

ORDINANCE No. 2017-20

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 BUSINESS (B) TO INDUSTRIAL (I) FOR 3.59± ACRES GENERALLY LOCATED BETWEEN NW 25 AND NW 27 STREETS, WEST OF NW 107 AVENUE, CITY OF DORAL, FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Doral Commons Holdings, LLC., ("the Applicant") is requesting an amendment to the Comprehensive Plan ("the Plan") Future Land Use Map ("FLUM") from Business (B) Land Use Category to Industrial (I) Land Use Category for 3.59 +/- acre parcel generally located between NW 25th and NW 27th Streets, and west of NW 107th Avenue in Doral, Florida, as depicted in Exhibit "A", and legally described in Exhibit "B"; and

WHEREAS, the proposed amendment is necessary in order for the existing zoning district designation to be consistent with the FLUM; and

WHEREAS, on November 15, 2017, 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/is not consistent with the Comprehensive Plan; and

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 November 15, 2017, 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, AS FOLLOWS:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Amendment to Future Land Use Map. The City's Comprehensive Plan Future Land Use Map is hereby amended from Business Land Use Category (B) to Industrial (I) Land Use Category for 3.59 +/- acre parcel generally located between NW 25th and NW 27th Streets, and west of NW 107th Avenue in Doral, Florida, as depicted in Exhibit "A".

Section 3. Authorization. The City Manager, by and through Director of Planning and Zoning, is 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. This Ordinance is to be sent 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, City Attorney, and City Clerk are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

Section 5. 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 Mariaca upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Ana Maria Rodriguez	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED on FIRST READING this 15 day of November, 2017.

PASSED AND ADOPTED on SECOND READING this 17 day of January, 2018.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



