



CITY OF DORAL NOTICE OF PUBLIC HEARING TO CONSIDER A SMALL-SCALE DEVELOPMENT AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN FUTURE LAND USE MAP

All residents, property owners and other interested parties are hereby notified of a **Local Planning Agency (LPA)** meeting on **Wednesday, January 25, 2017, beginning at 5:00 PM**, to consider the following Small-Scale Development Amendment to the City's Comprehensive Plan Future Land Use Map. This meeting will be held at the **City of Doral, Government Center, Council Chambers located at 8401 NW 53rd Terrace, Doral, Florida, 33166**. The proposed Small-Scale Development Amendment applies to the property shown on the map below.

The City of Doral proposes to adopt the following Resolution:

RESOLUTION No. 17-

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, SITTING AS THE LOCAL PLANNING AGENCY RECOMMENDING APPROVAL / DENIAL OF, OR GOING FORWARD WITHOUT A RECOMMENDATION OF A SMALL-SCALE DEVELOPMENT AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE MAP FROM BUSINESS (B) AND OFFICE RESIDENTIAL (OR) TO HIGH DENSITY RESIDENTIAL (HDR) FOR 10.0± ACRES GENERALLY LOCATED BETWEEN NW 107 AVENUE AND NW 109 AVENUE AND NORTH OF NW 41 STREET, CITY OF DORAL, FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE

HEARING NO.: 17-01-DOR-01

APPLICANT: CC Doral II, LLC

PROJECT NAME: Doral 4200

LOCATION: Between NW 107th Avenue and NW 109th Avenue and north of NW 41st Street, Doral, Florida 33172.

FOLIO NUMBERS: 35-3019-001-0500

SIZE OF PROPERTY: 10.0± Acres

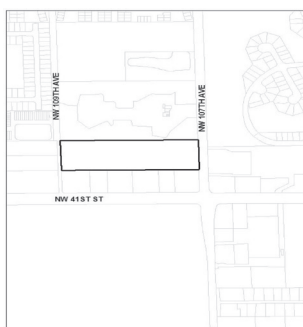
PRESENT LAND USE: Business and Office Residential

PRESENT ZONING: General Use

REQUEST: CC Doral II, LLC is requesting a Small Scale Development Amendment to the City's Comprehensive Plan to modify the Future Land Use Map from Business (B) and Office Residential (OR) to High Density Residential (HDR) for the property generally located between NW 107th Avenue and NW 109th Avenue and north of NW 41st Street.

LEGAL DESCRIPTION: Tract 55 of "Florida Fruit Lands Company's Subdivision No.1" according to the plat thereof as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida, lying in the Southeast ¼ of Section 19, Township 53 South, Range 40 East, City of Doral, Miami-Dade County, Florida.

Location Map



Information relating the subject application is on file and may be examined in the City of Doral, Planning and Zoning Department Located at **8401 NW 53rd Terrace, Doral, FL. 33166**. All persons are invited to appear at this meeting or be represented by an agent, or to express their views in writing addressed to the City Clerk, **8401 NW 53rd Terrace, Doral, FL. 33166**. Maps and other data pertaining to these applications are available for public inspection during normal business hours in City Hall. Any persons wishing to speak at a public hearing should register with the City Clerk prior to that item being heard. Inquiries regarding the item may be directed to the Planning and Zoning Department at 305-59-DORAL.

Pursuant to Section 286.0105, Florida Statutes If a person decides to appeal any decisions made by the City Council with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Planning and Zoning Department at 305-59-DORAL no later than three (3) business days prior to the proceeding.

NOTE: If you are not able to communicate, or are not comfortable expressing yourself, in the English language, it is your responsibility to bring with you an English-speaking interpreter when conducting business at the City of Doral during the zoning application process up to, and including, appearance at a hearing. This person may be a friend, relative or someone else. A minor cannot serve as a valid interpreter. The City of Doral DOES NOT provide interpretation services during the zoning application process or during any quasi-judicial proceeding.

NOTA: Si usted no está en capacidad de comunicarse, o no se siente cómodo al expresarse en inglés, es de su responsabilidad traer un intérprete del idioma inglés cuando trate asuntos públicos o de negocios con la Ciudad de Doral durante el proceso de solicitudes de zonificación, incluyendo su comparecencia a una audiencia. Esta persona puede ser un amigo, familiar o alguien que le haga la traducción durante su comparecencia a la audiencia. Un menor de edad no puede ser intérprete. La Ciudad de Doral NO suministra servicio de traducción durante ningún procedimiento durante el proceso de solicitudes de zonificación.

