

ORDINANCE No. 2018-07

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A SMALL-SCALE DEVELOPMENT AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN FUTURE LAND USE MAP FROM OFFICE/RESIDENTIAL (OR) AND INDUSTRIAL (I) TO DOWNTOWN MIXED USE (DMU) FOR A 9.3± ACRE PARCEL GENERALLY LOCATED ON THE SOUTHEAST CORNER OF DORAL BOULEVARD AND NW 87 AVENUE, CITY OF DORAL, FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Doral Court Development, LLC/ Doral Court Retail Investments, LLC ("Applicant"), is requesting a Small Scale Development Amendment to the City's Comprehensive Plan Future Land Use Map from Office/Residential (OR) and Industrial (I) to Downtown Mixed Use (DMU) for 9.3± acres (Exhibit "A") property located on the southeast corner of Doral Boulevard and NW 87 Avenue or 8600 NW 36 Street, Doral, Florida, as legally described in Exhibit "B"; and

WHEREAS, on March 21, 2018 the City Council of the City of Doral (the "City"), sitting as the Local Planning Agency (LPA), at a properly advertised hearing received testimony and evidence related to the Application from the Applicant and other persons and found that the Small Scale amendment to the Comprehensive Plan Future Land Use Map is/is not consistent with the City's Comprehensive Plan.

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

WHEREAS, on March 21, 2018, the City Council conducted a duly advertised public hearing on the future land use category proposed by the Applicant, 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 the City staff's report, incorporated herein, which contains data and analysis supporting the future land use change; and

WHEREAS, the City Council finds that the proposed amendment is consistent with the City's Comprehensive Plan as adopted and supported by staff and the City Council.

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

Section 1. Recitals. The foregoing recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Decision. The City's Comprehensive Plan Future Land Use Map is hereby amended from Office/Residential (OR) and Industrial (I) to Downtown Mixed Use (DMU) for 9.3± acre parcel generally located on the southeast corner of Doral Boulevard and NW 87 Avenue or 8600 NW 36 Street, Doral, Florida, as depicted in Exhibit "A".

Section 3. Amendment to Future Land Use Map. 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. Transmittal. The Planning and Zoning Department 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, if required.

Section 5. Effective Date. Once approved, this ordinance shall become effective after the conclusion of the statutory administrative appeal period. In case of an administrative appeal, this Ordinance shall not become effective until the State Land Planning Agency or the Administration Commission issues a Final Non-Appealable Order determining the adopted amendment to be in compliance and in accordance with Section 163.3187, Florida Statutes, or until the Administration Commission issues a Final Order determining the adopted amendment to be in compliance in accordance with Section 163.3187(10), Florida Statutes.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Ana Maria Rodriguez	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED on FIRST READING this 21 day of March, 2018.

PASSED AND ADOPTED on SECOND READING this 25 day of April, 2018.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



