (\*5 ft. setback where adjacent property is either commercial, business and/or office district; 15 ft. setback when abutting residential district for the interior side & rear setback). The proposed front setback is ± one hundred and fifty-two feet 152'-0" (from retail building 'A' to the front property line on NW 41<sup>st</sup> Street (Doral Boulevard), whereas 20' feet is the required, the proposed side street setback is ± sixty-two feet 62'-0" (from retail building 'C' to the property line adjacent to NW 97<sup>th</sup> Avenue – whereas 15' feet is the required), the proposed side setback is ± forty five 45'-0" (from the Publix building to the property line on the west – whereas 5 /15' feet is the required), and the proposed rear setback is ± fifty-seven feet with eight inches 57'-8" (from the Publix building to the property line on the north – whereas 5 /15 feet is the required).

Provided Setbacks:

| <b>Setback</b>             | <b>Building</b> | <b>Minimum Required</b> | <b>Provided</b> |
|----------------------------|-----------------|-------------------------|-----------------|
| Front (NW 41 Street)       | Building A      | 20 feet                 | 152 feet        |
| Side Street (NW 97 Avenue) | Building C      | 15 feet                 | 62 feet         |
| Interior Side (West)       | Publix          | 5 or 15 feet (*)        | 45 feet         |
| Rear (North)               | Publix          | 5 or 15 feet (*)        | 57'-8"          |

(\*) 5 ft. setback where adjacent property is either commercial, business and/or office district; 15 ft. setback when abutting residential district for the interior side & rear setback.

Under the applicable code, the maximum permitted building coverage is 50%. The proposed development occupies approximately 22% of Tract B, totaling about ±102,479 square feet of building area within the ±458,058-square-foot tract. As such, the project remains well below the allowable coverage threshold.

**Proposed Building Areas (Tract B):**

| <b>Building</b>             | <b>Square Feet</b> |
|-----------------------------|--------------------|
| 'Retail Building A'         | 8,008 sq. ft.      |
| 'Retail Building B'         | 24,659 sq. ft.     |
| 'Retail Building C'         | 11,147 sq. ft.     |
| 'Publix Building'           | 53,951 sq. ft.     |
| 'Existing 1-Story Building' | 4,714 sq. ft.      |

**Total Proposed Building Area : 102,479 sq. ft. (±22% coverage)**

In terms of open space, the code requires a minimum of 17% for Corridor Commercial districts. The proposed design offers approximately 17% open space, or ±78,000 square feet.

The maximum permitted building height within the Corridor Commercial (CC) District is a six-story building. The proposed building height of thirty-eight feet with ten inches (38'-10") complies with this regulation. The project also adheres to applicable Floor Area Ratio (FAR) requirements. While the code stipulates FAR thresholds of 0.5 and 0.25, the proposed FAR of approximately 0.22, calculated from 102,479 square feet of building area within the ±458,058-square-foot tract, complies with the allowable FAR limits for Tract B. Zoning classifications surrounding the property include Multi-Family Residential-I District (MF-I) to the north, Office-3 District (O-3) to the south, Industrial Commercial (IC) & Corridor Commercial (CC) to the east, and Multi-Family Residential-I District (MF-I) & Corridor Commercial (CC) to the west. The surrounding area is predominantly composed of commercial uses, consistent with the district's established character.

The Applicant is requesting the following three (3) variances to the Land Development Code:

- I. Reduction in the required number of parking spaces. The Applicant is providing 445 parking spaces where the Code requires 521 parking spaces, pursuant to City Code Section 77-139, *Required off street parking spaces*.
- II. Variance from the minimum Solar Reflective Index (SRI) standard. The Applicant is providing 8.10% of open cell pavers, managed turf, porous pavement and/or other proven materials where the Code requires a minimum of 20 percent of all required surface parking on a non-residential development site must be constructed using pervious or heat-reflective material with a solar reflective index (SRI) of 28 or greater, pursuant to City Code Section 77-195 – *Pervious or heat reflective parking surfaces*.
- III. Modification to the number and configuration of landscaped islands within the parking area, in portions of the proposed developed parking area, the applicant proposes to not comply with the requirement for landscape islands shall be placed at a minimum interval of ten parking spaces with a minimum width of ten feet, and landscape islands that terminate a row of parking spaces shall be a minimum of 12 feet in width, pursuant to City Code Section 71-213, *Landscaped areas in parking lots*. The Applicant is complying with the requisite code provisions for the parking fronting the commercial retail areas.

