



# MEMORANDUM

AGENDA ITEM #5b)1

DATE: MARCH 1, 2010

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: PARK SQUARE AT DORAL PARCEL OF THE RYDER SYSTEM, INC./WESTSIDE CORPORATE CENTER DEVELOPMENT OF REGIONAL IMPACT (DRI) NOTICE OF PROPOSED CHANGE (NOPC), CITY OF DORAL

## Background

In this NOPC, filed December 24, 2008, by Shoma Homes Village at Doral, Inc., n/k/a Park Square Commercial - Phase 2, Inc., and Village at Doral Commercial, LLC, (collectively, the Applicants), the development known as Park Square at Doral is proposed in a parcel of land within the previously approved Ryder System, Inc./Westside Corporate Center (WCC) Development of Regional Impact (DRI) in the City of Doral, Miami-Dade County, Florida. The 51.43-acre site is bounded on the north by NW 36th Street, on the south by NW 33 Street, on the east by NW 82nd Avenue, and on the west approximately by NW 85th Avenue (see attached "Exhibit 21-1, Project Location").

The subject DRI was originally approved in 1984 as the Ryder System DRI (Increment I). The land uses were subsequently amended (including changing the name to Westside Corporate Center) in 1988 (Increment II), 1998, 2003, and 2006. The most recent amendment (in 2007) was approved by the recently incorporated City of Doral in order to accommodate office, residential, and some retail development within the Park Square parcel. All prior approvals took place under the jurisdiction of Miami-Dade County (Table 1). Previous changes to the project and the Development Order and specific proposed changes are listed in "Exhibit E."

**Table 1 - Park Square at Doral DRI Development History**

Date	Ordinance	Incremental Modifications
02/19/87	Res. Z-45-87	Master Development Order (DO) for Increments I and II
11/10/88	Res. Z-258-88	Original DO for Increment II
07/25/89	Res. Z-146-89	Build-out date extension
07/17/98	Res. Z-15-98	1 <sup>st</sup> Amendment: DO modification
06/19/02	Res. Z-09-03	2 <sup>nd</sup> Amendment: DO modification
09/27/06	Ord. 2006-17	3 <sup>rd</sup> Amendment: DO modification
09/26/07	Res. Z-07-16	Plat approval
12/24/08 proposed	Ord. 2010-01; Ord. 2010-02	Build-out date extension; DO modification: City Council of City of Doral adopted on 02/10/10

## Proposed Development

Market conditions now call for a significant reconfiguration of the previously approved land uses at the Park Square parcel. Except for this site, all parcels within the DRI are built-out. Most of them were built between 10 and 20 years ago. The proposed Park Square development, although within the original WCC DRI property, does not share ownership with other parcels within the WCC DRI, except for one small parcel not adjacent to Park Square. Therefore, it was agreed with FDOT representatives that the impacts of the Park Square project would be assessed as if it were a free-standing DRI. The impacts of other portions of the WCC DRI, since already built, were accounted for in the analysis of existing conditions.

Construction of the Park Square parcel will occur in a single phase with buildout anticipated by December 31, 2014, reflecting the two- and three-year legislative extensions to previously approved DRIs. The proposed land uses are summarized in Table 2. Park Square has the City of Doral's Future Land Use Designation of Downtown Mixed Use.

**Table 2 -Proposed Land Uses**

<b>Land Use</b>	<b>Proposed Park Square Parcel</b>
Office	1,588,563 sq. ft.
Hotel	480 Rooms
Residential Condominium	400 Dwelling Units (DU)
Retail	671,400 sq. ft.
Restaurant/Commercial	740 Seats/Bank

This proposal would result in a simultaneous increase and decrease of uses from the last DRI approval, as follows:

- 1,588,563 square feet of office use (an increase of 198,979 sq. ft.)
- 671,400 square feet of retail use (an increase of 514,100 sq. ft.)
- 480 hotel rooms (an increase of 180 rooms)
- 400 residential dwelling units (a decrease of 527 DUs)

The residential component is being reduced and the office, hotel, and retail components increased. The uses of 740 restaurant seats and a bank remain unchanged from the last DRI approval. In the alternative, the Applicants have proposed a combination of uses, as provided in a Land Use Exchange Matrix (see attached "Exhibit D").