Connie Diaz, CMC

City Clerk

City of Doral

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FROM THE COURTS

The Gaps That Led Chief Justice Roberts to Miss a Stock Conflict

by Tony Mauro

When lawyers for Life Technologies Corp. filed a cert petition with the U.S. Supreme Court in its patent case in June 2015, they included the fact that the client company was "an indirect wholly-owned subsidiary of Thermo Fisher Scientific Inc."

The high court granted cert a year later, and when veteran advocate Carter Phillips of Sidley Austin filed the merits brief in September 2016, he dutifully supplied the same parent-company information again, as required by the court's Rule 29.6.

Why, then, did it take Chief Justice John Roberts Jr. until last week, a month after the case was argued, to realize that he should have recused in the case because he owns 1,212 shares in Thermo Fisher Scientific? According to his financial disclosure forms, Roberts has owned shares in the stock since before he became chief justice in 2005.

The most obvious answer—and no one has contradicted it—is human error. As court clerk Scott Harris put it in a Jan. 4 letter to the parties in the case explaining that Roberts would bow out of the case, "the ordinary conflict check conducted in the chief justice's chambers inadvertently failed to find this potential conflict."

But other factors also may have contributed to the flub.

As with other aspects of their work, justices conduct conflict checks each in their own way, and it is not clear what methods Roberts uses. One unhelpful fact in the Life Technologies case is that Roberts' disclosure forms list the stock's name as "TMO," Thermo Fisher Scientific's New York Stock Exchange abbreviation, while some other stocks he owns are listed with their full names along with their abbreviation.

That may explain why his law clerks or other staff members who perform the checks missed the connection. (Journalists who check for conflicts—this reporter included—also missed it.)



DIEGO M. RADZINSCHI

According to his financial disclosure forms, Chief Justice John Roberts Jr. has owned shares in Thermo Fisher Scientific since before he became chief justice in 2005.

But those are not the only ways justices learn about conflicts. Sometimes lawyers involved in a case point out an overlooked stock conflict to justices. One veteran advocate, who did not want his name to be used, recalled that several years ago a justice failed to recuse in the early stages of a case, even though the petition mentioned the company in which the justice held stock. The lawyer "quietly" informed the clerk of the court about the conflict. The justice sold the stock and remained in the case.

The lawyer said he felt a duty to the court to notify the justice about a pending misstep, noting that members of the Supreme Court bar are considered as "officers of the court." There is also a duty to the client, who is entitled to an impartial court, the lawyer said.

But relying on lawyers to report conflicts to justices presumes that they check the justices' financial disclosure forms in the first place. Some lawyers do, but an informal survey among Supreme Court advocates suggests that most lawyers don't.

Several said they assume the court's internal checking will detect conflicts. Lawyers also said that because financial disclosure forms are released to the public six months or more after the end of the year the forms cover, it is possible the justice has sold the stock in question. Lawyers would not want to annoy a justice by reminding him or her of a conflict that no longer exists.

So did the lawyers in the Life Technologies case know about the conflict before the court announced Roberts' late-in-the-game recusal?

"I did not know about the chief's conflict until Denise McNerney called me," Phillips said, referring to the clerk for merits cases. He added, "Certainly, if I knew about a conflict I would feel obliged to report it and have done so in other courts. But I don't scrutinize the justices' disclosure documents because I always assumed that [the court] could and would do a careful job."

Former Solicitor General Seth Waxman, who represents Promega Corp., the adversary of Life Technologies in the pending case, was also asked if he checks justices' financial disclosure forms in preparing petitions. "I don't do it at all, and the letter [from the court clerk] was the first I'd heard of it."

Gabe Roth, executive director of the reform group Fix the Court, cited the Roberts recusal last week to urge justices to divest themselves of individual stock holdings. In the meantime, Roth said lawyers could help.

"There is no harm in the attorneys involved in a case double-checking the justices' financial disclosure reports to ensure the panel is free of potential conflicts," Roth said. "Either way, whatever conflict-check system they're using on First Street isn't working."

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