

ORDINANCE No. 2022-20

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A LARGE-SCALE LAND USE AMENDMENT TO THE CITY OF DORAL COMPREHENSIVE PLAN FUTURE LAND USE MAP, TO CHANGE THE LAND USE DESIGNATION FROM COMMUNITY MIXED USE (CMU) TO DOWNTOWN MIXED USE (DMU) FOR ±56.4 ACRES FOR THE PROPERTY LOCATED AT 4400 NW 87 AVENUE; AUTHORIZING THE TRANSMITTAL OF THE FLUM AMENDMENT ADOPTION PACKAGE TO THE STATE LAND PLANNING AGENCY IN THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND OTHER REQUIRED GOVERNMENTAL REVIEWING AGENCIES PURSUANT TO THE PROVISIONS OF SECTION 163.3184, FLORIDA STATUTES PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Trump Endeavor 12 LLC (the "Applicant"), is seeking a large-scale Future Land Use Map ("FLUM") amendment (the "Application") from Community Mixed Use ("CMU") to Downtown Mixed Use ("DMU") for ±56.4 acres for the property located at 4400 NW 87 Avenue, in the City of Doral, Florida (the "Property"), as legally described in "Exhibit A"; and

WHEREAS, the Applicant intends to redevelop the property with a mixed use project comprising residential dwelling units, existing hotel rooms, square feet of retail use, square feet of amenities, park, plaza, bike trail and tennis courts; and

WHEREAS, City of Doral staff finds that the procedures for reviewing and recommending on a proposed comprehensive plan amendment are provided in section 53-213(c) of the City's Land Development Code and that the proposed Future Land Use Map amendment to the City's Comprehensive Plan has met those criteria and standards; and

WHEREAS, on October 26, 2022, the City Council of the City of Doral sitting as the Local Planning Agency (LPA) at a properly advertised hearing received testimony and evidence related to the proposed Future Land Use Map amendment as required by state law and local ordinances; and

WHEREAS, on October 26, 2022, the City Council of the City of Doral at a properly advertised hearing (Transmittal Hearing - First Reading) received testimony and evidence related to the proposed Future Land Use Map amendment as required by state law and local ordinances; and

WHEREAS, on December 2, 2022, Florida Department of Economic Opportunity (“DEO”), Bureau of Community Planning and Growth, informed the City that DEO had no comments on the proposed amendment; and

WHEREAS, on May 24, 2023, the Applicant filed a request with the City to extend the 180-day deadline for scheduling the adoption hearing, pursuant to Section 163.3184(3)(c)(1), Florida Statutes; and

WHEREAS, on May 25th, 2023, DEO, Bureau of Community Planning and Growth was informed that the City had extended the adoption hearing for Amendment No. 22-02ESR, from May 31, 2023 to November 22, 2023, pursuant to Section 163.3184(3)(c)(1), Florida Statutes; and

WHEREAS, the Mayor and City Council find that the adoption of the amendment to the City’s Comprehensive Plan is in the best interest of the health, safety and welfare of the residents of the City of Doral.

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

Section 1. Recitals. 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. Adoption. The Mayor and City Council of the City of Doral hereby approve the amendment to the City’s Comprehensive Plan, Future Land Use Map, to change the future land use map category on the Property from Community Mixed Use (CMU) to Downtown Mixed Use (DMU), as depicted in “Exhibit B,” which is attached hereto and made a part thereof.