## Analysis

**Transportation:** Because there will be an increase of 2,234 net, new, external vehicular trips associated with the proposal, a detailed traffic impact analysis was conducted. As a result of the study and agency recommendations, the Applicants have agreed to numerous traffic improvements to accommodate additional trips. These include roadway widening, intersection improvements, public transit infrastructure improvements, and traffic demand management strategies (TDM). To highlight a few of the significant enhancements, the Applicants will create, within the project, a transportation hub with 3 bus bays and on- and off-site bus shelters. The Applicants will also contribute up to \$500,000 for 2 additional trolleys. Concurrently, some of the TDM strategies include preferential parking, staggered work hours, and bicycle facilities.

**Affordable Housing:** The Affordable Housing analysis was prepared by the Applicants' consultant, using the Affordable Housing Methodology (Methodology) for a DRI formulated by the East Central Florida Regional Planning Council (ECFRPC). The analysis revealed that the existing housing supply will be able to accommodate

the demand for housing affordable to moderate-income households, but will be insufficient to accommodate demand generated by the additional non-residential uses for housing affordable to low- and very low-income households. The deficit of available supply with respect to low-income housing will equate to 25 units, while the deficit of very low-income housing will equate to 7 units. However, deficits in these amounts are not considered "significant."

According to Rule 9J-2.048(7), Fla. Admin. Code, a deficit is not considered "significant," hence requiring mitigation, unless it is equivalent in the number of units to 5 percent of the DRI residential threshold in the County in which the proposed project is located: i.e., 150 units in the case of Miami-Dade County. Accordingly, the deficits of 25 very low-income units and 7 low-income units - 32 total units - are not considered significant, either separately or in combination. Hence, no mitigation is required.

