

ORDINANCE 2010-30

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 DESIGNATION FROM BUSINESS DESIGNATION TO OFFICE DESIGNATION WITHIN THE CITY'S FUTURE LAND USE MAP FOR APPROXIMATELY 4.15 ACRES LOCATED AT 8475 NW 41ST STREET, DORAL, FLORIDA, PROVIDING FOR ASSOCIATED MAP CHANGES AS REQUIRED; 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 Flagler Development representing CC Doral LLC., contract purchaser, 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 Business to Office 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 Flagler Development representing CC Doral LLC., contract purchaser, 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 Flagler Development representing CC Doral LLC., contract purchaser, 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 Business to Office 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 Business to Office within the City's Future Land Use Map; subject to the following conditions:

1. The Applicant submits for a major development approval for the site plan, which requires City Council Approval.

2. A pattern book shall be submitted as part of the site plan approval process.
3. 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.

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 Florida Department of Community Affairs 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 Councilman DiPietro , who moved its adoption. The motion was seconded by Councilman Cabrera and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	yes
Councilmember Pete Cabrera	yes
Councilmember Luigi Boria	yes
Councilmember Micheal DiPietro	yes
Councilmember Ana Maria Rodriguez	yes

PASSED AND ADOPTED on first reading this 13 day of October, 2010.

PASSED AND ADOPTED on second reading this 10 day of November, 2010.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JIMMY L. MORALES, CITY ATTORNEY