Supporting documentation, including the letter of intent and formal application, is provided in Exhibit A.

**I. Parking variance**

The Applicant is seeking a variance from the City’s Land Development Code (LDC) Section 77-139, *Required off-street parking spaces*, where Applicant is providing 445 parking spaces where the Code requires 521 parking spaces, pursuant to City Code Section 77-139, *Required off street parking spaces*. Submitted parking documents by the Applicant indicate a total requirement of 521 parking spaces, based on the site's intended uses and square footage. The Applicant proposes 445 parking spaces with the required 9 ft by 19 ft parking space dimensions, where the site is currently development with smaller, compact parking spaces inconsistent with the current code requirements. The site plan reflects a parking shortfall of roughly 75 spaces, representing approximately a 14.42 % deficiency. Non-compliance with the City’s Land Development Code Section 77-139, shall necessitate a variance to council pursuant to Article X - Variances, Division 2, sec. 53-460. from the LDC.

| <b>Use</b> | <b>Proposed SF</b>  | <b>Required Parking</b>   | <b>Provided Parking</b> |
|------------|---|---------------------------|-------------------------|
| Restaurant | 19,637 sq. ft., with 8,841 sq. ft. allocated for patron use | 1:45 SF of patron area    | 197                     |
| Retail     | 75,536 sq. ft   | 1:250 SF gross floor area | 302                     |
| Office     | 6,149 sq. ft.   | 1:300 SF gross floor area | 21                      |

Staff Analysis – Parking Variance:

Pursuant to City Code Section 53-468(b), “All Other Variances”, the following criteria shall apply in all variance cases other than those relating to building and fire codes:

The criteria in subsection (b) of this section shall be used to determine the justification for granting of relief from requirements of the development code. All variance requests shall demonstrate the application of each criterion to the specific case.

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant response:

*The site was developed prior to the adoption of the City’s LDC and present parking standards. The site’s physical configuration, existing infrastructure, and long-established development pattern limit the feasibility of accommodating the full number of parking spaces without significantly compromising safety, circulation, and greenspace. This existing historic configuration is peculiar to this Property only.*

Staff Analysis:

While the subject site does not demonstrate special conditions specified by Criteria No. 1 that would justify a parking variance pursuant to Section 53-468(b), the site was developed in 1987, under regulations established by Miami-Dade County prior to the City’s incorporation in 2003 and in a different contextual situation. In an effort to reduce the initial parking variance applied for, specifically approximately 520 spaces required where 445 spaces are proposed, the Applicant will redevelop the site to include a larger setback in compliance with the Doral Boulevard Master Plan ‘Semi-Urban District’ requirements, street furniture facing the boulevard to engage pedestrian activity, lush landscaping, and improvements to the vehicular circulation which include paver crosswalks and updated parking dimensions based on current Land Development Code regulations. The Applicant also proposes to redevelop the site with parking stall dimensions of 9 ft by 19 ft, meeting the current code requirement, providing for improved maneuverability within the parking area.

- (2) The special conditions and circumstances are not the result of actions of the Applicant.

Applicant response:

*The hardship is not self-created. It results from legacy site design and layout that predate the City’s incorporation and current code requirements, and which also predate the Applicant’s ownership of the Property. The Applicant seeks to improve, not intensify, site usage and proposes a reduction from existing parking requirements only to the extent necessary to implement a more efficient and attractive but still functional site plan.*

Staff Analysis:

The parking deficit prompting this variance request arises from the Applicant's proposed redevelopment of a site originally constructed prior to the City's incorporation. The redevelopment plan features architectural façade enhancements, a reduced building footprint, upgraded landscaping, and improved vehicular circulation. Although the current municipal code imposes a higher parking requirement for the proposed use, the Applicant maintains that the project is designed to modernize and enhance the site rather than intensify its use. The intent is to bring the property up to contemporary standards while preserving its original scale and function as established in 1987.