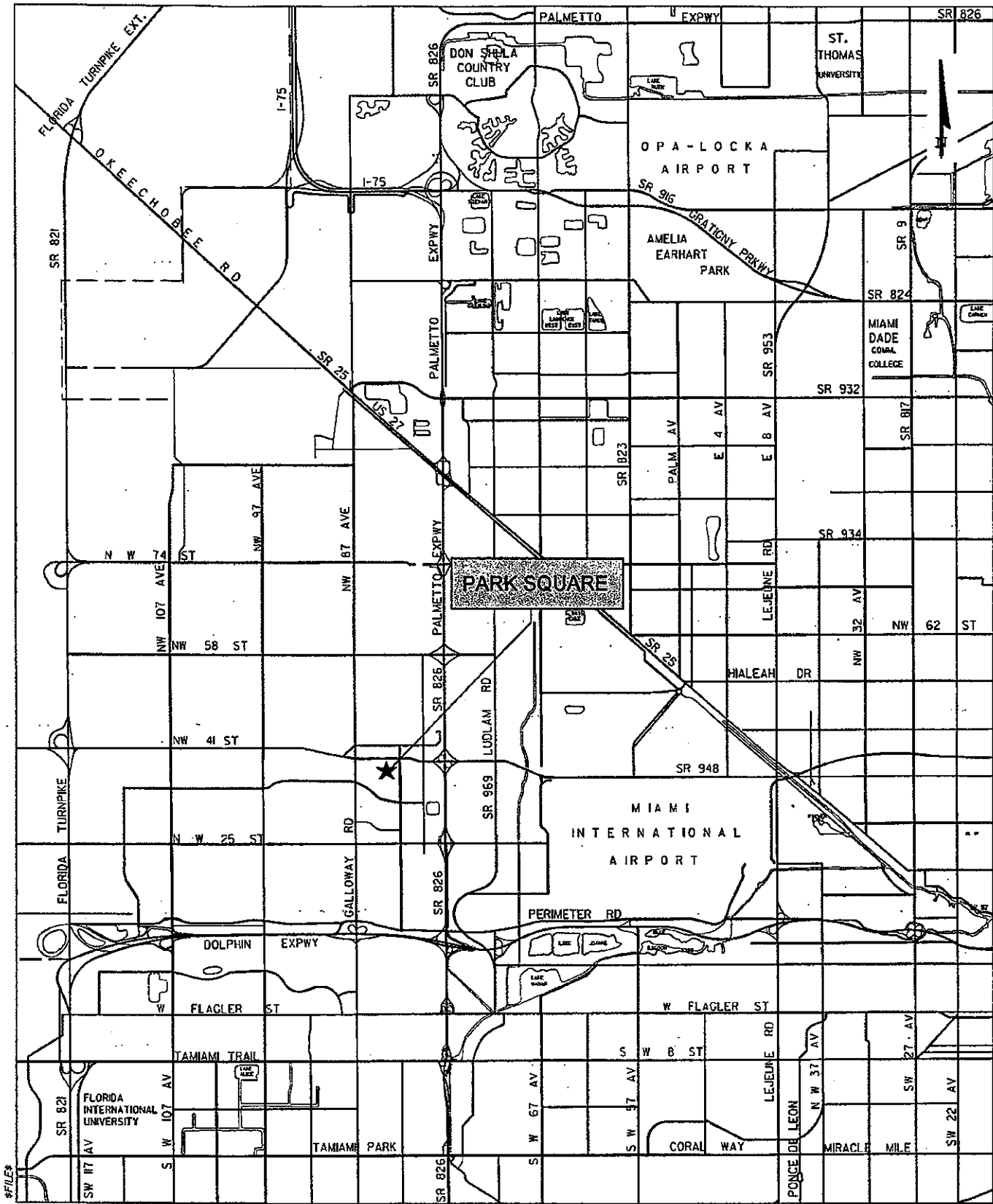
### Findings

The proposed change does not constitute a substantial deviation under Sec. 380.06(19), Fla. Stat. The proposed NOPC, together with the affordable housing analysis, traffic studies, and other transportation analyses, have been thoroughly reviewed by Council staff, the City of Doral, and the Florida Departments of Transportation and Community Affairs, with no objections and a finding that any potential adverse or significant regional impacts will be fully mitigated. Staff analysis confirms that the adopted ordinances related to this NOPC are compatible with and supportive of the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

The City of Doral unanimously voted to adopt the ordinances at its February 10, 2010 meeting.

### Recommendation

Find City of Doral adopted Ordinances 2010-01 and 2010-02 generally consistent with the *Strategic Regional Policy Plan for South Florida*. Approve this staff report for transmittal to the Florida Department of Community Affairs.



Source: David Plummer & Associates

**Exhibit 21-1**  
 Project Location  
 Park Square NOPC

**EXHIBIT E**

**Approved DRI Land Uses and the Magnitude of the Proposed Change**

DRI Land Uses	Vested and Increment I	Resolution Z-258-88 Increment II	Resolution Z-15-98 1 <sup>st</sup> Amendment	Resolution Z-9-03 2 <sup>nd</sup> Amendment	Ordinance 2006-17 3 <sup>rd</sup> Amendment	NOPC Dec. 2008	Change from Last DRI Approval	Change from Original DRI Approval [3]
Office - Vested	212,000 SF [4]				0	0	0	-212,000 SF
Office - Increment I	393,210 SF				225,000 SF	225,000 SF	0	-168,210 SF
Office - Increment II		1,865,000 SF	1,865,000 SF	1,735,000 SF	1,389,584 SF [1]	1,588,563 SF	+198,979 SF	-276,437 SF
Restaurant/Commercial		2 at 200 Seats	400 Seats	740 Seats/Bank	740 Seats/Bank	740 Seats/Bank	No Change	+340 Seats
Retail [1]		N/A	N/A	N/A	157,300 SF	671,400 SF	+514,100 SF	+671,400 SF
Hotel [2]		300 Rooms	300 Rooms	300 Rooms	300 Rooms	480 Rooms	+180 Rooms	+180 Rooms
Residential		N/A	N/A	N/A	927 DU	400 DU	-527 DU	+400 DU

[1] An alternative development program contemplated by this approval would increase retail and further reduce office uses through the use of an equivalency matrix.

[2] The hotel use was approved for 300,000 SF. The two hotels built on site actually contain a total of 216 rooms and 120,080 SF. The intent of this application is to provide for 180 hotel rooms within Park Square at Doral.

[3] There is a net reduction of 656,647 SF of office and an increase in restaurant/retail, hotel and residential use from the original DRI approvals.

[4] Original Ryder System Corporate Headquarters building, located within the boundaries of Increment II, was vested.