Section 3. Authorization to Transmit. The City Manager or his/her designee is hereby authorized to transmit the adopted Future Land Use Map amendment to the City’s Comprehensive Plan to the State Land Planning Agency in the Florida Department of Economic Opportunity and other required governmental agencies for their review consistent with Section 163.3184(3), Florida Statutes, Expedited State Review Process for Adoption of Comprehensive Plan Amendments.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, work or amount of this Ordinance shall be declared unconstitutional or invalid by competent authority, then the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

Section 5. Conflicts. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete, provided the

Declaration of Restrictions proffered by the Applicant limiting future development to a range of 1,410 to a maximum of 1,500 residential units, is first recorded in Miami Dade County Official Public Records, and the same be first approved as to form and legal sufficiency by the City Attorney. If the amendment is timely challenged, this amendment shall become effective on the date the State Land Planning Agency, or the Administration Commission enters a final order determining this adopted amendment to be in compliance, and provided the aforementioned Declaration by the Applicant has been duly recorded as set forth above. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

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

Mayor Christi Fraga	Yes
Vice Mayor Rafael Pineyro	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Maureen Porras	Absent/Excused
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED on FIRST READING this 26 day of October, 2022.

PASSED AND ADOPTED on SECOND READING this 27 day of September, 2023.



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:



VALERIE VICENTE, ESQ. for
NABORS, GIBLIN & NICKERSON, P.A.
CITY ATTORNEY

EXHIBIT “A”