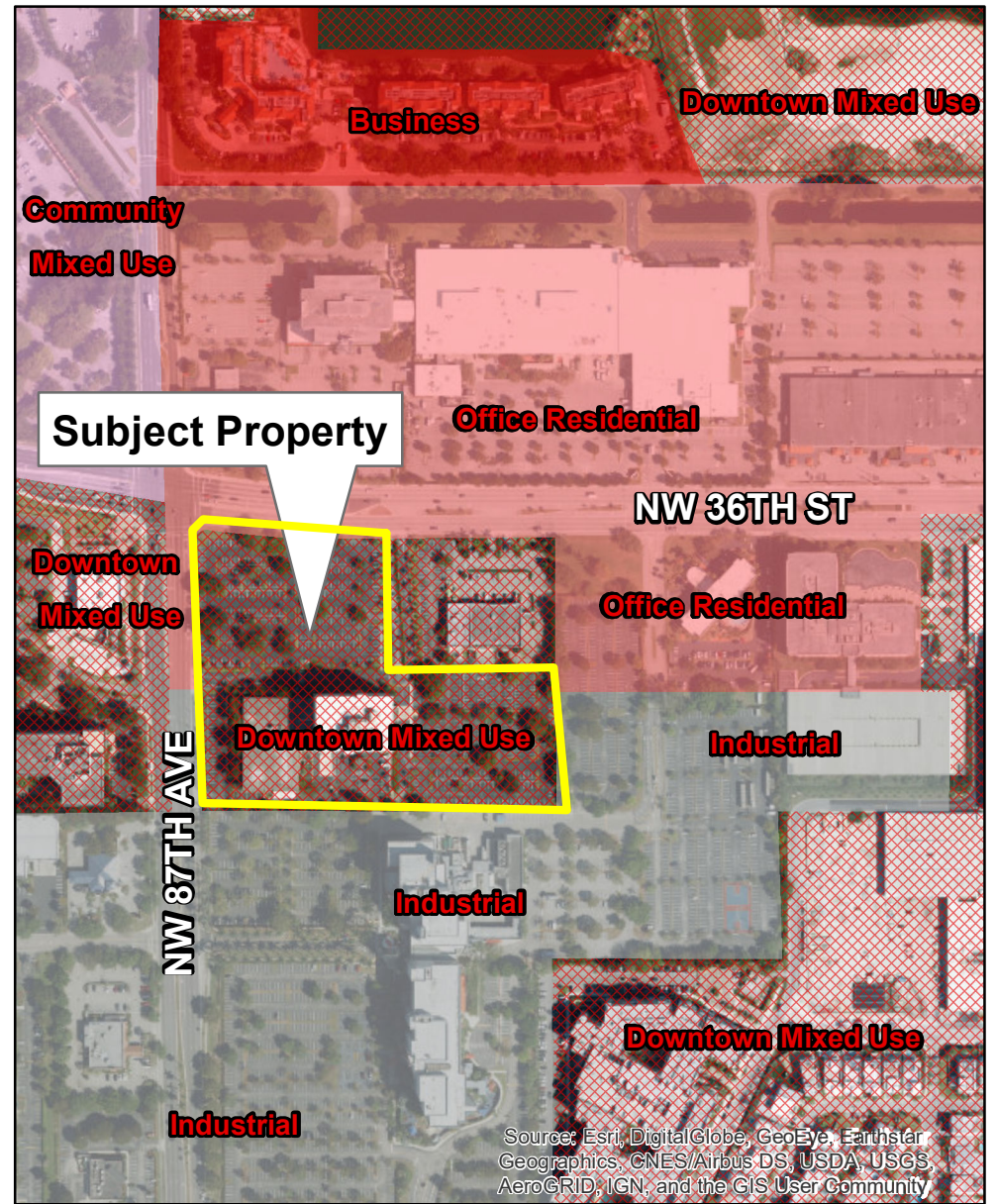
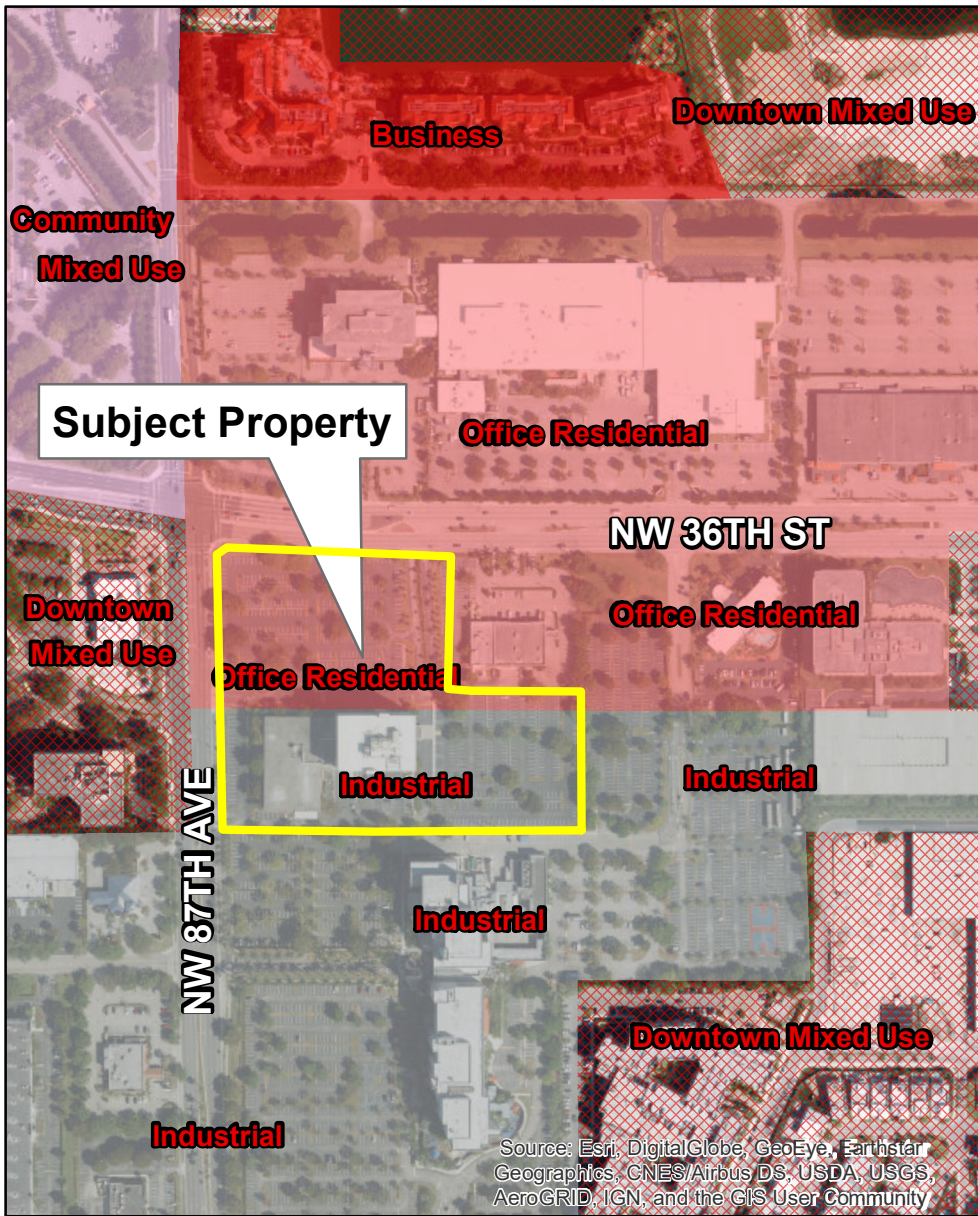
CONNIE DIAZ, CMC
CITY CLERK

