

ORDINANCE No. 2016-11

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APROVING A SMALL-SCALE DEVELOPMENT AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE MAP FROM "OFFICE RESIDENTIAL" TO "COMMUNITY MIXED USE" FOR 7.3± ACRES OF LAND FOR THE PROPERTY GENERALLY LOCATED SOUTH OF NW 41 STREET AND BETWEEN NW 94 AVENUE AND THEORETICAL NW 95 AVENUE, CITY OF DORAL, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral, pursuant to the Local Government Comprehensive Planning Act, in accordance with all of its terms and provisions, has reviewed the application of Shoma Investments Company, proposing an amendment to the Future Land Use Map in the City's Comprehensive Plan changing the land use designation from Office Residential (OR) to Community Mixed Use (CMU) for 7.3± acres for the property generally located south of N.W. 41st Street between N.W. 94th Avenue and theoretical N.W. 95th Avenue, Doral, Florida, as legally described in Exhibit A; and

WHEREAS, the City Council has been designated as the Local Planning Agency ("LPA") for the City pursuant to Section 163.3174, Florida Statutes, and has held a duly advertised public hearing and recommended denial/approval of the application of Shoma Investments Company to amend the Comprehensive Plan Future Land Use Map; and

WHEREAS, the City Council of the City of Doral has conducted duly-advertised public hearings upon the future land use proposed by Shoma Investments Company and has considered all comments received concerning the proposed amendment as required by State law and local ordinances; and

WHEREAS, the City Council has reviewed City staff report, incorporated herein, which contains data and analysis addressing the proposed future land use amendment; and

WHEREAS, the City Council finds that the proposed amendment is consistent with the City's Comprehensive Plan as adopted and recommended by staff; and

WHEREAS, the City Council of the City of Doral further finds that the proposed amendment to the Comprehensive Plan Future Land Use Map changing the land use designation from Office Residential (OR) to Community Mixed Use (CMU) for 7.3± acres on the property generally located at N.W. 41st Street and N.W. 94th Avenue, Doral, Florida, is/is not in the best interests of the residents of the City.

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

Section 1. Recitals. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. Decision. The City's Comprehensive Plan Future Land Use Map is/is not hereby amended by changing the land use designation from Office Residential (OR) to Community Mixed Use (CMU) for 7.3± acres for the property generally located at N.W. 41st Street and N.W. 94th Avenue, Doral, Florida, as legally described in Exhibit A.

Section 3. Amendment to Future Land Use Map. The Director of Planning and Zoning is further authorized to make/not to make the necessary changes as required to the Comprehensive Plan Future Land Use Map to reflect the above stated change.

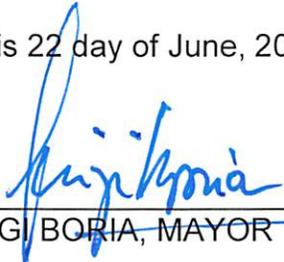
Section 4. Effective Date. This Ordinance shall be effective upon adoption of a final non-appealable order approving Ordinance No. 2016-10 "Land Development Code Text Amendment Sec 68-581" if the land development code amendment is not ultimately approved this ordinance shall be void ab initio.

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

Mayor Luigi Boria	Yes
Vice Mayor Christi Fraga	Yes
Councilman Pete Cabrera	Yes
Councilwoman Ana Maria Rodriguez	No
Councilwoman Sandra Ruiz	Yes

PASSED AND ADOPTED on first reading this 11 day of May, 2016.

PASSED AND ADOPTED on second reading this 22 day of June, 2016.



LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, EMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY

Exhibit A

Shoma Investments Company
Property Legal Description

TRACT "F" OF "EASTERN DORAL ACRES SECTION ONE SUBDIVISION"
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 111,
PAGE 53, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.