

**RESOLUTION No. 16 -83**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, SITTING AS THE LOCAL PLANNING AGENCY GOING FORWARD WITHOUT A RECOMMENDATION OF A REZONING FROM THE INDUSTRIAL COMMERCIAL (IC) DISTRICT TO THE COMMUNITY MIXED USE (CMU) DISTRICT FOR 7.79± ACRES OF LAND FOR THE PROPERTY GENERALLY LOCATED SOUTH OF N.W. 41 STREET AND BETWEEN N.W. 94TH AVENUE AND THEORETICAL N.W. 95TH AVENUE, CITY OF DORAL, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Shoma Investments Company ("Applicant"), has requested approval of a rezoning of 7.79 ± acres of property generally located south of N.W. 41<sup>st</sup> Street between N.W. 94<sup>th</sup> Avenue and theoretical N.W. 95<sup>th</sup> Avenue, Doral, Florida, from the Industrial Commercial (IC) District to the Community Mixed Use (CMU) District, as legally described in Exhibit A; and

**WHEREAS**, on April 20, 2016, the City Council of the City of Doral sitting as the Local Planning Agency (LPA) at a properly advertised hearing received testimony, evidence related to the application from the Applicant, and other persons, and found that the rezoning to the CMU District for the subject property, as recommended by staff, is/is not consistent with the Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA SITTING AS THE LOCAL PLANNING AGENCY, 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 proposed rezoning to the Community Mixed Use (CMU) District for the 7.79± acre parcel generally located south of N.W. 41<sup>st</sup> Street

between N.W. 94<sup>th</sup> Avenue and theoretical N.W. 95<sup>th</sup> Avenue is consistent with the City's Comprehensive Plan, and, therefore, it is recommended the City Council transmit this Resolution to the local governing body (City Council) without a recommendation.

**Section 3. Effective Date.** This Resolution shall be effective upon adoption.

The foregoing Resolution was offered by Councilmember Ruiz who moved its adoption. The motion was seconded by Councilmember Rodriguez and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Christi Fraga	Absent/Excused
Councilman Pete Cabrera	Absent/Excused
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Sandra Ruiz	Yes

TRANSMITTED WITHOUT A RECOMMENDATION TO THE LOCAL GOVERNING BODY (CITY COUNCIL) THIS 20 DAY OF APRIL, 2016.

  
\_\_\_\_\_  
LUIGI BORIA, 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

**Exhibit A**

Shoma Investments Company  
Property Legal Description

TRACT "F" OF "EASTERN DORAL ACRES SECTION ONE SUBDIVISION"  
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 111, PAGE  
53, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.