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



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY

EXHIBITS



Legend

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

Current Land Use

City of Doral



Planning & Zoning Department

Land Use Map

Proposed Land Use



EXHIBIT "B"

CORRECTED LEGAL DESCRIPTION

DORAL COURT

LEGAL DESCRIPTION:

PARCEL "A"

PORTION OF THE WEST 847.72 FEET OF TRACT 29, AND 30, OF FLORIDA FRUIT LAND 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, LESS AND EXCEPT THE WEST 55.00 FEET THEREOF DEDICATED TO MIAMI-DADE COUNTY FOR N.W. 87TH AVENUE RIGHT OF WAY ALSO LESS AND EXCEPT ANY PART THEREOF DEDICATED TO MIAMI-DADE COUNTY FOR DORAL BOULEVARD (N.W. 36TH STREET EXTENSION) AS PER RIGHT OF WAY DEED DULY RECORDED IN OFFICIAL RECORDS BOOK 10753, AT PAGE 505 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID PORTION BEING PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT ON THE SOUTH BOUNDARY OF SAID TRACT 29 AT A DISTANCE OF 55.03 FEET ON A BEARING OF NORTH 89 DEGREES 57 MINUTES 45.1 SECONDS EAST, FROM THE SOUTHWEST CORNER THEREOF; THENCE RUN NORTH 01 DEGREES 50 MINUTES 30 SECONDS WEST ALONG A LINE THAT IS PARALLEL TO AND 55.00 FEET EAST OF AS MEASURED AT RIGHT ANGLES TO, THE WEST BOUNDARY OF SAID TRACT 29 AND 30 OVER AND ACROSS SAID TRACT 29 AND PORTION OF SAID TRACT 30, FOR A DISTANCE OF 600.86 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25.00 FEET; THENCE RUN NORTHWESTERLY, NORTHERLY, NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 100 DEGREES 22 MINUTES 44.7 SECONDS FOR A DISTANCE OF 43.80 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1964.86 FEET, SAID POINT BEARING SOUTH 08 DEGREES 32 MINUTES 14.7 SECONDS WEST FROM THE CENTER OF SAID CURVE; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE; THROUGH A CENTRAL ANGLE OF 08 DEGREES 33 MINUTES 22 SECONDS FOR A DISTANCE OF 293.42 FEET TO A POINT OF TANGENCY, SAID POINT BEARING SOUTH 00 DEGREES 01 MINUTES 07.4 SECONDS EAST FROM THE CENTER OF SAID CURVE; THENCE RUN NORTH 89 DEGREES 58 MINUTES 53 SECONDS EAST FOR A DISTANCE OF 471.97 FEET TO A POINT; THENCE SOUTH 01 DEGREES 50 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 604.25 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH BOUNDARY OF SAID TRACT 29; THENCE RUN SOUTH 89 DEGREES 57 MINUTES 45.1 SECONDS WEST ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 792.94 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

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 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; THENCE NORTH 89 DEGREES 58 MINUTES 53 SECONDS EAST ALONG THE NORTH LINE OF SAID TRACT 30 FOR A DISTANCE OF 609.88 FEET; THENCE SOUTH 00 DEGREES 21 MINUTES 28 SECONDS 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 DEGREE 58 MINUTES 53 SECONDS EAST ALONG SAID RIGHT OF WAY FOR A DISTANCE OF 239.71 FEET; THENCE SOUTH 01 DEGREES 50 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 297.24 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 247.41 FEET; THENCE NORTH 00 DEGREES 21 MINUTES 28 SECONDS WEST FOR A DISTANCE OF 297.14 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT THE FOLLOWING:

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 DEGREES 58 MINUTES 53 SECONDS EAST ALONG THE NORTH LINE OF SAID TRACT 30 FOR A DISTANCE OF 609.88 FEET; THENCE SOUTH 00 DEGREES 21 MINUTES 28 SECONDS 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 DEGREE 21 MINUTES 28 SECONDS 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 DEGREES 58 MINUTES 15 SECONDS 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 DEGREES 21 MINUTES 28 SECONDS WEST FOR A DISTANCE OF 297.15 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 53 SECONDS 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.