

ORDINANCE # 2014-44

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 DEVELOPMENT MASTER PLAN FUTURE LAND USE MAP FROM LOW DENSITY RESIDENTIAL TO INSTITUTIONAL AND PUBLIC FACILITY FOR 3± ACRES FOR THE PROPERTY GENERALLY LOCATED AT THE WESTSIDE OF THE THEORETICAL NW 104TH AVENUE ONE BLOCK NORTH OF NW 66TH STREET, CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to the Local Government Comprehensive Planning Act, in accordance with all of its terms and provisions, has reviewed the Application of the City of Doral, proposing a Small-Scale Development Amendment to the Comprehensive Plan to modify the Future Land Use Map designation from Low Density Residential (LDR) to Institutional and Public Facility (IPF) for 3 ± acres, as depicted in ("Exhibit A") for the property generally located at the Westside of the theoretical NW 104th Avenue one block north of NW 66th Street, City of Doral, Miami-Dade County, Florida, as legally described in ("Exhibit B"); and

WHEREAS, the City obtained the subject property (3 ± acres) in 2007 as part of transfer of density along with approval of the "Tuscany at Doral" Development (now known as the "Villages"); and

WHEREAS, Doral Preparatory Charter School Developer, LLC has a lease agreement with the City to construct and operate the charter school with a potential maximum capacity of 900 students from K-8 grades at no cost to the city; and

WHEREAS, after careful review and deliberation, staff has determined that this application is in compliance with the City's Comprehensive Plan and consistent with Sec. 163.3184 of the Florida Statutes; 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 to amend the City's Comprehensive Plan's Future Land Use Map; and

WHEREAS, on December 3, 2014, the City Council conducted a duly advertised public hearings on the future land use proposed by the City of Doral, and has considered all evidence and 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 CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

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

Section 2. Approval. The City's Comprehensive Plan Future Land Use Map is hereby amended from Low Density Residential to Institutional and Public Facility for the property generally located on the Westside of the theoretical NW 104th Avenue one block north of NW 66th Street, City of Doral, Miami-Dade County, Florida. (Exhibit 1)

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 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.

Section 5. Effective Date. This Ordinance (Small Scale Development Amendment) 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.

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

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

PASSED AND ADOPTED on first reading this 3 day of December, 2014.

PASSED AND ADOPTED on second reading this 28 day of January, 2015.

LUIGI BORIA, MAYOR

ATTEST:

CONNIE DIAZ, INTERIM 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 & POPOK, P.A.
CITY ATTORNEY