

ORDINANCE No. 2019-27

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING AN AMENDMENT TO THE OFFICIAL ZONING MAP OF THE CITY OF DORAL, FROM INDUSTRIAL COMMERCIAL (IC) DISTRICT TO DOWNTOWN MIXED USE (DMU) DISTRICT FOR A ±1.95 ACRE PARCEL LOCATED AT 8484 NW 36 STREET, DORAL, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Doral Court Plaza, LLC (the “Applicant”) is requesting an amendment to the Official Zoning Map of the City of Doral from “Industrial Commercial” (IC) to “Downtown Mixed Use” (DMU) for the property located at 8484 NW 36th Street Doral, Florida, as legally described in “Exhibit A”; and

WHEREAS, the proposed amendment to the Zoning Map is being submitted concurrently with a proposed amendment to the Comprehensive Plan Future Land Use Map (FLUM) from Office and Residential (OR) to Downtown Mixed Use (DMU); and

WHEREAS, on May 2, 2019 the City of Doral held a zoning workshop to provide residents and interested stakeholders an opportunity to review the proposed rezoning and provide comments to City Staff; and

WHEREAS, on August 28, 2019, the Mayor and City Council sitting as the Local Planning Agency (LPA) at a properly advertised hearing received testimony and evidence related to the Application from stakeholders and found that the rezoning from IC to DMU was consistent with the City’s Comprehensive Plan and Land Development Code; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners on record within five hundred (500) feet, a public hearing was held before the City Council of the City of Doral on August 28, 2019, at which hearing all interested persons were afforded the opportunity to be heard and this application for rezoning was approved on First Reading; and

WHEREAS, after careful review of the application, staff has determined that the application is consistent with the City's Comprehensive Plan and complies with the City's Land Development Code (LDC); and

WHEREAS, public hearings have been completed as indicated herein by the City Council in consideration of a request to change the zoning pursuant to Florida Statutes, and including careful consideration of written and oral comments by members of the public; and

WHEREAS, the City Council finds that the proposed rezoning is consistent with the City's Comprehensive Plan and Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:

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 rezoning of the property totaling ±1.95 acres located at 8484 NW 36th Street Doral, Florida, from Industrial Commercial (IC) to Downtown Mixed Use (DMU) is hereby approved, as depicted in "Exhibit B".

Section 3. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

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

| | |
|----------------------------|-----|
| Mayor Juan Carlos Bermudez | Yes |
| Vice Mayor Claudia Mariaca | Yes |
| Councilwoman Digna Cabral | Yes |
| Councilman Pete Cabrera | Yes |
| Councilwoman Christi Fraga | Yes |

PASSED AND ADOPTED on FIRST READING this 28 day of August, 2019.

PASSED AND ADOPTED on SECOND READING this 25 day of September, 2019.



JUAN CARLOS BERMUDEZ, 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:



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY

EXHIBIT “A”

EXHIBIT A
LEGAL DESCRIPTION

PARCEL "B":

A portion of the West 847.72 feet of Tracts 29 and 30, of FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, in Section 27, Township 53 South, Range 40 East, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows: Commence at the Northwest corner of said Tract 30; thence North 89'58'53" East along the North line of said Tract 30 for a distance of 609.88 feet; thence South 00'21'28" East for a distance of 55.00 feet to a point lying on the South right of way line of N.W. 36th Street and the Point of Beginning of the herein described parcel of land; thence North 89'58'15" East along said right of way for a distance of 239.71 feet; thence South 01'50'30" East for a distance of 297.24 feet; thence South 89'58'15" West for a distance of 247.41 feet; thence North 00'21'28" West for a distance of 297.14 feet to the Point of Beginning.

Containing 72,365 square feet or 1.661 acres more or less.

TOGETHER WITH

CASTER PARCEL:

