

ORDINANCE #2011-33

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN TO CHANGE THE LAND USE FROM OFFICE DESIGNATION TO DOWNTOWN MIXED USE DESIGNATION WITHIN THE CITY'S FUTURE LAND USE MAP AND TO APPLY SAID DESIGNATION TO APPROXIMATELY 4.2± ACRES LOCATED AT 8475 NW 41ST STREET, DORAL, FLORIDA, PROVIDING FOR ASSOCIATED TEXT AND MAP CHANGES AS REQUIRED; AND AUTHORIZING THE TRANSMITTAL TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY OF THE PROPOSED AMENDMENT TO THE CITY OF DORAL'S MASTER LAND USE PLAN PURSUANT TO THE PROVISIONS OF THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT; 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 CC Doral LLC., proposing an amendment to the Comprehensive Development Master Plan to change approximately 4.20 ± acres generally located at 8475 NW 41st Street, Doral, Florida, from the land use designation of Office to Downtown Mix Use within the City's Future Land Use Map; 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 of CC Doral LLC., 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 the Application of CC Doral LLC., 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 amendment is 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 to change approximately 4.20 ± acres located at 8475 NW 41st Street from the land use designation of Office to Downtown Mix Use within the City's Future Land Use Map is in the best interests of the residents of the City; now, therefore

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

Section 1. The City's Comprehensive Development Master Plan is hereby amended to change approximately 4.20 ± acres located at 8475 NW 41st Street from the land use designation of Office to Downtown Mixed Use within the City's Future Land Use Map; subject to the following condition:

1. The Applicant shall submit a covenant restricting the maximum height to 10 stories for a distance of 230 feet from the existing resort building to the south of the property and that the maximum number of residential units for the Downtown Doral DMU shall remain at 2,840 units based on 124.53 acres of land.

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

Section 3. The City Clerk 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.

Section 4. 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 Vice Mayor DiPietro who moved its adoption. The motion was seconded by Councilmember Rodriguez and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilmember Luigi Boria	Yes
Councilmember Pete Cabrera	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED upon first reading the 9 day of November, 2011.

PASSED AND ADOPTED upon second reading the 11 day of January, 2012.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:


BARBARA HERRERA, CITY CLERK

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



JIMMY L. MORALES, CITY ATTORNEY