**EXHIBIT D**

**Land Use Exchange Matrix  
Park Square NOPC**

from:	to:	Residential	Office	Retail	Hotel
Residential	1 Dwelling Unit converts into:	1.00 DU	265.75 SF	118.08 SF	0.48 Rooms
Office	1,000 SF converts into:	3.76 DU	1,000.00 SF	444.34 SF	1.80 Rooms
Retail	1,000 SF GLA converts into:	8.47 DU	2,250.55 SF	1,000.00 SF	4.05 Rooms
Hotel	1 Room converts into:	2.09 DU	555.01 SF	245.61 SF	1.00 Rooms

Source: David Plummer and Associates, Inc.

**ORDINANCE NO. 2010- 01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING THE NOTICE OF PROPOSED CHANGE (NOPC) TO MODIFY THE EXISTING RYDER SYSTEM INC. / WESTSIDE CORPORATE CENTER DRI OF PARK SQUARE AT DORAL AND MODIFY CONDITION #10 OF MIAMI-DADE COUNTY RESOLUTION Z-258-88, PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, AND MODIFIED BY MIAMI-DADE COUNTY RESOLUTION Z-15-98, MIAMI-DADE COUNTY RESOLUTION Z-9-03, AND CITY COUNCIL ORDINANCE 2006-17; MODIFY CONDITIONS #11 AND #12 OF MIAMI-DADE COUNTY RESOLUTION Z-258-88, PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, AND MODIFIED BY MIAMI-DADE COUNTY RESOLUTION Z-15-98, MIAMI-DADE COUNTY RESOLUTION Z-9-03, AND CITY COUNCIL ORDINANCE 2006-17; AND MAKING A FINDING THAT SAID CHANGES DO NOT CONSTITUTE A SUBSTANTIAL DEVIATION PURSUANT TO SECTION 380.06(19), FLORIDA STATUTES; PROPERTY GENERALLY LOCATED BETWEEN NW 82<sup>ND</sup> AVENUE AND 87<sup>TH</sup> AVENUE AND NW 36<sup>TH</sup> STREET AND NW 33<sup>RD</sup> STREET IN THE CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR RECORDATION; PROVIDING AN EFFECTIVE DATE**

WHEREAS, Shoma Homes Village at Doral, Inc. and Village at Doral Commercial, ("Applicant") filed a Notice of Proposed Change (the "NOPC") to modify the existing Ryder System, Inc./ Westside Corporate Center DRI (the "DRI") in accordance with the approved Park Square at Doral Planned Unit Development (PUD), for the property generally located between NW 82nd Avenue and 87th Avenue and NW 36th Street and NW 33rd Street, in the City of Doral, Miami-Dade County, Florida seeking a modification of Condition Nos. 10, 11, and 12 of the DRI Development Order, as amended;

**WHEREAS**, the Applicant has requested a substantial deviation determination for the NOPC request to modify the DRI, in accordance Section 380.06(19), Florida Statutes; and

**WHEREAS**, after careful review and deliberation, staff has determined that this application for a modification to the DRI does not constitute a substantial deviation as per section 380.06, Florida Statue; and

**WHEREAS**, on \_\_\_\_\_ the City Council held a quasi-judicial hearing and received testimony and evidence related to the Application from the Applicant and other persons and found that the Notice of Proposed Change (NOPC) meet all applicable regulations and is consistent with the proposed CDMP; and

**WHEREAS**, after careful review and deliberation, staff has determined that this application has complied with the Code;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA THAT:**

**Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption hereof.

**Section 2.** Condition Nos. 10, 11, and 12 of the DRI Development Order, as amended, shall now read as follows:

"10. Limit development to those land uses authorized by City of Doral provided, however, that the overall development shall have a maximum of



1,588,563 square feet of office use, 671,400 square feet of retail use, 740 restaurant seats and a bank, 400 residential dwelling units, and 480 hotel rooms or a combination of uses as provided for in the Equivalency Matrix contained in the attached Exhibit \_\_\_ and generally reflected on the "Park Square at Doral Master Development Plan," prepared by Zyscovich and Associates, dated 12/18/2008. Subsequent plan approval will require compliance with all City of Doral Comprehensive Plan and Land Development Regulations standards, as may be amended from time to time in accordance with the City of Doral Code, and subject to substantial deviation determination, if applicable.

