

ORDINANCE No. 2019-26

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, REQUESTING AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE CITY OF DORAL COMPREHENSIVE PLAN PURSUANT TO SMALL SCALE COMPREHENSIVE PLAN AMENDMENT PROCEDURES IN SEC. 163.3187 OF THE FLORIDA STATUTES, FROM OFFICE AND RESIDENTIAL (OR) TO DOWNTOWN MIXED USE (DMU) FOR A ±1.95 ACRE PARCEL LOCATED AT 8484 NW 36 STREET, DORAL, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Doral Court Plaza, LLC (the “Applicant”) is requesting an amendment to the Future Land Use Map (FLUM) from “Office and Residential” (OR) to “Downtown Mixed Use” (DMU) for the property located at 8484 NW 36th Street Doral, Florida, as legally described in “Exhibit A”; and

WHEREAS, the proposed FLUM amendment is being submitted concurrently with a zoning map amendment from “Industrial Commercial” District (IC) to “Downtown Mixed Use” District (DMU); and

WHEREAS, on August 28, 2019, 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 stakeholders and found that the Small-scale Comprehensive Plan amendment to the Comprehensive Future Land Use Map was consistent with the City’s Comprehensive Plan and provisions of Sec. 163.3187 Florida Statutes; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners on record within five hundred (500) feet, a public hearing was held before the City Council of the City of Doral on August 28, 2019, at which hearing all interested persons were afforded the opportunity to be heard and this application for a FLUM amendment was approved on First Reading; and

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

WHEREAS, public hearings have been completed as indicated herein by the City Council in consideration of a FLUM amendment pursuant to Florida Statutes, and including careful consideration of written and oral comments by members of the public; and

WHEREAS, the City Council finds that the proposed FLUM amendment is consistent with the City's Comprehensive Plan and Land Development Code.

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

Section 1. 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. The City's Comprehensive Plan Future Land Use Map is hereby amended from Office and Residential (OR) to Downtown Mixed Use (DMU) for a ±1.95 acre parcel generally located at 8484 NW 36th Street Doral, Florida, as depicted in "Exhibit B".

Section 3. 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. The City Manager or his/her designee is hereby authorized to transmit this Ordinance to the Department of Economic Opportunity, State Land Planning Agency pursuant to the provision of the Local Government Comprehensive Planning and Land Development Regulation Act, if required.

Section 5. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 7. This Ordinance shall become effective immediately upon adoption.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Claudia Mariaca	Yes
Councilwoman Digna Cabral	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes

PASSED AND ADOPTED on FIRST READING this 28 day of August, 2019.

PASSED AND ADOPTED on SECOND READING this 25 day of September, 2019.



JUAN CARLOS BERMUDEZ, 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:



LUIS FIGUEREDO, ESQ
CITY ATTORNEY

EXHIBIT “A”

EXHIBIT B
LEGAL DESCRIPTION

PARCEL "B":

A portion of the West 847.72 feet of Tracts 29 and 30, of FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, in Section 27, Township 53 South, Range 40 East, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows: Commence at the Northwest corner of said Tract 30; thence North 89'58'53" East along the North line of said Tract 30 for a distance of 609.88 feet; thence South 00'21'28" East for a distance of 55.00 feet to a point lying on the South right of way line of N.W. 36th Street and the Point of Beginning of the herein described parcel of land; thence North 89'58'15" East along said right of way for a distance of 239.71 feet; thence South 01'50'30" East for a distance of 297.24 feet; thence South 89'58'15" West for a distance of 247.41 feet; thence North 00'21'28" West for a distance of 297.14 feet to the Point of Beginning.

Containing 72,365 square feet or 1.661 acres more or less.

TOGETHER WITH

CASTER PARCEL:

A portion of the West 847.72 feet of Tracts 29 and 30, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, in Section 27, Township 53 South, Range 40 East, according to the plat thereof, as recorded in Plat Book 2, at Page 17, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows: Commence at the Northwest corner of said Tract 30; then North 89'58'53" East along the North line of said Tract 30 for a distance of 609.88 feet; thence South 00'21'28" East for a distance of 55.00 feet to a point lying on the South right of way line of N.W. 36th Street (Doral Boulevard) and the Point of Beginning of the herein described parcel of land; thence continue South 00'21'28" East along the West line of the lands described in Partial Release of Unities of Title recorded in Official Records Book 22183, Page 4630, of the Public Records of Miami-Dade County, Florida, for a distance of 297.14 feet; thence South 89'58'15" West, along the Westerly prolongation of the South line of the lands described in said Partial Release of Unities of Title, for a distance of 42.00 feet; thence North 00'21'28" West for a distance of 297.15 feet; thence North 89'58'53" East, along the South right of way line of N.W. 36th Street (Doral Boulevard), for a distance of 42.00 feet to the Point of Beginning.

