

ORDINANCE No. 2016-01

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A SMALL-SCALE DEVELOPMENT AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN FUTURE LAND USE MAP FROM INDUSTRIAL DISTRICT WITH A COMMUNITY MIXED USE OPPORTUNITY AREA OVERLAY TO BUSINESS DISTRICT WITH A COMMUNITY MIXED USE OPPORTUNITY AREA OVERLAY FOR 1.76 +/- ACRE PARCEL LOCATED AT 8650 NW 58 STREET, CITY OF DORAL, FLORIDA; PROVIDING FOR TEXT AND MAP CHANGES AS REQUIRED FOR SMALL SCALE AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN PURSUANT TO THE PROVISIONS OF THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATIONS; PROVIDING FOR TRANSMITTAL; PROVIDING FOR IMPLEMENTATION; AND EFFECTIVE DATE

WHEREAS, Doral 87 Group, LLC, ("the Applicant") is requesting an amendment to the Comprehensive Plan ("the Plan") to change the Future Land Use Map (FLUM) category from Industrial District (I) to Business District (B) with the existing Community Mixed Use Opportunity Area ("CMUOA") overlay for 1.76 +/- acre parcel located at 8650 NW 58th Street, City of Doral, Florida, as depicted in Exhibit A, and legally described in Exhibit B; and

WHEREAS, On September 16, 2015, the Mayor and City Council approved Ordinance No. 2015-30 approving a Comprehensive Plan Future Land Use Map Amendment from Industrial to Business with an existing Community Mixed Use Opportunity Area (CMUOA) for properties located adjacent to 8650 NW 58th Street; and

WHEREAS, the Applicant intends to incorporate the subject property as part of the 87th Avenue Doral Retail Development (FLUM amendment approved consistent with Ordinance No. 2015-30), and as such, the proposed land use amendment will allow for

a greater flexibility for the redevelopment of the site with commercial and service uses in a manner consistent with Comprehensive Plan; and

WHEREAS, on January 27, 2016, the City of Doral sitting as the Local Planning Agency (LPA) at a properly advertised hearing received testimony and evidence related to the Application from the Applicants and other persons and found that the amendment to the Comprehensive Plan Future Land Use Map is consistent with the Comprehensive Plan.

WHEREAS, after careful review and deliberation, staff has determined that this application is in compliance with the City's Comprehensive Plan and consistent with Se. 163.3184 of the Florida Statutes; and

WHEREAS, on January 27, 2016, the City Council conducted a duly advertised public hearing on the future land use category proposed by the Applicant, and has considered all 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 data and analysis supporting the future land use change; and

WHEREAS, the City Council finds that the proposed amendment is consistent with the City's Comprehensive Plan 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 confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Decision. The City's Comprehensive Plan Future Land Use Map is hereby amended from industrial to business with the existing Community Mixed Use Opportunity Area overlay for the property totaling 1.76 +/- acre parcel located at 8650 NW 58th Street, City of Doral, Florida, as depicted in Exhibit A.

Section 3. Amendment to Future Land Use Map. The Director of Planning and Zoning is further authorized to make the necessary changes as required to the Comprehensive Plan Future Land Use Map to reflect the above stated change.

Section 4. Transmittal. The Planning and Zoning Department is hereby authorized to transmit this Ordinance to the Department of Economic Opportunity pursuant to the provision of the Local Government Comprehensive Planning and Land Development Regulation Act, if required.

Section 5. Implementation. The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Ordinance.

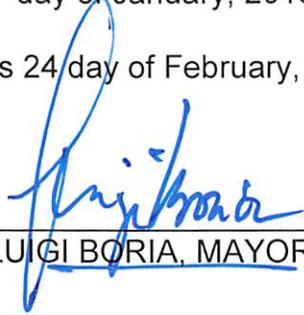
Section 6. Effective Date. In case of an Administrative Appeal, this Ordinance (Small Scale Development Amendment) shall not become effective until the State Land Planning Agency or the Administration Commission issues a Final Non-Appealable Order determining the adopted amendment to be in compliance and in accordance with Section 163.3187, Florida Statutes, or until the Administration Commission issues a Final Order determining the adopted amendment to be in compliance in accordance with Section 163.3187(10), Florida Statutes.

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	Absent/Excused
Councilwoman Sandra Ruiz	Yes

PASSED AND ADOPTED on first reading this 27 day of January, 2016.

PASSED AND ADOPTED on second reading this 24 day of February, 2016.



LUIGI BORIA, MAYOR

ATTEST:

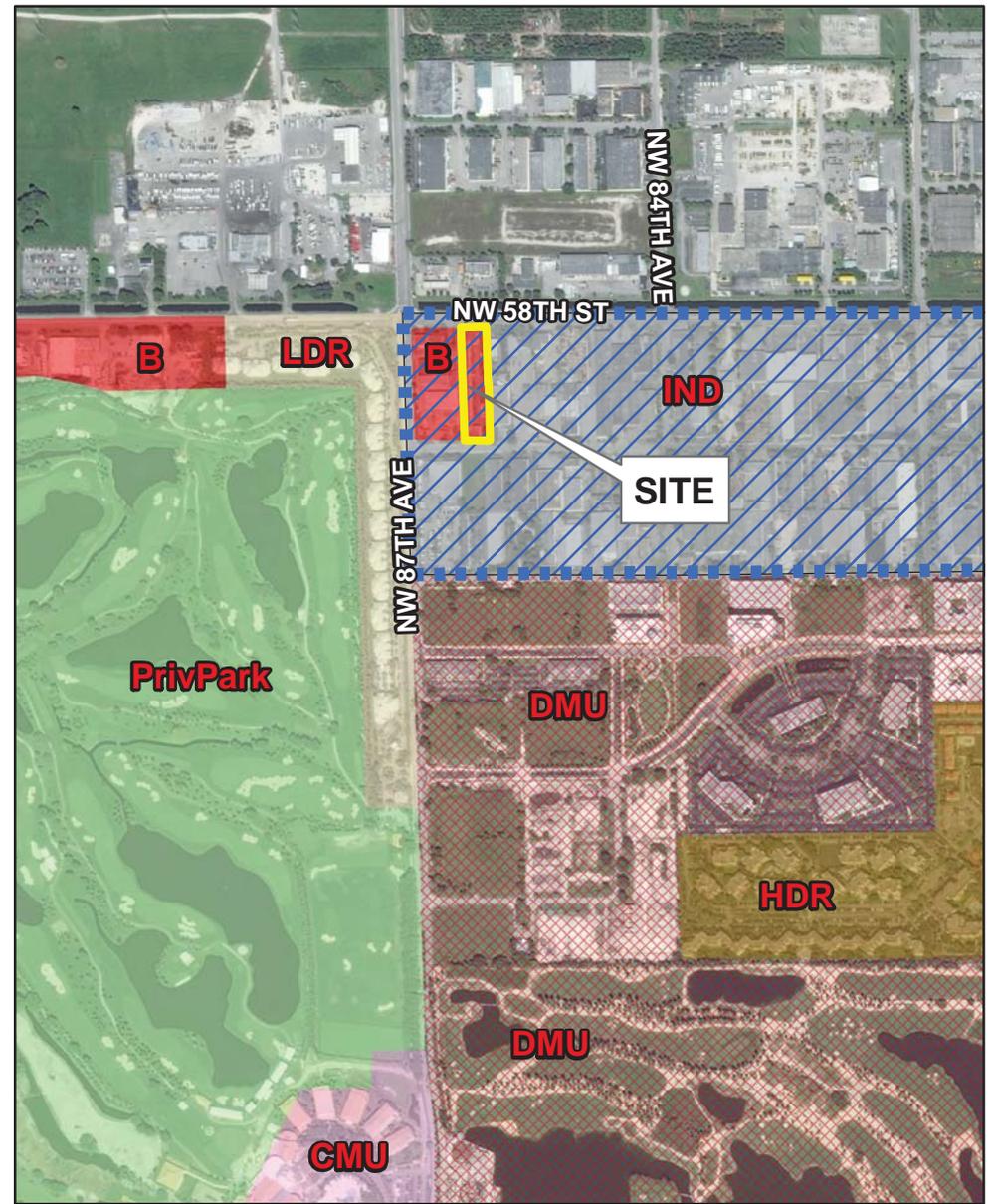


CONNIE DIAZ, CMC
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE SOLE USE
OF THE CITY OF DORAL



WEISS, SEROTA, HELFMAN, COLE, & BIERMAN, PL
CITY ATTORNEY



Legend

- Business (B)
- Community Mixed Use (CMU)
- Downtown Mixed Use (DMU)
- High Density Residential (HDR)
- Industrial (IND)
- Low Density Residential (LDR)
- Private Park (PrivPark)
- CMU Opportunity Area

Current Land Use

City of Doral



Planning & Zoning Department

Land Use Map

Proposed Land Use

EXHIBIT A



Exhibit B:

LEGAL DESCRIPTION: (METES & BOUNDS)

A Tract of land located in the Northwest 1/4 of Section 22, Township 53 South, Range 40 East, in Miami-Dade County, Florida, more particularly described as follows:

Commencing at the Northwest corner of the Northwest 1/4 of the Northwest 1/4 of Section 22, Township 53 South, Range 40 East; thence North 89°42'27" East along the North line of said Northwest 1/4 of Northwest 1/4 of Section 22, for a distance of 396.555 feet; thence South 01°42'56" East, for distance of 45.01 feet to the Point of Beginning, being that Point of Beginning located on the Southerly Right of Way line of NW 58th Street, thence continue South 01°42'56" East along the East line of the East 132.185 feet of the West 396.555 feet of the North 1/2 of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 22, for a distance of 285.47 feet; thence North 89°41'40" East, for a distance of 0.045 feet; thence South 01°42'56" East along the East line of the East 132.20 feet of the West 396.00 feet of the South 1/2 of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 22, for a distance of 295.47 feet to a point located on the Northerly Right of Way line of NW 56th Street; thence South 89°40'53" West, along said Northerly Right of Way line of NW 56th Street for a distance of 132.20 feet; thence North 01°42'56" West along the Westerly line of the East 132.20 feet of the West 396.60 feet of the South 1/2 of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 22, for a distance of 295.50 feet; thence South 89°41'40" West for a distance of 0.03 feet; thence North 01°42'56" West along the Westerly line of the East 132.185 feet of the West 396.555 feet of the North 1/2 or the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 22, for a distance of 285.50 feet; thence North 89°42'27" East along a line parallel and 45 feet South of the North line of the North 1/2 of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 22, for a distance of 132.185 feet to the Point or Beginning, containing 1.76 acres more or less.