- (3) Literal interpretation and enforcement of the development code regulations would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the development code and would work unnecessary and undue hardship on the Applicant.

Applicant response:

*Literal adherence to the LDC would prohibit the proposed moderation of this grocery store and shopping center. This hardship is unnecessary given that the center has historically operated effectively with fewer parking spaces than the current code requirements.*

Staff Analysis:

Pursuant to City Code Section 77-139 of the City's Land Development Code, the proposed and existing uses on the site, based on their respective square footages, require approximately 520 parking spaces. The Applicant indicates that the shopping center has historically operated with fewer parking spaces than those required under the current code. This statement was confirmed by reviewing site aerials, as well as field visits. The strict application of the current parking standards to an existing, previously developed site creates a deficiency that cannot be fully accommodated within the existing site configuration. The Applicant therefore seeks relief from the parking requirement to allow for the proposed site improvements and modernization of the center.

- (4) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure.

Applicant response:

*This request represents the minimum relief required to facilitate meaningful improvements to modernize the site including improved landscaping, additional green space, and a new pedestrian breezeway. The proposed 445 parking spaces have been calculated based on the actual parking demand for the use on site, current commercial trends, and the efficiencies gained by the reconfigured layout. The new design will also enhance traffic circulation and pedestrian comfort on-site.*

Staff Analysis:

The requested variance does present certain relief elements to enable reasonable use of the property and buildings. Site improvements are accompanied by architectural upgrades which will bring the property into compliance with current development standards. Specifically, the Applicant is required to implement the architectural enhancements outlined in Chapter 86, Sections 86-25 through 86-29 of the LDC, which include façade articulation, enhanced building entryways, material diversity, and improved pedestrian connectivity. The Applicant also intends to incorporate bicycle racks and improve vehicular and pedestrian circulation on site. All proposed work is subject to building permits and compliance with the municipal, County, State, and Federal regulatory requirements.

- (5) Granting the variance request will not confer on the Applicant any special privilege that is denied by the development code to other lands, buildings or structures in the same zoning district.

Applicant response:

*This request does not confer a special privilege. The Applicant is not increasing square footage or uses that would generate more parking demand. Comparable variances have been granted in similar pre-code contexts where physical limitations justify a flexible approach.*

Staff Analysis:

Granting the requested variance will facilitate the repurpose of some areas of the site such as the demolition of the former ABC Liquor store, enabling the integration of a pedestrian-oriented landscaped open space. The project scope also includes structural upgrades to existing facilities and the strategic introduction of commercial units designed to enhance local economic activity. This redevelopment initiative is specifically targeted to serve the immediate residential and commercial area, aligning with urban revitalization objectives and promoting walkability, mixed-use density, and community engagement.

- (6) The granting of the variance will be in harmony with the general intent and purpose of this Land Development Code and will not be injurious to the surrounding properties or detrimental to the public welfare.

Applicant response:

*The requested variance is limited to parking lot design and will not result in any impacts to traffic or community aesthetics, and therefore will not result in injury to surrounding properties or be detrimental to the public welfare. This variance, if granted, will be in harmony with the intent and purpose of the City's LDC because the variance is the minimum necessary for the Project, and the Applicant has taken the necessary measures to provide appropriate screening in and around the parking area in furtherance of the intent and purpose of the LDC.*

*For the reasons outlined above, we respectfully request the City's approval of this variance from Section 77-139 of the LDC to reduce the number of required parking spaces from 521 to 445. The proposal ensures the continued success of a vital neighborhood center while delivering meaningful enhancements in design, sustainability, and community character.*

Staff Analysis:

The Applicant submitted traffic studies indicating that the existing parking within the development is currently underutilized. This information was verified with site visits and review with Code Compliance Staff. These studies project that the proposed renovation of the shopping center will generate a maximum demand of approximately 328 parking spaces. Based on this analysis, the available parking capacity is deemed sufficient to accommodate the anticipated needs of the future population served by the site, refer to exhibit documents. Granting the variance aligns with the public welfare by facilitating site improvements that enhance safety, functionality, and urban design integration. Planned upgrades include landscaped setback buffers along Doral Boulevard to soften the streetscape and reduce vehicular-pedestrian conflict, installation of pedestrian-scale lighting bollards to improve visibility, nighttime safety, and a curvilinear sidewalk that encourages walkability and spatial continuity. Additional enhancements feature high-contrast paver crosswalks for improved pedestrian delineation, a direct sidewalk linkage from Doral Boulevard into the site's interior circulation network, and reconfigured parking stall dimensions to meet contemporary design standards (9' x 19') and optimize vehicular maneuverability. As previously mentioned, this variance is subject to City Council approval.

**II. Solar Reflective Index (SRI) variance**

The Applicant is requesting a variance from *City Code Section 77-195, Pervious or heat reflective parking surfaces*, of the City's Land Development Code, which requires a minimum of 20 percent of all required surface parking on a non-residential development site must be constructed using pervious or heat-reflective material with a solar reflective index (SRI) of 28 or greater such as open cell pavers, managed turf, porous pavement and/or other proven materials. Non-compliance with the City's Land Development Code section 77-195, shall necessitate a variance to council pursuant to Article X - Variances, Division 2, sec. 53-460. from the LDC.

Staff Analysis – SRI Variance:

Pursuant to City Code Section 53-468(b), "All Other Variances", the following criteria shall apply in all variance cases other than those relating to building and fire codes:

The criteria in subsection (b) of this section shall be used to determine the justification for granting of relief from requirements of the development code. All variance requests shall demonstrate the application of each criterion to the specific case.

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant response:

*The property was developed under Miami-Dade County jurisdiction, before Doral's incorporation and before SRI standards were adopted. As such, existing pavement materials, site slope, and subbase conditions were not designed for reflective surfacing. This presents practical constraints that limit the retrofit of compliant materials in large portions of the hardscape.*

Staff Analysis:

While the subject site does not demonstrate special conditions specified by Criteria No. 1 that would justify an SRI variance pursuant to Section 53-468(b), the site was developed in 1987, under regulations established by Miami-Dade County prior to the City's incorporation in 2003. Based on the City's Land Development Code requirements from Section 77-195, which states that a minimum of 20 percent of all required surface parking on a non-residential development site must be constructed using pervious or heat-reflective material with a solar reflective index (SRI) of 28 or greater such as open cell pavers, managed turf, porous pavement and/or other proven materials, approximately 8.10% (22,486 sq. ft.) is proposed for the project. The Applicant is proposing site improvements intended to enhance pedestrian safety and circulation, including the installation of high-emphasis paver crosswalks throughout the development. These improvements are designed to provide clearer pedestrian pathways and increase visibility for both pedestrians and vehicles within the parking areas, thereby improving overall site safety and functionality.

- (2) The special conditions and circumstances are not the result of actions of the Applicant.

Applicant response:

*The Applicant did not create this hardship as it purchased the Property in its existing condition. The current condition results from the legacy site design. The proposed improvements reflect an effort to enhance sustainability and site aesthetics, not to avoid compliance.*

Staff Analysis:

The SRI deficiency underlying this variance request stems from the Applicant's effort to redevelop a site originally constructed prior to the City of Doral's incorporation. Although the proposed uses are now subject to a more stringent SRI requirement under the current municipal code, the Applicant contends that the property was acquired in its existing condition before Doral became a municipality. Furthermore, the Applicant asserts that the planned site improvements will promote a more sustainable and efficient utilization of the property.

- (3) Literal interpretation and enforcement of the development code regulations would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the development code and would work unnecessary and undue hardship on the Applicant.