**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
EXHIBIT "A"**

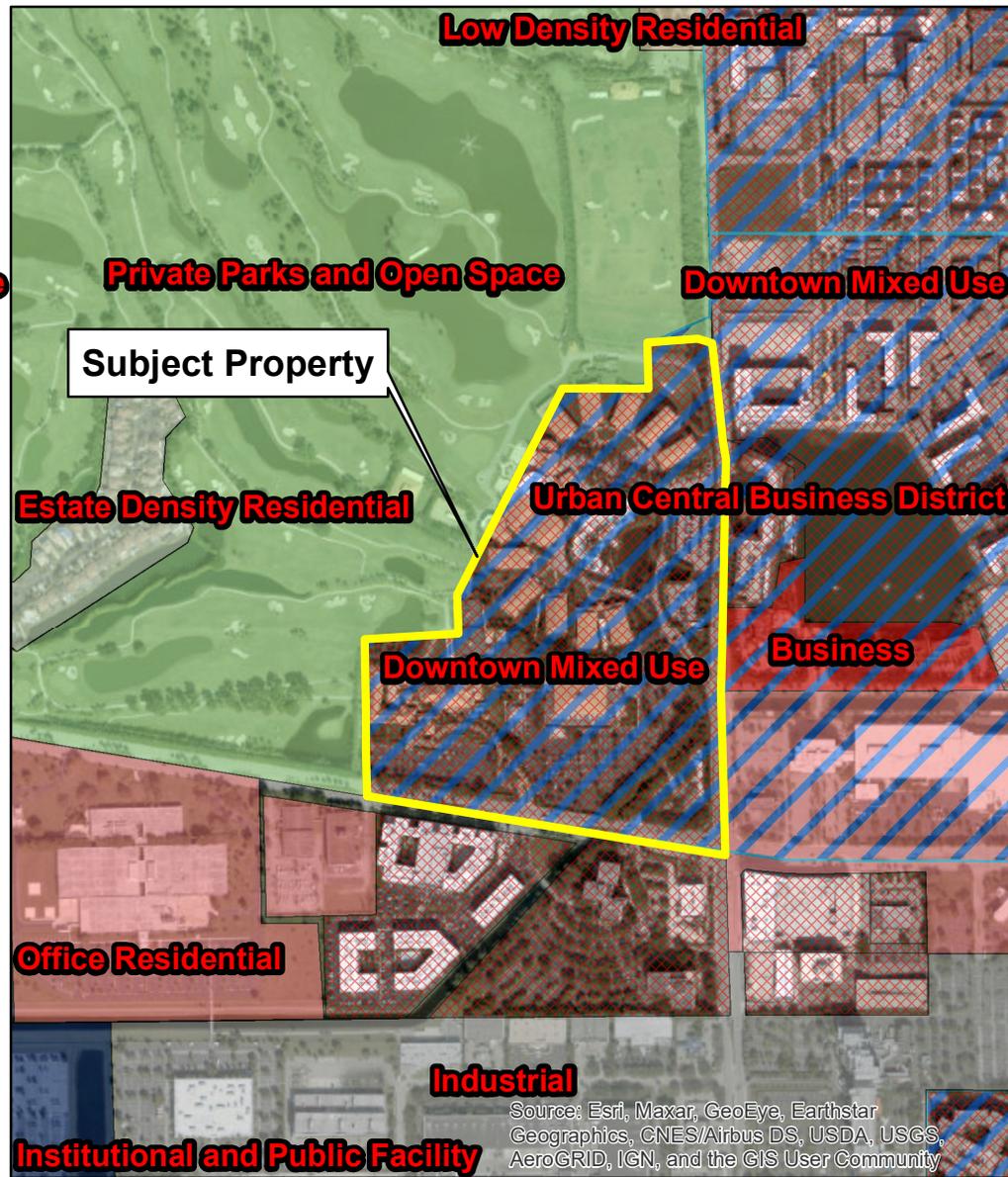
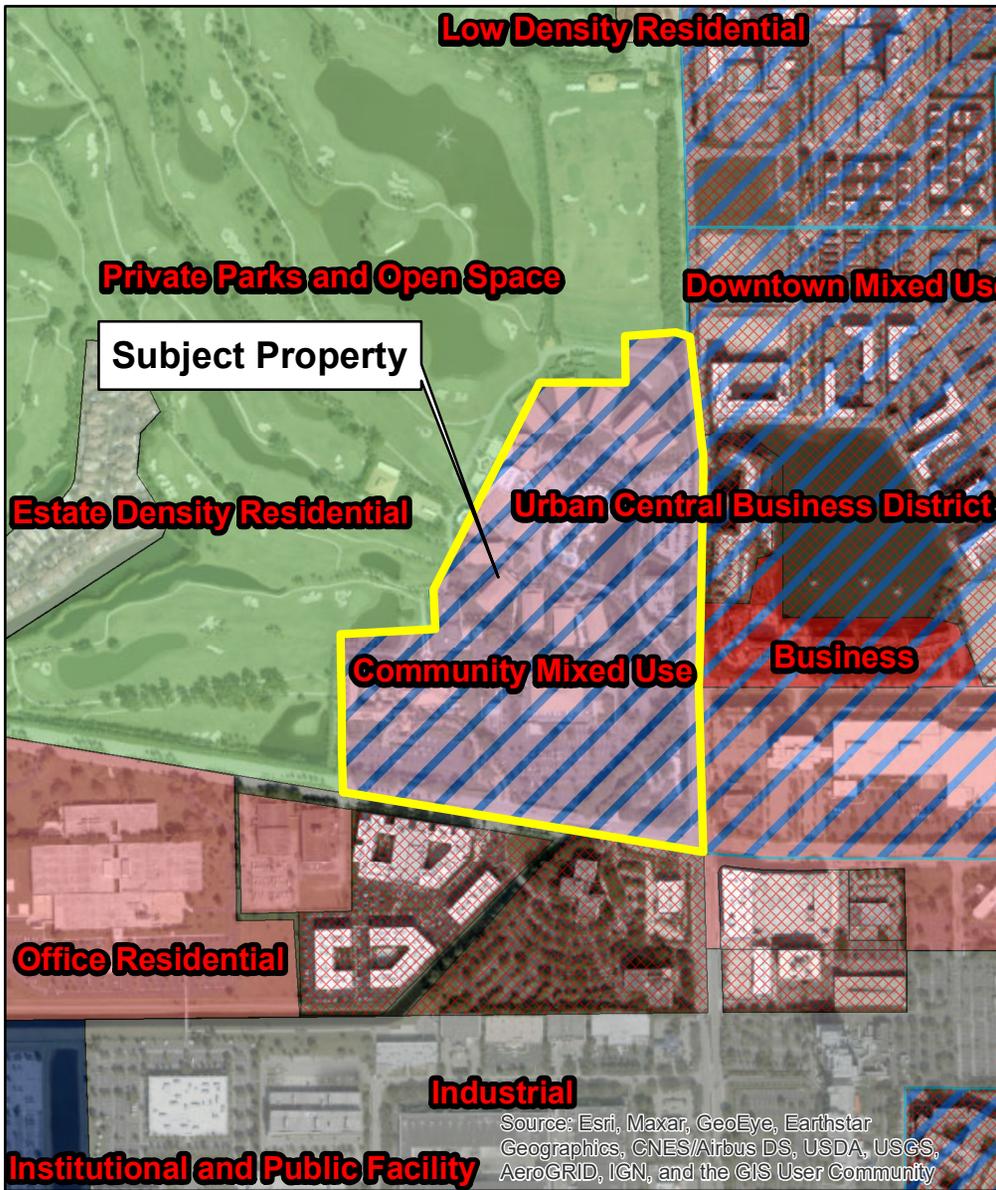
LEGAL DESCRIPTION