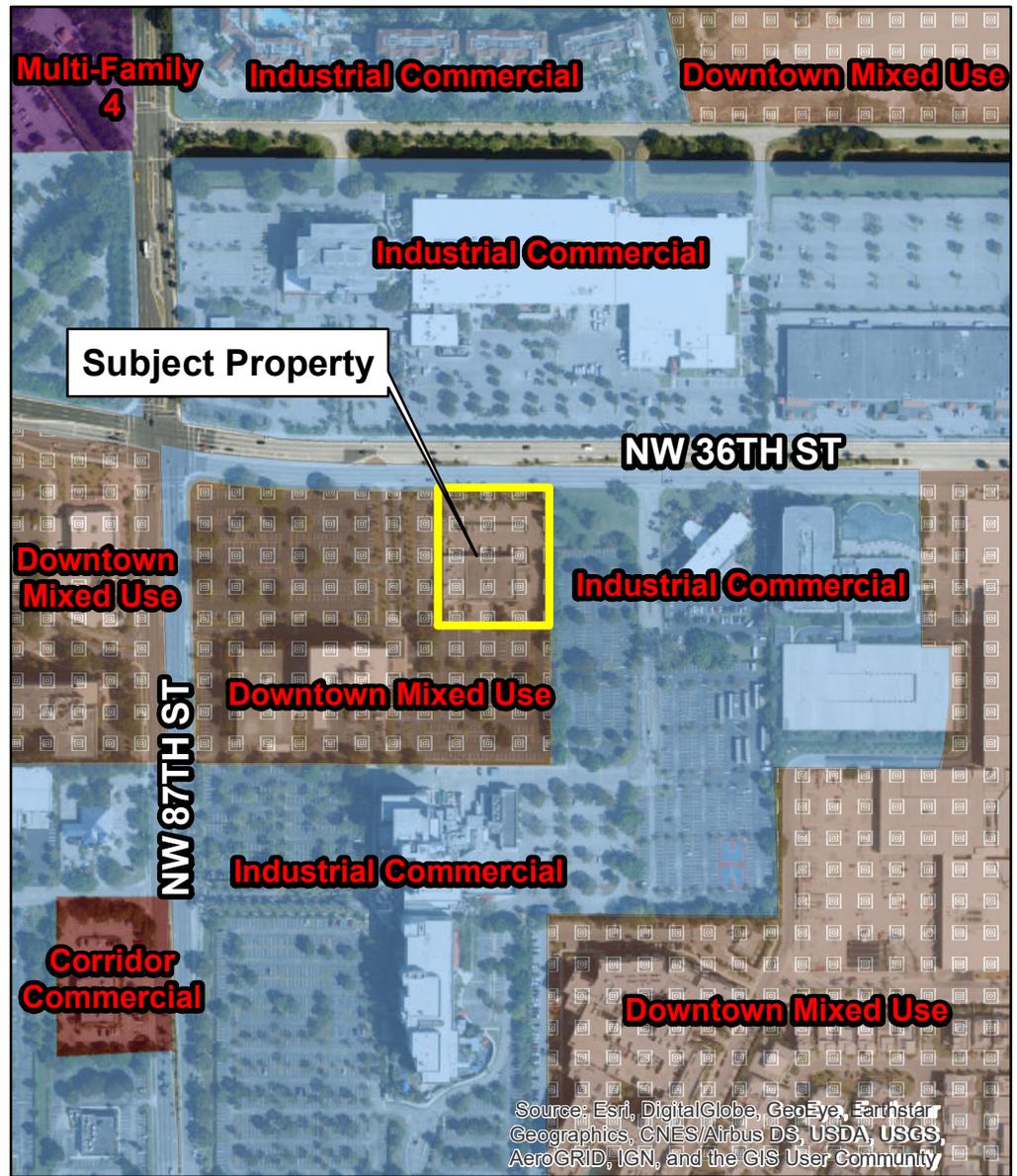
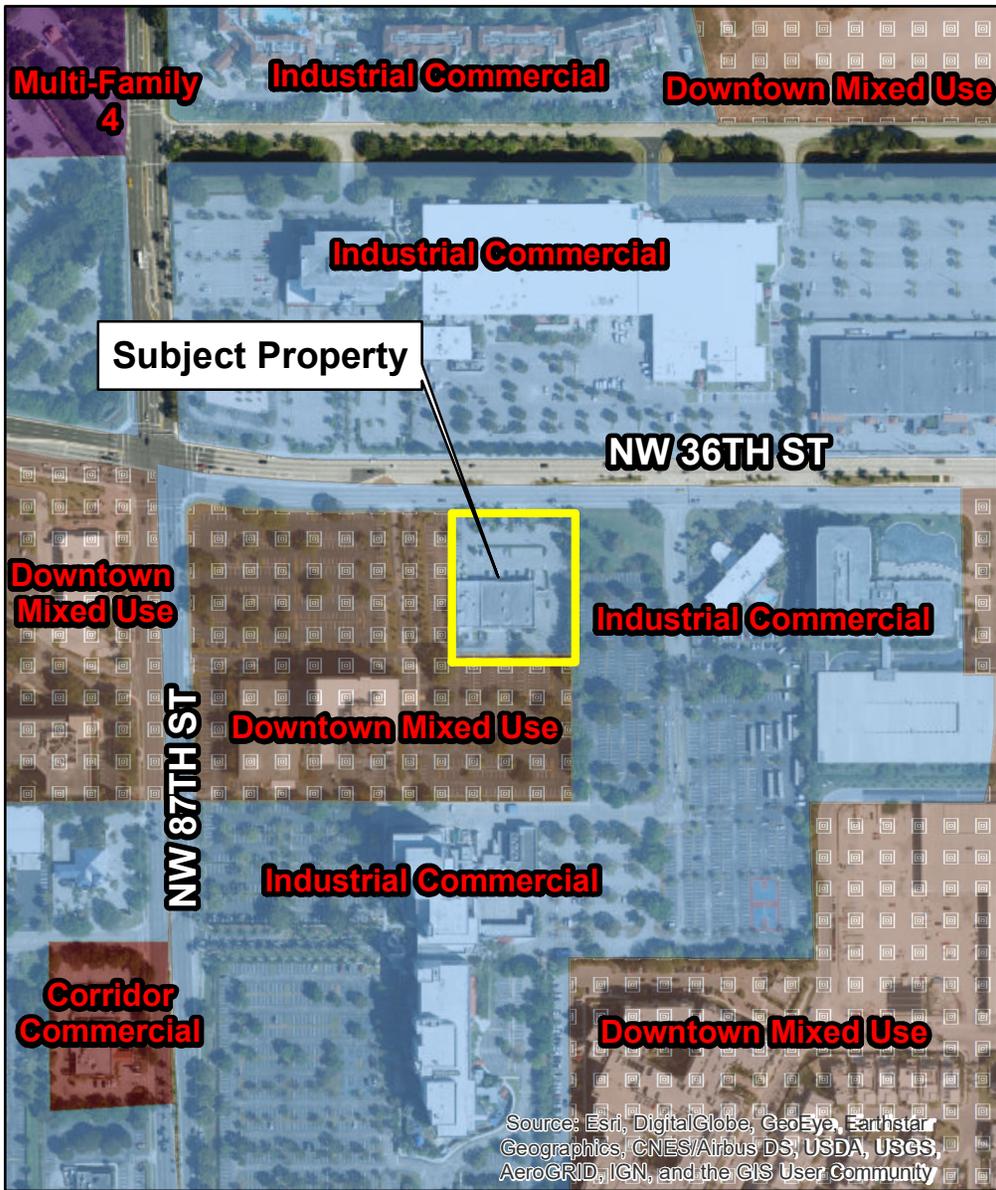
A portion of the West 847.72 feet of Tracts 29 and 30, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, in Section 27, Township 53 South, Range 40 East, according to the plat thereof, as recorded in Plat Book 2, at Page 17, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows: Commence at the Northwest corner of said Tract 30; then North 89'58'53" East along the North line of said Tract 30 for a distance of 609.88 feet; thence South 00'21'28" East for a distance of 55.00 feet to a point lying on the South right of way line of N.W. 36th Street (Doral Boulevard) and the Point of Beginning of the herein described parcel of land; thence continue South 00'21'28" East along the West line of the lands described in Partial Release of Unities of Title recorded in Official Records Book 22183, Page 4630, of the Public Records of Miami-Dade County, Florida, for a distance of 297.14 feet; thence South 89'58'15" West, along the Westerly prolongation of the South line of the lands described in said Partial Release of Unities of Title, for a distance of 42.00 feet; thence North 00'21'28" West for a distance of 297.15 feet; thence North 89'58'53" East, along the South right of way line of N.W. 36th Street (Doral Boulevard), for a distance of 42.00 feet to the Point of Beginning.

Containing 12,480 square feet or 0.29 acres more or less.

EASEMENT ESTATE:

Together with a nonexclusive easement for access, parking and utilities more particularly described in the Easement Agreement dated March 29, 2004 by and between ACP/Doral Court, LLC, a Delaware limited liability company and Doral Court Plaza, LLC, a Florida limited liability company recorded April 1, 2004, in Official Records Book 22171, Page 4144, as amended by Relocation of Parking Easement Area Pursuant to Easement Agreement recorded October 20, 2016 in Official Records Book 30276, Page 1981 of the public records of Miami-Dade County, Florida.

EXHIBIT “B”



Current Zoning

City of Doral

Proposed Zoning

Legend

-  Multi Family 4 (MF-4)
-  Downtown Mixed Use (DMU)
-  Corridor Commercial (CC)
-  Industrial Commercial (IC)



Planning & Zoning Department
Zoning Map