Applicant response:

*Enforcing literal compliance would result in significant removal and replacement of functional surfaces, increased costs, and potential disruption to existing stormwater systems. This would create a hardship especially when alternative sustainability measures are proposed and considering that this grocery store provides an essential service to the community and the cessation of its operations should be for as short as possible.*

Staff Analysis:

The project review is governed by the SRI requirements outlined in the City's Land Development Code Section 77-195 *Pervious or heat-reflective parking surfaces*. The Applicant argues that commercial development provides essential services to the community and enforcing the measures outlined in the mentioned LDC code section would create a hardship due to the disruption of existing stormwater systems on site as well as a financial hardship to update the surfacing on the entire site.

- (4) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure.

Applicant response:

*This request represents the minimum relief required to facilitate meaningful improvements to modernize the site including improved landscaping, additional green space, a new pedestrian breezeway. The Applicant has achieved partial compliance with the SRI requirement, in light of the unique pre-existing site conditions.*

Staff Analysis:

The requested variance allows for the reasonable use of the property and existing structures. As part of the redevelopment effort, the Applicant will implement a series of site and architectural enhancements designed to bring the property into alignment with current development standards. In accordance with Chapter 86, Sections 86-25 through 86-29 of the municipal code, the Applicant is required to incorporate architectural improvements such as façade articulation, upgraded building entryways, enhanced pedestrian connectivity, and a diverse palette of building materials. The proposed improvements promote pedestrian safety and contribute to the SRI, as the crosswalks will feature paver surfaces. Additional improvements include the installation of bicycle racks and optimized circulation patterns for both vehicles and pedestrians. are subject to applicable building permits and must comply with municipal, County, State, and Federal regulatory requirements.

- (5) Granting the variance request will not confer on the Applicant any special privilege that is denied by the development code to other lands, buildings or structures in the same zoning district.

Applicant response:

*This request does not confer a special privilege. Approval of this variance would not grant special privileges, as other pre-incorporation properties facing similar conditions may also require flexible application of modern sustainability standards. The variance request is based on reasonable physical characteristics unique to this site.*

Staff Analysis:

Approval of the requested variance will enable the strategic repurposing of key areas within the site, including the demolition of the former ABC Liquor store to accommodate a pedestrian-oriented landscaped open space. The scope of the project also encompasses structural upgrades to existing buildings aimed at stimulating local economic activity.

This redevelopment effort is intentionally designed to serve the surrounding residential and commercial community, aligning with broader urban revitalization goals that emphasize walkability, mixed-use development, and community engagement. The Applicant maintains that the variance does not constitute a special privilege, citing the property's pre-incorporation design and unique site constraints that warrant a degree of flexibility from the City.

- (6) The granting of the variance will be in harmony with the general intent and purpose of this Land Development Code and will not be injurious to the surrounding properties or detrimental to the public welfare.

Applicant response:

*The requested variance is limited to the SRI requirement in the parking lot and will not result in any impacts to traffic or community aesthetics, and therefore will not result in injury to surrounding properties or be detrimental to the public welfare. This variance, if granted, will be in harmony with the intent and purpose of the City's LDC because the variance is the minimum necessary for the Project.*

Staff Analysis:

Granting the variance aligns with the public welfare by facilitating site improvements that enhance safety, functionality, and urban design integration. Planned upgrades include landscaped setback buffers along Doral Boulevard to soften the streetscape and reduce vehicular-pedestrian conflict, installation of pedestrian-scale lighting bollards to improve visibility and nighttime safety, and a curvilinear sidewalk that encourages walkability and spatial continuity. Additional enhancements feature high-contrast paver crosswalks for improved pedestrian delineation, a direct sidewalk linkage from Doral Boulevard into the site's interior

circulation network, and reconfigured parking stall dimensions to meet contemporary design standards and optimize vehicular maneuverability.

### **III. Configuration of landscaped islands within the parking area variance**

The Applicant is requesting a variance from *Section 71-213. - Landscaped areas in parking lots*, from the City's Land Development Code, regarding the required number and configuration of landscape islands within surface parking areas. Non-compliance with the City's Land Development Code section 71-213, shall necessitate a variance to council pursuant to Article X - Variances, Division 2, sec. 53-460. from the LDC.

Sec. 71-213 regulations for landscape islands:

- (1) Landscape islands shall be placed at a minimum interval of ten parking spaces with a minimum width of ten feet.
- (2) Landscape islands that terminate a row of parking spaces shall be a minimum of 12 feet in width.

