

ORDINANCE NO. 2011-27-269

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY THE CITY OF MIAMI GARDENS, FOR THE REZONING OF THE PROPERTY LOCATED AT 2245 BUNCHE PARK DRIVE MIAMI GARDENS, FLORIDA, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A", ATTACHED HERETO, FROM GOVERNMENT PROPERTY TO NEIGHBORHOOD COMMERCIAL; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Miami Gardens ("Applicant"), is requesting the rezoning of land at 2245 Bunche Park Drive from Government property to NC, Neighborhood Commercial District, and

WHEREAS, this would allow, as a permitted use, the existing place of religious assembly, and

WHEREAS, the City Council held a public hearing on the application on October 5, 2011 and November 2 2011, and

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

WHEREAS, the City Council 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. APPROVAL: The City Council of the City of Miami Gardens, Florida hereby approves the application submitted by the Applicant for a rezoning of land at 2245 Bunche Park Drive from Government property to NC, Neighborhood Commercial District.

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 CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.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. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 5<sup>th</sup> DAY OF OCTOBER, 2011.

PASSED ON SECOND READING ON THE 2<sup>nd</sup> DAY OF NOVEMBER, 2011.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 2<sup>nd</sup> DAY OF NOVEMBER, 2011.

*Shirley Gibson*  
SHIRLEY GIBSON, MAYOR

**ATTEST:**

*Ronetta Taylor*  
RONETTA TAYLOR, MMC, CITY CLERK

Prepared by SONJA K. DICKENS, CITY ATTORNEY

SPONSORED BY: DR. DANNY CREW, CITY MANAGER

Moved by: Councilman Gilbert  
Second by: Councilwoman Davis

**VOTE:** 6-0

Mayor Shirley Gibson	<u>  X  </u> (Yes)	<u>      </u> (No)
Vice Mayor Aaron Campbell, Jr.	<u>  X  </u> (Yes)	<u>      </u> (No)
Councilman David Williams Jr	<u>  X  </u> (Yes)	<u>      </u> (No)
Councilwoman Lisa Davis	<u>  X  </u> (Yes)	<u>      </u> (No)
Councilman Oliver Gilbert, III	<u>  X  </u> (Yes)	<u>      </u> (No)
Councilwoman Felicia Robinson	<u>  X  </u> (Yes)	<u>      </u> (No)
Councilman Andre' Williams	<u>      </u> (Yes)	<u>      </u> (No) (not present)