

ORDINANCE No. 2023-26

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A SMALL-SCALE LAND USE AMENDMENT TO THE CITY OF DORAL COMPREHENSIVE PLAN FUTURE LAND USE MAP, TO CHANGE THE LAND USE CATEGORIES FROM OFFICE AND RESIDENTIAL (O-R) AND BUSINESS (B) TO SOLELY BUSINESS (B) FOR ±1.86 ACRES FOR THE PROPERTY LOCATED AT 8080 NW 36 STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to the Local Government Comprehensive Planning Act, in accordance with all of its terms and provisions, the City of Doral, ("Applicant") is requesting a Small-Scale Development Amendment to the City's Comprehensive Plan to modify the Future Land Use Map from Office and Residential (O-R) and Business (B) to solely Business (B) for approximately 1.86± acres for the properties generally located at 8080 NW 36th Street, City of Doral, Florida, as legally described in Exhibit A, and depicted in Figure 1, respectively; and

WHEREAS, the Business land use category will allow the property to be redeveloped with a wide range of commercial and service uses; and

WHEREAS, this proposed small-scale future land use amendment from Office and Residential (O-R) and Business (B) to solely Business (B) will cure an inconsistency that presently exist at the property between the O-R land use category and the current Corridor Commercial (CC) zoning district; and

WHEREAS, after careful review and deliberation, staff has determined that this application is in compliance with the City's CDMP and consistent with Sec. 163.3187, Florida Statutes; 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 approval of the Application to amend the Comprehensive Development Master Plan Future Land Use Map; and

WHEREAS, on September 27, 2023, the City Council of the City of Doral conducted a duly advertised public hearing (First Reading) on the future land use proposed by the Applicant, and has considered all evidence and comments received concerning the proposed amendment to the Plan as required by state law and local ordinances; and

WHEREAS, on October 18, 2023, the City Council of the City of Doral conducted a duly advertised public hearing (Second Reading) on the future land use proposed by the Applicant, and has considered all evidence and comments received concerning the proposed amendment to the Plan as required by state law and local ordinances; and

WHEREAS, the City Council has reviewed the City staff's report, incorporated herein, which contains an analysis supporting the future land use map change; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND 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 Development Master Plan is hereby amended from O-R and Business to solely Business for the parcel located along

the south side of NW 36th Street between NW 82nd Avenue and NW 79th Avenue as legally described in “Exhibit A” and depicted in Figure 1, respectively.

Section 3. Amendment to the Future Land Use Map. The Director of Planning and Zoning or his/her designee is authorized to make the necessary FLUM changes in the Comprehensive Development Master Plan to reflect the above stated change.

Section 4. Effective Date. This Ordinance shall not become effective until 31 days after adoption, pursuant to Section 163.3187(5)(a)(c), Florida Statutes.

The foregoing Ordinance was offered by Councilmember Puig-Corve who moved its adoption. The motion was seconded by Vice Mayor Pineyro 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	Not Present at Time of Vote
Councilman Oscar Puig-Corve	Yes

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

PASSED AND ADOPTED on SECOND READING this 18 day of October, 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”

Exhibit A
Legal Description

That portions of the West $\frac{1}{2}$ of the Tract 14, "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1 ", IN Section 27, Township 53 South, Range 40 East, Miami Dade County, Florida, according to the Plat thereof, as recorded in Plat Book 2, at Page 17, of the Public Records of Miami-Dade County, Florida, lying south of Northwest 36th Street Extension Right-of-Way, and lying East of a line 353.16 feet East of and parallel with the West line of the Northeast $\frac{1}{4}$ of Section 27.