#### **Staff Analysis – Landscape Islands Variance:**

Pursuant to City Code Section 53-468(b), "All Other Variances", the following criteria shall apply in all variance cases other than those relating to building and fire codes:

The criteria in subsection (b) of this section shall be used to determine the justification for granting of relief from requirements of the development code. All variance requests shall demonstrate the application of each criterion to the specific case.

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district.

#### **Applicant response:**

*The site was developed prior to the adoption of the City's LDC, the parking lot was established to serve a large format grocer with high daily turnover and demands. The site's physical configuration, existing infrastructure, and long-established development pattern limit the feasibility of retrofitting the required number of landscape islands within the surface parking lot.*

#### **Staff Analysis:**

While the subject site does not necessarily demonstrate special conditions specified by Criteria No. 1 that would justify a landscape variance pursuant to Section 53-468(b), the site

was developed in 1987, under regulations established by Miami-Dade County prior to the City's incorporation in 2003 and under a different context situation.

In an effort to reduce the landscape variance applied for, the Applicant will redevelop the site to include a larger landscaping setback in compliance with the Doral Boulevard Master Plan 'Semi-Urban District' requirements, the Applicant also proposes a comprehensive site redevelopment. This includes expanding the landscaping setback to meet current standards, introducing a new landscaped breezeway designed as a parklet with benches and bicycle racks to enhance community use, and installing street furniture oriented toward the boulevard to encourage pedestrian engagement. The plan also incorporates lush, visually appealing landscaping throughout the site, along with improvements to vehicular circulation such as decorative paver crosswalks and updated parking dimensions that comply with the latest Land Development Code regulations. Collectively, these enhancements aim to create a more vibrant, accessible, and pedestrian-friendly environment while ensuring regulatory compliance.

- (2) The special conditions and circumstances are not the result of actions of the Applicant.

Applicant response:

*The hardship is not the result of any action by the Applicant. It arises from the inherited design of a pre-incorporation development and the necessary constraints of maintaining functionality for a high-traffic retail site.*

Staff Analysis:

The deficiency in landscaped islands prompting this variance request stems from the Applicant's efforts to redevelop a site originally constructed prior to the City's incorporation. While the lot does not exhibit the typical characteristics of an irregularly shaped parcel, its configuration reflects design standards from 1987 with a different urban context.

Despite these constraints, the Applicant asserts that the proposed site improvements will foster a more sustainable and efficient land use. Key enhancements include the introduction of a new breezeway to improve pedestrian circulation and compliance with an expanded landscaping setback along Doral Boulevard, contributing to the corridor's visual appeal and walkability.

- (3) Literal interpretation and enforcement of the development code regulations would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the development code and would work unnecessary and undue hardship on the Applicant.

Applicant response:

*Literal adherence to the LDC would force an inefficient site design, reduce valuable greenspace, and impede efforts to improve pedestrian and ADA access and render the proposed modernization of the*

*store infeasible. The hardship is unnecessary given that the site has historically operated effectively without this requirement.*

Staff Analysis:

The project review is governed by the landscape islands requirements outlined in the City's Land Development Code Section 71-213. The Applicant argues that the literal Land Development Code requirements would enforce a reduction in the green space, pedestrian & ADA access, and overall site updates.

- (4) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure.

Applicant response:

*This request represents the minimum relief required to facilitate meaningful improvements to modernize the site including improved landscaping, additional green space, a new pedestrian breezeway. The request seeks the minimum relief necessary. The Applicant will incorporate alternative landscaping features to meet the spirit and intent of the code.*

Staff Analysis:

The requested variance does present certain relief elements to enable reasonable use of the property and buildings. Site improvements are accompanied by architectural upgrades which will bring the property into compliance with current development standards. Specifically, the Applicant is required to implement the architectural enhancements outlined in Chapter 86 (Sections 86-25 through 86-29), which include façade articulation, enhanced building entryways, improved pedestrian connectivity, material diversity, and landscaping throughout the site (in particular the greater landscaping buffer facing Doral Boulevard and the creation of a new breezeway). The Applicant also intends to incorporate bicycle racks and improve vehicular and pedestrian circulation on site. All proposed work is subject to building permits and compliance with the municipal, County, State, and Federal regulatory requirements.

