

ORDINANCE No. 2016-26

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING THE REZONING OF 2.61 +/- ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF NW 58 STREET EAST OF NW 97 AVENUE, CITY OF DORAL, FLORIDA, FROM INDUSTRIAL COMMERCIAL (IC) TO CORRIDOR COMMERCIAL (CC); PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, New Land Doral, LLC (“Applicant”), has requested approval of a rezoning of 2.61 +/- acre parcel from Industrial Commercial (IC) to Corridor Commercial (CC), as depicted in Exhibit A, for property located on the south side of NW 58 Street east of NW 97 Avenue, Doral, Florida, as legally described in Exhibit B; and

WHEREAS, the proposed rezoning will allow for greater flexibility for the redevelopment of the site with commercial and service uses consistent with the Comprehensive Plan; and

WHEREAS, the proposed rezoning will be consistent with the future development pattern along Northwest 58th Street from the Palmetto Expressway to Northwest 97th Avenue; and

WHEREAS, on September 28, 2016 the City of Doral 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 rezoning was consistent with the Comprehensive Plan; and

WHEREAS, on September 28, 2016, the City Council held a quasi-judicial hearing and received testimony and evidence related to the Application from the Applicant and other persons and found that the rezoning is consistent with the Comprehensive Plan; and

WHEREAS, the City Council has reviewed the City's staff report, incorporated herein, which contains data and analysis supporting the rezoning; and

WHEREAS, after careful review and deliberation, staff has determined that this application is consistent with the City's Land Development Code.

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

Section 1. Recitals. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. Decision. The rezoning of 2.61 +/- acres from Industrial Commercial (IC) to Corridor Commercial (CC), as legally described in Exhibit B, is hereby approved/denied.

Section 3. Implementation. The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Ordinance.

Section 4. Effective Date. This Ordinance shall be effective upon adoption of the Final Non-Appealable Order approving Ordinance No. 2016-09, if the Comprehensive Plan Update Amendment Ordinance is not ultimately approved this ordinance shall be void abinitio.

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

Mayor Luigi Boria	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Sandra Ruiz	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED on FIRST READING this 28 day of September, 2016.

PASSED AND ADOPTED on SECOND READING this 2 day of November, 2016.




LUIGI BORIA, MAYOR

ATTEST:



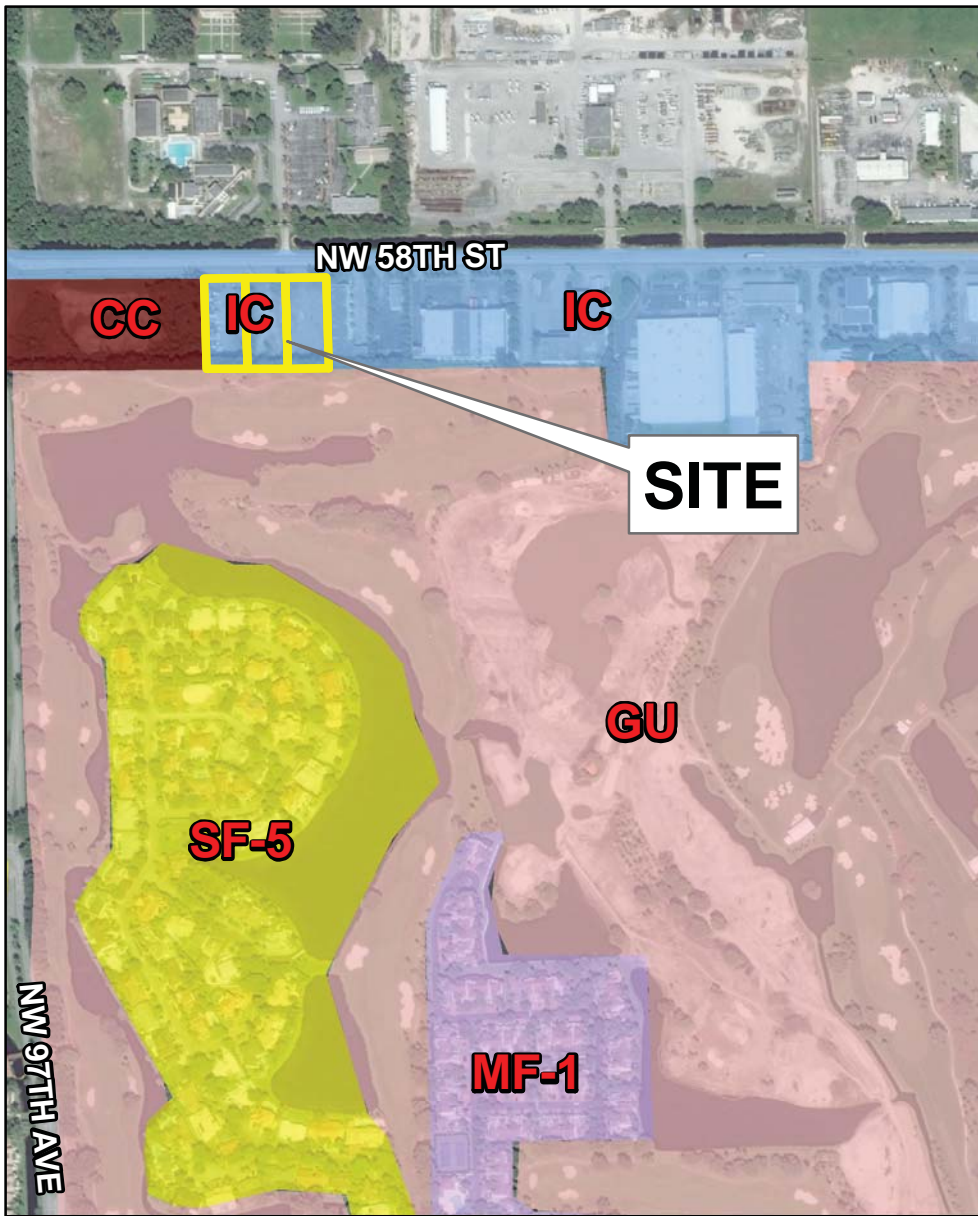
CONNIE DIAZ, CMC
CITY CLERK

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

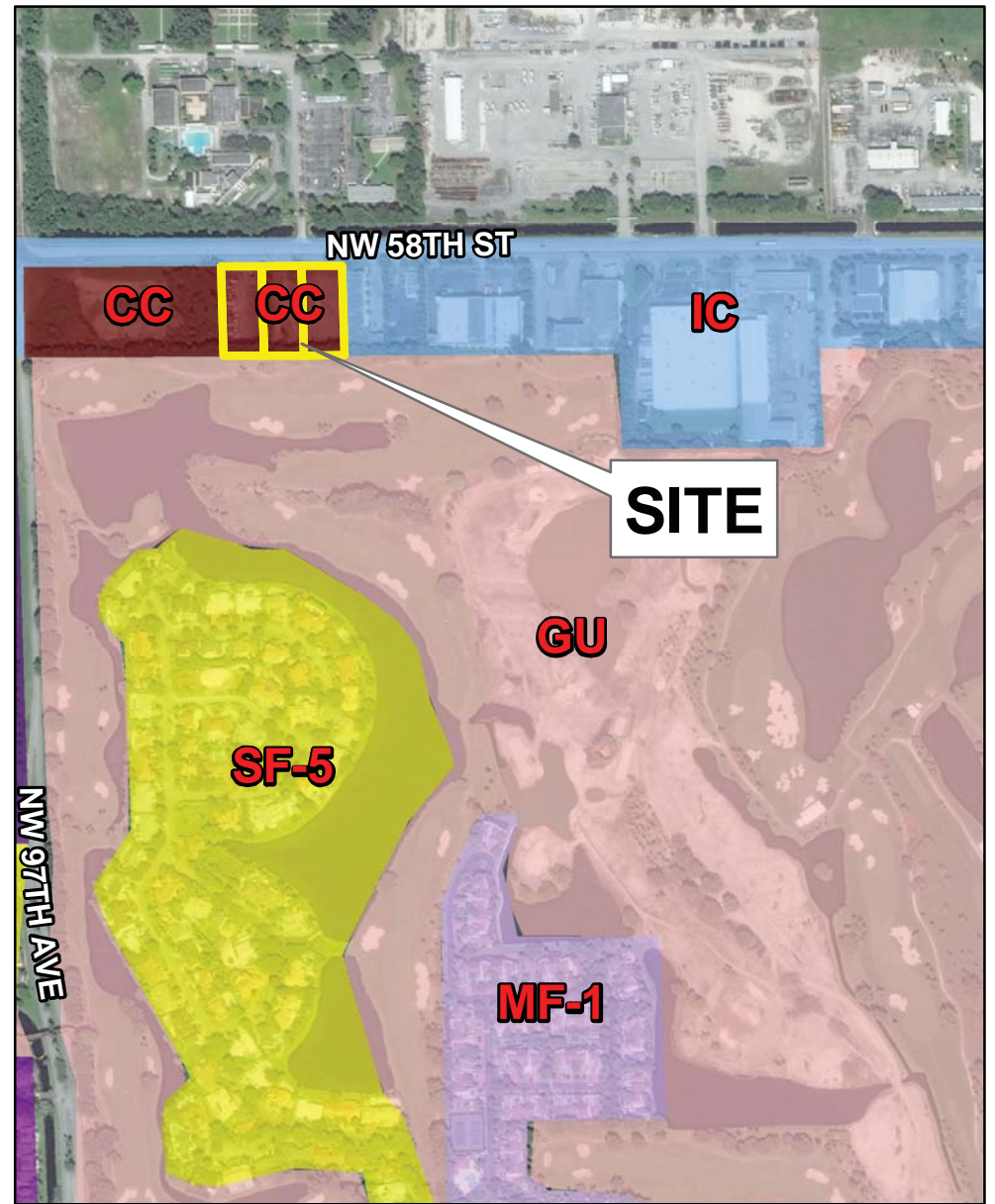


WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY

EXHIBITS



Current Zoning



Proposed Zoning

Legend

- Single Family 5 (SF-5)
- Multi Family 1 (MF-1)
- Corridor Commercial (CC)
- Industrial Commercial (IC)
- General Use (GU)

City of Doral



Planning & Zoning Department

Aerial Zoning Map

EXHIBIT A



Exhibit B

PARCEL I:

THE WEST 135.25 FEET OF THE EAST 1/2 OF TRACT 32, LESS THE NORTH 40 FEET THEREOF IN SECTION 21, TOWNSHIP 53 SOUTH, RANGE 40 EAST, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL II:

THE WEST 1/2 OF THE EAST 264.39 FEET OF THE WEST 396.64 FEET OF THE EAST 1/2 OF TRACT 32, LESS THE NORTH 40 FEET THEREOF IN SECTION 21, TOWNSHIP 53 South. RANGE 40 EAST. FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL III:

THE EAST 1/2 OF THE EAST 264.39 FEET OF THE WEST 396.64 FEET OF THE EAST 1/2 OF TRACT 32, LESS THE NORTH 40 FEET THEREOF IN SECTION 21, TOWNSHIP 53 SOUTH, RANGE 40 EAST, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.