

ORDINANCE # 2014-45

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING THE REZONING OF A PROPERTY TOTALING 3+/- ACRES GENERALLY LOCATED ON THE WESTSIDE OF THE THEORETICAL NW 104TH AVENUE ONE BLOCK NORTH OF NW 66TH STREET, CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA FROM GENERAL USE TO INSTITUTIONAL AND PUBLIC FACILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, City of Doral ("Applicant"), has requested the rezoning of a property totaling 3 ± acres generally located on the west side of the theoretical NW 104th Avenue one block north of NW 66th Street, City of Doral, Florida, as legally described in ("Exhibit A") from General Use (GU) to Institutional Public Facility (IPF), as depicted in ("Exhibit B"); and

WHEREAS, the City obtained the subject property (3 ± acres) in 2007 as part of transfer of density along with approval of the "Tuscany at Doral" Development (now known as the "Villages"); and

WHEREAS, Doral Preparatory Charter School Developer, LLC has a lease agreement with the City to construct and operate the charter school with a potential maximum capacity of 900 students from K-8 grades at no cost to the city; and

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

WHEREAS, on December 3, 2015, 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, the City Council has reviewed City staff's report, incorporated herein, which contains data involving and analysis supporting the rezoning; and

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

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

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

Section 2. Approval. The rezoning of the property totaling 3 ± acres generally located on the west side of the theoretical NW 104th Avenue one block north of NW 66th Street, City of Doral, Florida from General Use (GU) to Institutional Public Facility (IPF); is hereby approved.

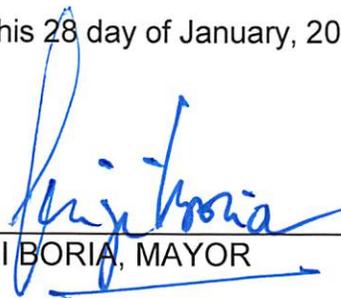
Section 3. Effective Date. This Ordinance shall be effective upon adoption of the Final Non-Appealable Order approving Ordinance No 2014-44 (the "Comprehensive Plan Amendment Ordinance") if the Comprehensive Plan Amendment Ordinance is not ultimately approved this ordinance shall be void ab initio.

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

Mayor Luigi Boria	Yes
Vice Mayor Sandra Ruiz	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED on first reading this 3 day of December, 2014.

PASSED AND ADOPTED on second reading this 28 day of January, 2015.



LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, INTERIM 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 & POPOK, P.A.
CITY ATTORNEY

EXHIBIT “A”

“Exhibit A”

LEGAL DESCRIPTION

LEGAL DESCRIPTION: Parcel 1: 7 53 40 4.11 AC M/L; Fla Fruit Land Co Sub; PB 2-17; W1/2 Tract 64 less S35Ft & N35Ft; Subject to Canal Easement; FAU 30-3007-001-0640 Or 24067-4853 122005 4. Parcel 2: 7 53 40 4.35 ACM/L; Fla Fruit Land Co Sub; PB 2-17; Tract 64 less W1/2 & N35Ft; Subject to Canal Easement; FAU 30-3007-001-0640 Or 17921-2675 1297 I.

“Exhibit B”

