

ORDINANCE NO. 2011-31-273

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING APPLICATION SUBMITTED BY EBS ENGINEERING FOR THE REZONING OF THE PROPERTY GENERALLY LOCATED AT 2726 NORTHWEST 168TH TERRACE; PARTICULARLY DESCRIBED ON EXHIBIT "A", ATTACHED HERETO, FROM R-1, SINGLE FAMILY RESIDENTIAL TO PCD, PLANNED CORRIDOR DEVELOPMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Applicant, EBS Engineering, Inc. is the owner of the parcel generally located at 2726 NW 168th Terrace, and

WHEREAS, the parcel consists of four (4) lots, and the largest lot has split zoning with approximately 10,000 square feet of the property currently zoned PCD, Planned Corridor Development, and the remainder of the property zoned R-1, Single Family Residential, and

WHEREAS, the Applicant is requesting rezoning of the property from R-1, Single Family Residential to PCD, Planned Corridor Development, and

WHEREAS, the rezoning to PCD, Planned Corridor Development will create one (1) large contiguous commercial zone lot to allow the Applicant to construct a 15,997 square foot two story office building with adequate parking and landscape areas, and

WHEREAS, the City's Planning and Zoning staff has made a comprehensive determination that the application is consistent with the Comprehensive Development Master Plan, and

WHEREAS, the City's Planning and Zoning staff recommends approval of the application, and

WHEREAS, the City Council considered the testimony of the Applicant, if any, and

WHEREAS, the City Council also considered the testimony of the City's Planning and Zoning staff and the staff report attached hereto as Exhibit "B", incorporated herein by reference,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens, Florida hereby rezones the property particularly described on Exhibit "A" attached hereto from R-1, Single Family Residential to PCD, Planned Corridor Development.

Section 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

Section 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the section of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed.

Section 6. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

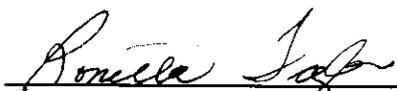
PASSED ON FIRST READING ON THE 2nd DAY OF NOVEMBER, 2011.

PASSED ON SECOND READING ON THE 7th DAY OF NOVEMBER, 2011.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS ZONING MEETING HELD ON THE 7TH DAY OF NOVEMBER, 2011.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: DR. DANNY O. CREW, CITY MANAGER

Moved by: Councilman Gilbert
Second by: Councilwoman Davis

VOTE: 7-0

Mayor Shirley Gibson	<u> X </u> (Yes)	_____ (No)
Vice Mayor Aaron Campbell, Jr.	<u> X </u> (Yes)	_____ (No)
Councilman David Williams Jr	<u> X </u> (Yes)	_____ (No)
Councilwoman Lisa Davis	<u> X </u> (Yes)	_____ (No)
Councilman Oliver Gilbert, III	<u> X </u> (Yes)	_____ (No)
Councilwoman Felicia Robinson	<u> X </u> (Yes)	_____ (No)
Councilman Andre' Williams	<u> X </u> (Yes)	_____ (No)