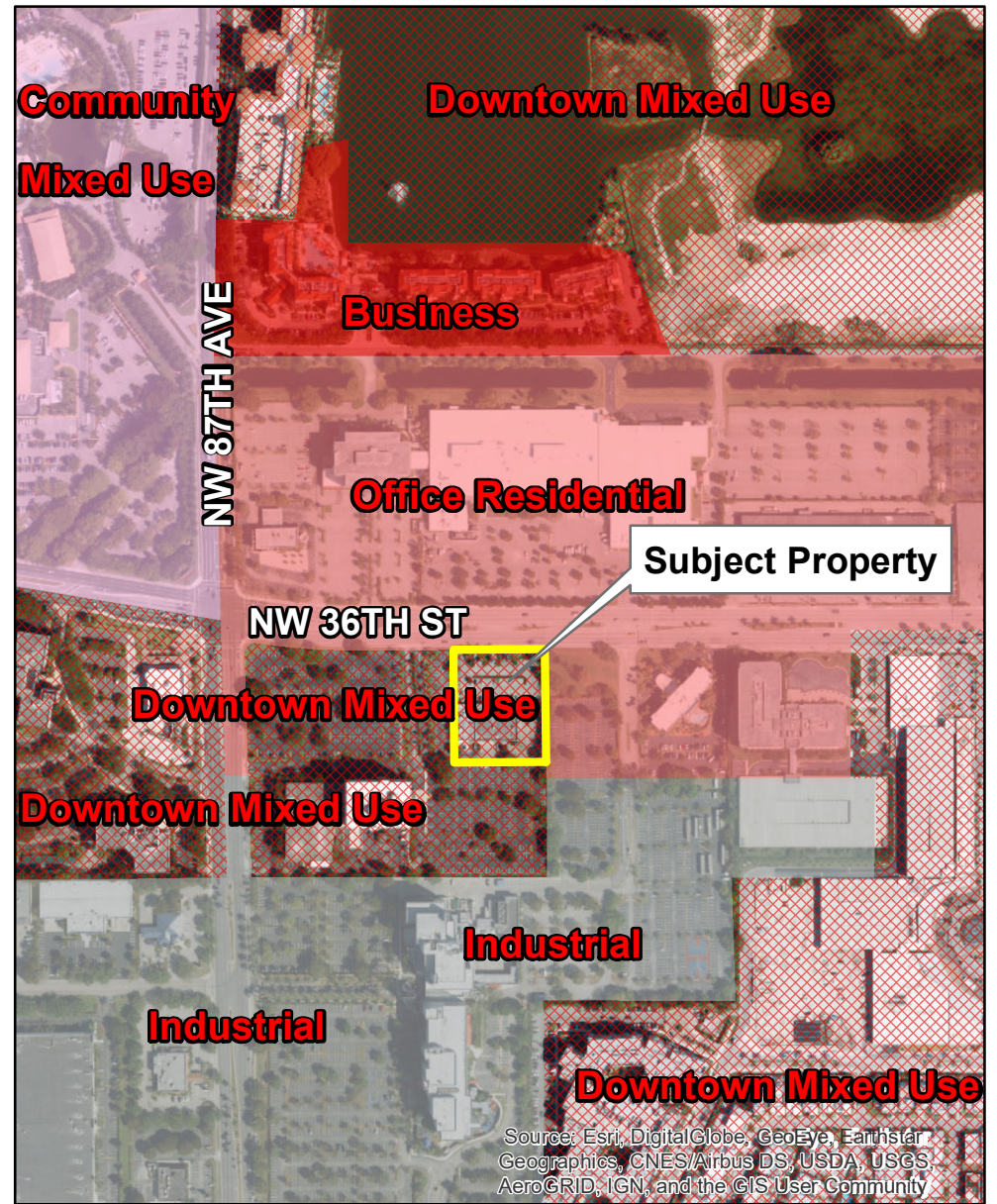
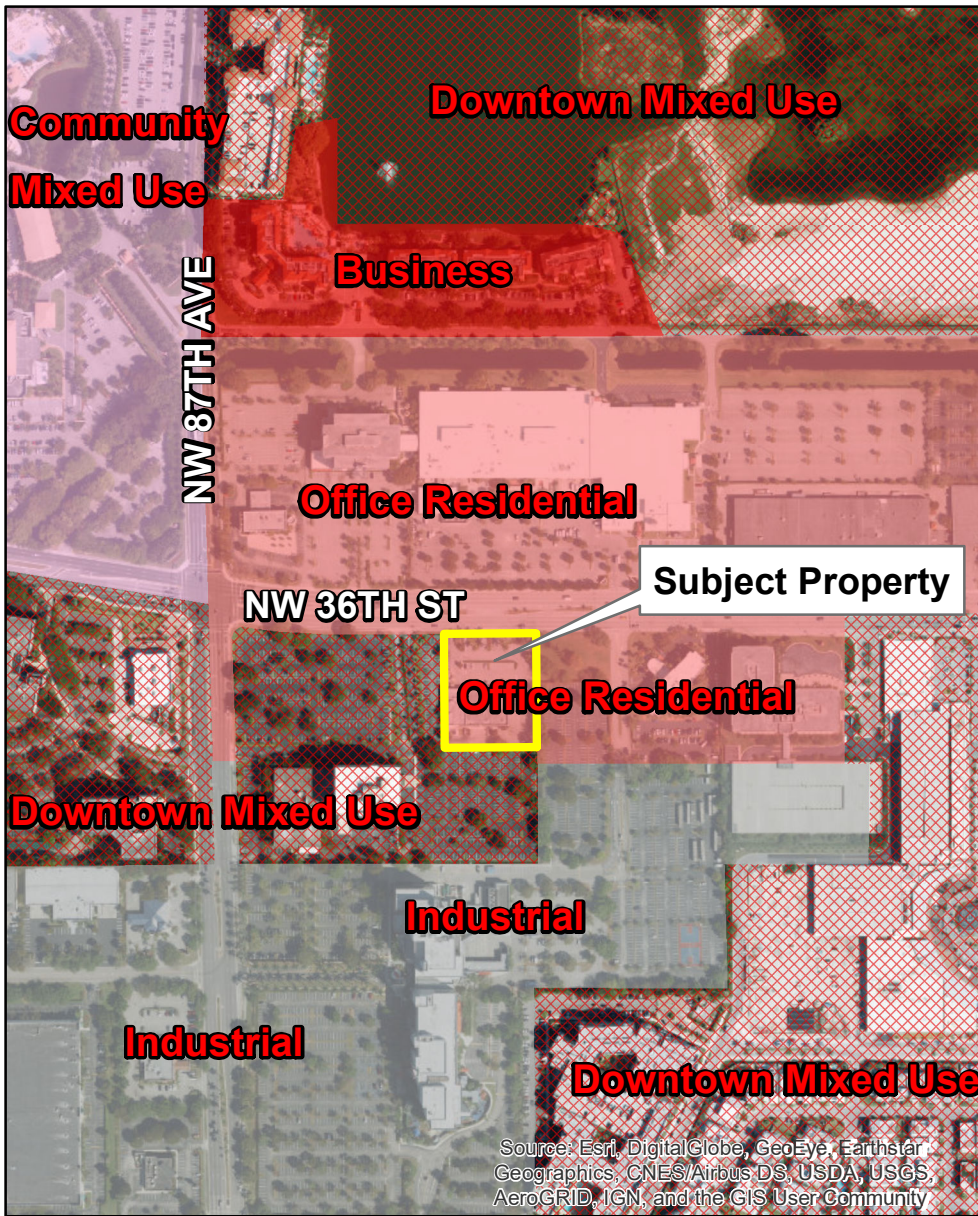
Containing 12,480 square feet or 0.29 acres more or less.

EASEMENT ESTATE:

Together with a non exclusive easement for access, parking and utilities more particularly described in the Easement Agreement dated March 29, 2004 by and between ACP/Doral Court, LLC, a Delaware limited liability company and Doral Court Plaza, LLC, a Florida limited liability company recorded April 1, 2004, in Official Records Book 22171, Page 4144, as amended by

Relocation of Parking Easement Area Pursuant to Easement Agreement recorded October 20, 2016 in Official Records Book 30276, Page 1981 of the public records of Miami-Dade County, Florida.

EXHIBIT “B”



Current Land Use

City of Doral

Proposed Land Use

Legend

- Business (B)
- Community Mixed Use (CMU)
- Downtown Mixed Use (DMU)
- Industrial (IND)
- Office Residential (OR)



Planning & Zoning Department

Land Use Map

