

**ORDINANCE #2009- 04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN AND THE NON-FINAL FUTURE LAND USE MAP BY CHANGING THE LAND USE DESIGNATION FROM BUSINESS AND OFFICE AND INDUSTRIAL AND OFFICE TO DOWNTOWN MIXED USE (DMU) FOR 10 ACRES GENERALLY LOCATED AT THE NORTHWEST CORNER OF NW 36 STREET AND NW 79 AVENUE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Doral, pursuant to the Local Government Comprehensive Planning Act, in accordance with all of its terms and provisions, has reviewed the Application of Doral Entrance, LLC and Atrium Office Park, LLC proposing an amendment to the Comprehensive Development Master Plan and the non-final future land use map to change approximately 10± acres generally located at the northwest corner of NW 36<sup>th</sup> Street and NW 79<sup>th</sup> Avenue; from Business and Office and Industrial and Office to Downtown Mixed Use (DMU) ; 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 Hearing No. **09-02-DOR-01** to amend the Comprehensive Development Master Plan; and

WHEREAS, the City Council of the City of Doral has conducted duly advertised public hearings upon the future land use proposed by Hearing No. **09-02-DOR-01** 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 City staff's proposal, incorporated herein, which contains data involving and analysis supporting the future land use change; and

WHEREAS, the City Council finds that the proposed amendments are consistent with the County's Comprehensive Development Master Plan as adopted and with the City's new Comprehensive Development Master Plan as adopted and supported by staff and the LPA; and

WHEREAS, the City Council of the City of Doral further finds that the proposed amendment to the Comprehensive Development Master Plan and the non-final future land use map to change approximately 10± acres generally located at the northwest corner of NW 36<sup>th</sup> Street and NW 79<sup>th</sup> Avenue; from Business and Office and Industrial and Office to Downtown Mixed Use (DMU) is in the best interests of the citizens of the City; and is generally consistent with the Goals, Objectives and Policies of the City's existing Comprehensive Development Master Plan now, therefore

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

**Section 1.** That the City's Comprehensive Development Master Plan and the non-final future land use map is amended to change approximately 10± acres generally located at the northwest corner of NW 36<sup>th</sup> Street and NW 79<sup>th</sup> Avenue; from Business and Office and Industrial and Office to Downtown Mixed Use (DMU) is hereby approved.

**Section 2.** That the Planning and Zoning Director is further authorized to make the necessary Map changes as required to the Comprehensive Development Master Plan to reflect the above stated change.

**Section 3.** This Ordinance shall not become effective until the State Land Planning Agency issues a Final Order determining the adopted amendment to be in compliance and in accordance with Section 163.3184(9), Florida Statutes, or until the Administration Commission issues a Final Order determining the adopted amendment to be in compliance in accordance with Section 163.3184(10), Florida Statutes.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilman Peter Cabrera	Yes
Councilwoman Sandra Ruiz	Yes
Councilman Robert Van Name	Yes

PASSED AND ADOPTED on first reading this 11th day of February, 2009.

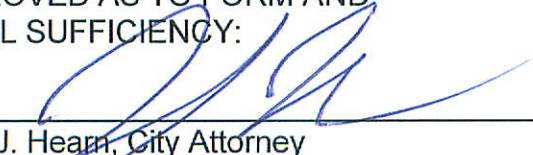
PASSED AND ADOPTED on second reading this 8<sup>th</sup> day of April, 2009.

  
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Juan Carlos Bermudez, Mayor

ATTEST:

  
\_\_\_\_\_  
Barbara Herrera, City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
John J. Hearn, City Attorney