"11. December 31, 2014 is hereby established as the date until which the City of Doral agrees that the Westside Corporate Center/Increment II Corporate Office Park Development of Regional Impact shall not be subject to downzoning, unit density reduction, or intensity reduction, unless the City can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred, or that the development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to public health, safety, or welfare.

"12. (For purposes of this paragraph, physical development means that development as defined in §380.04, Florida Statutes.) Physical development of this development has commenced . The termination date

for completing development shall be December 31, 2014, provided that the Applicant, its successors, and/or assigns complies with Condition 19 herein. The termination date may only be modified in accordance with §380.06(19)(c), Florida Statutes."

**Section 3.** The City Council of the City of Doral hereby finds that the proposed change to modify the existing Ryder System, Inc. / Westside Corporate Center DRI in accordance with the approved Park Square at Doral Planned Unit Development (PUD) does not constitute a substantial deviation as per Section 380.06 Florida Statutes.

**Section 3.** Effective Date. This Ordinance shall be effective upon adoption on second reading.

The foregoing Ordinance 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 Juan Carlos Bermudez	_____
Vice Mayor Robert Van Name	_____
Councilman Peter Cabrera	_____
Councilman Michael DiPietro	_____
Councilwoman Sandra Ruiz	_____

PASSED AND ADOPTED on first reading this \_\_\_ day of \_\_\_\_\_, 2010.

PASSED AND ADOPTED on second reading this \_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

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BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

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JIMMY L. MORALES, CITY ATTORNEY

**ORDINANCE NO. 2010- 02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING AN AMENDMENT TO THE PARK SQUARE AT DORAL PLANNED UNIT DEVELOPMENT (PUD) AND ASSOCIATED MASTER DEVELOPMENT PLAN; AND AMENDING THE MASTER DEVELOPMENT AGREEMENT APPROVED BY THE CITY COUNCIL PURSUANT TO ORDINANCE 2006-17; PROPERTY GENERALLY LOCATED BETWEEN NW 82<sup>ND</sup> AVENUE AND 87<sup>TH</sup> AVENUE AND NW 36<sup>TH</sup> STREET AND NW 33<sup>RD</sup> STREET IN THE CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR RECORDATION; PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Shoma Homes Village at Doral, Inc. and Village at Doral Commercial, ("Applicant") has requested an amendment to the Park Square at Doral Planned Unit Development (PUD) and Associated Master Development Plan; and an amendment to the Master Development Agreement approved by City Council pursuant to Ordinance 2006-17; for the property generally located between NW 82nd Avenue and 87th Avenue and NW 36th Street and NW 33rd Street, in the City of Doral, Miami-Dade County, Florida.; and

**WHEREAS**, after careful review and deliberation, staff has determined that this application has complied with the Code; and

**WHEREAS**, on \_\_\_\_\_ the City Council held a quasi-judicial hearing and received testimony and evidence related to the Application from the Applicant and other persons and found that the rezoning is consistent with the Comprehensive Plan and is in the best interest of the residents of Doral;

**WHEREAS**, after careful review and deliberation, staff has determined that this application has complied with the Code;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA THAT:**

**Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption hereof.

**Section 2.** The changes to the PUD and associated Master Development Plan and to the Master Development Agreement, which are reflected in the First Amended and Restated Master Development Agreement for Park Square at Doral, of copy of which is attached hereto as exhibit A and which reflects these amendments to the Park Square at Doral Planned Unit Development (PUD) and Associated Master Development Plan, for the property generally located between NW 82nd Avenue and 87th Avenue and NW 36th Street and NW 33rd Street, in the City of Doral, Miami-Dade County, Florida are hereby approved.

**Section 3.** Effective Date. This Ordinance shall be effective upon adoption on second reading.

The foregoing Ordinance 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 Juan Carlos Bermudez \_\_\_\_\_

Vice Mayor Robert Van Name \_\_\_\_\_  
Councilman Peter Cabrera \_\_\_\_\_  
Councilman Michael DiPietro \_\_\_\_\_  
Councilwoman Sandra Ruiz \_\_\_\_\_

PASSED AND ADOPTED on first reading this \_\_\_\_ day of \_\_\_\_\_, 2010.

PASSED AND ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

\_\_\_\_\_  
BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
JIMMY L. MORALES, CITY ATTORNEY