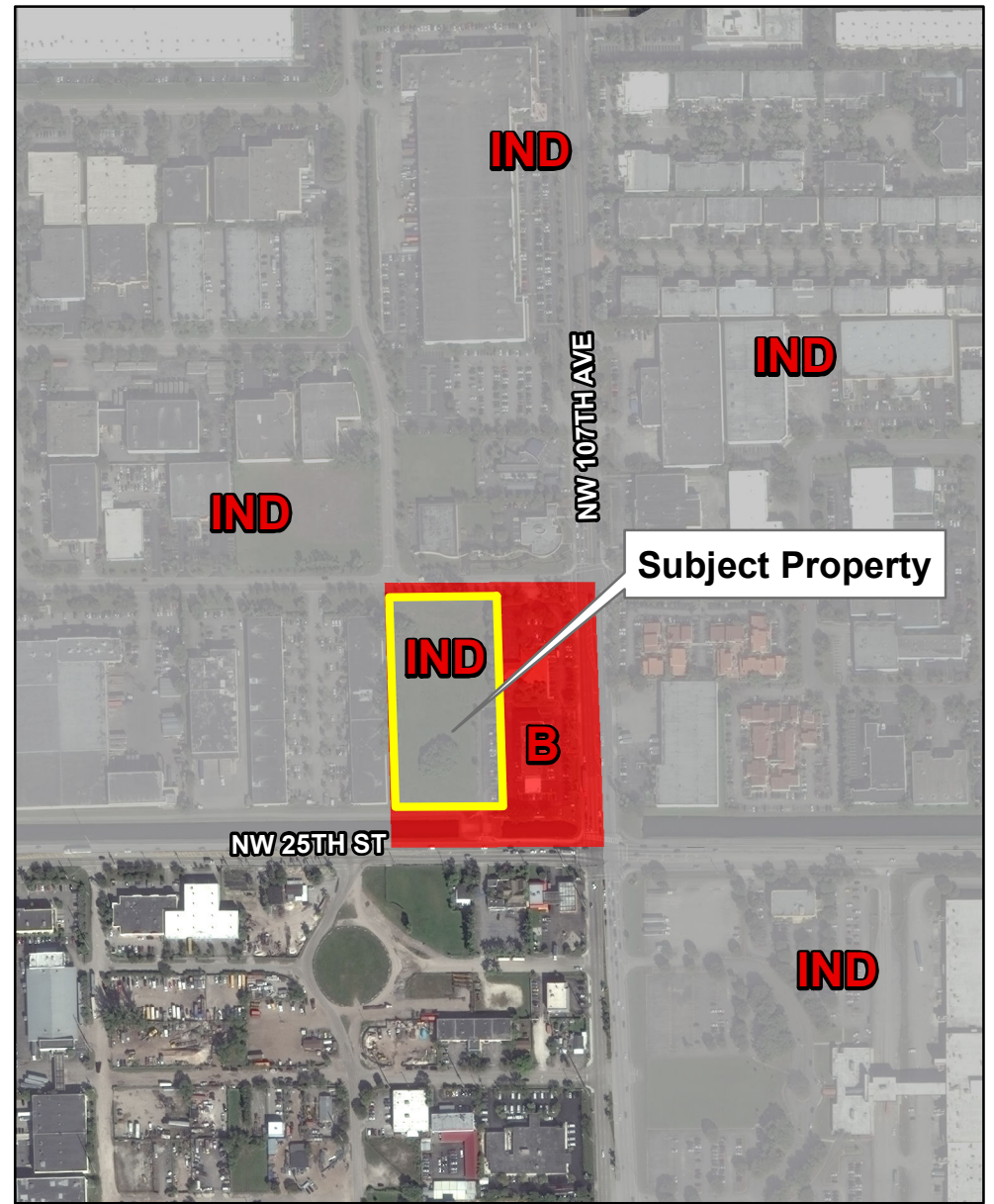
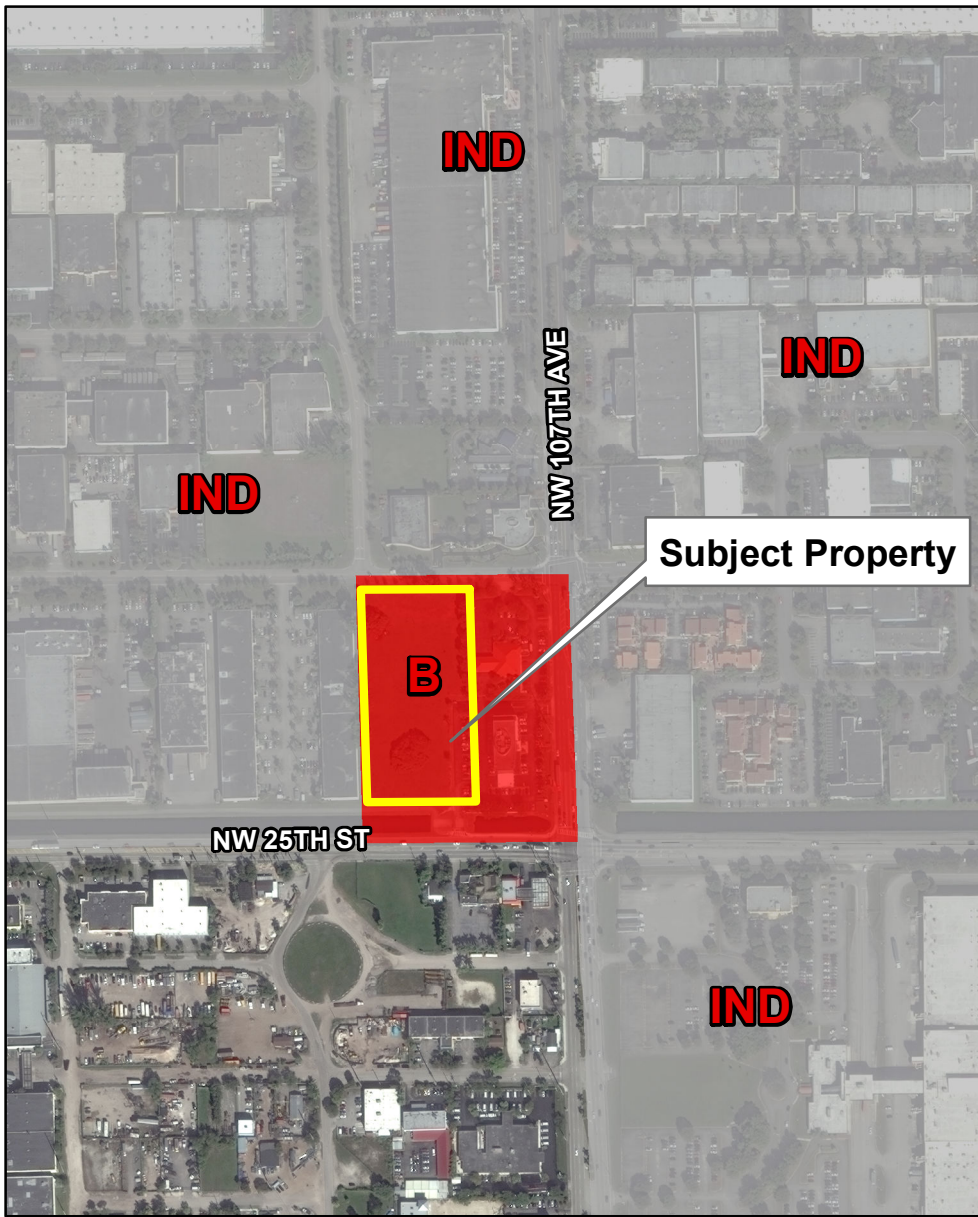
CONNIE DIAZ, CMC
CITY CLERK

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



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

EXHIBIT “A”



Legend

- Business (B)
- Industrial (IND)

Current Land Use

City of Doral

Proposed Land Use



Planning & Zoning Department
Land Use Map



EXHIBIT “B”

EXHIBIT B

LEGAL DESCRIPTION

The land referred to herein below is situated in the County of MIAMI-DADE, State of Florida, and is described as follows:

Parcel 1

Tract A of F.T.Z. Subdivision, according to the plat thereof, as recorded in Plat Book 153, at Page 35 of the Public Records of Miami-Dade County, Florida. Together with:

Parcel 2

That portion of 25.00 foot Canal Maintenance Easement lying South of Tract A of F.T.Z. Subdivision, according to the plat thereof, as recorded in Plat Book 153, at Page 35 of the Public Records of Miami-Dade County, Florida, being bounded on the East by a line parallel with and 45.00 feet West of the Southerly extension of the East line of said Tract A, and bounded on the West by the Southerly extension of the West line of the aforementioned Tract A. Together with:

Parcel 3

A 50' ingress and egress easement as shown on the plat of F.T.Z. Subdivision, according to the plat thereof, as recorded in Plat Book 153, at Page 35 of the Public Records of Miami-Dade County, Florida. Together with:

Parcel 4

Non-exclusive ingress and egress easement described in O.R. Book 19160, Page 2414, Public Records of Miami-Dade County, Florida.