A portion of land lying in Sections 21 and 28, Township 53 South, Range 40 East, of Miami-Dade County, Florida, being more particularly described as follows:

Begin at the Northeast Corner of Said Section 28; thence $S01^{\circ}44'49''E$, along the East line of said Section 28, for 623.29 feet to a point on the centerline of Doral Boulevard; thence $N81^{\circ}01'35''W$, along the said centerline of Doral Boulevard, for 1,544.15 feet; thence $N01^{\circ}43'08''W$, for 655.03 feet; thence $N89^{\circ}33'54''E$, for 394.92 feet; thence $N01^{\circ}43'08''W$, for 194.39 feet; thence $N26^{\circ}05'29''E$, for 976.47 feet; thence $N89^{\circ}33'58''E$, for 384.66 feet; thence $N01^{\circ}40'13''W$, for 201.50 feet; thence $N84^{\circ}00'51''E$, for 227.32 feet; thence $S78^{\circ}26'56''E$, for 52.43 feet to a point on the centerline of NW 87 Avenue; thence along the said centerline of NW 87 Avenue the following seven (7) courses; thence $S01^{\circ}40'13''E$, for 5.00 feet to a Point of Curvature of a circular curve to the left, concave to the East, thence along the arc of said curve, having for it's elements a radius of 1,145.92 feet, a central angle of $07^{\circ}03'54''$ for an arc distance of 141.30 feet to a Point of Tangency; thence $S08^{\circ}44'07''E$, for 200.00 feet to a Point of Curvature of a circular curve to the right, concave to the West, thence along the arc of said curve, having for it's elements a radius of 1,909.86 feet, a central angle of $12^{\circ}41'24''$ for an arc distance of 423.00 feet to a Point of Tangency; thence $S03^{\circ}57'17''W$, for 300.00 feet to a Point of Curvature of a circular curve to the left, concave to the East, thence along the arc of said curve, having for it's elements a radius of 1,909.86 feet, a central angle of $05^{\circ}37'30''$ for an arc distance of 187.50 feet to a Point of Tangency; thence $S01^{\circ}40'13''E$, for 310.00 feet to the Point of Beginning.

Containing 2,270,958 Square Feet or 52.13 Acres, more or less, by calculations.

EXHIBIT “B”



Current Future Land Use

City of Doral



Planning & Zoning Department

Trump Endeavor 12 LLC Future Land Use Map

Proposed Future Land Use

Legend

<ul style="list-style-type: none"> Business (B) Urban Central Business District Community Mixed Use (CMU) Downtown Mixed Use (DMU) Estate Density Residential (EDR) High Density Residential (HDR) 	<ul style="list-style-type: none"> Industrial (IND) Institutional and Public Facility (INST) Low Density Residential (LDR) Office Residential (OR) Private Park (PrivPark)
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9/13/2022