- (5) Granting the variance request will not confer on the Applicant any special privilege that is denied by the development code to other lands, buildings or structures in the same zoning district.

Applicant response:

*This request does not confer a special privilege. Comparable variances have been granted in similar pre-code contexts where physical limitations justify a flexible approach.*

Staff Analysis:

Granting the requested variance will facilitate the repurpose of some areas of the site such as the demolition of the former ABC Liquor store, enabling the integration of a pedestrian-

oriented landscaped open space. The project scope also includes a greater landscaped buffer facing Doral Boulevard which will integrate street furniture and lighting for the pedestrian experience along the frontage of the property. This redevelopment initiative is specifically targeted to serve the immediate residential and commercial area, aligning with urban revitalization objectives and promoting walkability, mixed-use density, and community engagement.

- (6) The granting of the variance will be in harmony with the general intent and purpose of this Land Development Code and will not be injurious to the surrounding properties or detrimental to the public welfare.

Applicant response:

*The requested variance is limited to parking lot design and will not result in any impacts to traffic or community aesthetics, and therefore will not result in injury to surrounding properties or be detrimental to the public welfare. This variance, if granted, will be in harmony with the intent and purpose of the City's LDC because the variance is the minimum necessary for the Project.*

*For the reasons outlined above, we respectfully request the City's approval of this variance from Section 77-213(1) of the LDC to reduce required number and configuration of landscape islands within surface parking areas. The proposal ensures the continued success of a vital neighborhood center while delivering meaningful enhancements in design, sustainability, and community character.*

Staff Analysis:

Granting the requested variance supports the public welfare by enabling a series of thoughtful site improvements that enhance safety, functionality, and integration with the surrounding urban environment. The proposed enhancements include the addition of landscaped setback buffers along Doral Boulevard, which will soften the streetscape and help reduce potential conflicts between vehicles and pedestrians. To further promote pedestrian safety and comfort, the Applicant plans to install pedestrian-scale lighting bollards for improved nighttime visibility, as well as a curvilinear sidewalk that encourages walkability and creates a sense of spatial continuity throughout the site.

Additional upgrades include high-contrast paver crosswalks to clearly delineate pedestrian pathways, a direct sidewalk connection from Doral Boulevard into the site's internal circulation network, and reconfigured parking stall dimensions that align with contemporary design standards to improve vehicular maneuverability. Importantly, the Applicant proposes an increase in landscaped open spaces—particularly within the front setback and breezeway areas, which not only compensate for the reduced landscaped islands in the surface parking lot but also contribute to stormwater management and support sustainable development practices that are vital to the City's long-term resilience goals.

**Recommendation**

Staff requests that the Mayor and City Councilmembers CONSIDER the proposed variances, pursuant to City Code Section 53-468(b) of the Land Development Code, for the Publix at Doral Plaza, located at 9705-9779 NW 41<sup>st</sup> Street, further identified by Miami-Dade County Property Appraiser by Folio No. 35-3020-012-0020 (the “Property”) in the City of Doral (the “City”).

The Applicant has proposed several measures intended to mitigate potential impacts associated with the requested variances. As such, the request may warrant consideration by the City Council. Should the variances be approved, the Applicant shall implement all improvements and commitments described in this report, as well as in the concurrent Site Plan request.

In support of the request, the Applicant has submitted traffic and parking analyses indicating that the existing parking supply within the development is currently underutilized. Staff is in agreement that the current parking area is underutilized, furthering support in their request for a parking reduction.

The Applicant has also submitted traffic studies indicating that the existing parking within the development is currently underutilized. These studies project that the proposed renovation of the shopping center will generate a maximum demand of approximately 328 parking spaces. Based on this analysis, the available parking capacity is deemed sufficient to accommodate the anticipated needs of the future population served by the site, refer to exhibit documents.