

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES GRANTING SITE PLAN APPROVAL FOR THE CONSTRUCTION OF A 3 STORY/45' HIGH, 14,590 SQ. FT. COMMERCIAL OFFICE BUILDING ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 17-19, BLOCK 92, RIVIERA SECTION PART 2 (5100-5118 RIVIERA DRIVE), CORAL GABLES, FLORIDA; AND INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Application No. 07-09-088-P was submitted requesting site plan review for the commercial office project referred to as "Riviera Professional Office Building" on Lots 17-19, Block 92, Riviera Section Part 2 (5100-5118 Riviera Drive), Coral Gables, Florida; and,

WHEREAS, this request is being submitted in conjunction with a request for a change of land use and rezoning required to permit the construction of the proposed 3 story/45' high, 14590 sq. ft. commercial office building; and,

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1000) feet, public hearings were held before the Planning and Zoning Board of the City of Coral Gables on March 10, 2010, at which hearings all interested persons were afforded the opportunity to be heard; and,

WHEREAS, at the Planning and Zoning Board's March 10, 2010 meeting, the Board recommended approval of the proposed site plan (vote: 6-1) with conditions; and,

WHEREAS, the City Commission on March 23, 2010 recommended approval of the site plan on First Reading subject to the conditions referenced herein (vote: __ - __); and,

WHEREAS, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request for site plan review as required by the Zoning Code, and including careful consideration of written and oral comments by members of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The proposed site plan review for the commercial office project referred to as

“Riviera Professional Office Building” on Lots 17-19, Block 92, Riviera Section Part 2 (5100-5118 Riviera Drive), Coral Gables, Florida shall be and is hereby approved with the following conditions:

1. Application/supporting documentation. Construction of the project shall be in conformance with the following:
 - a. Site plan, landscape plan, building elevations and building program contained in application package prepared by Corwil Architects, Inc., dated 03.10.10.
 - b. Traffic Study prepared by Kimley-Horn and Associates, Inc., dated 07.22.09.
 - c. Improvements and/or conditions contained herein, unless otherwise specified herein, shall be completed prior to receipt of final Certificate of Occupancy (CO).
 - d. All representations and exhibits as prepared and provided to the Planning Department as part of the application submittal package dated 03.10.10.
 - e. All representations proffered by the applicant’s representatives provided during public hearing review.
2. Restrictive Covenant. Within 30 days of approval and adoption of the ordinances, the property owner, its successors or assigns shall submit a Restrictive Covenant for City Attorney review and approval outlining all conditions of approval required by the City Commission. Failure to submit the draft Restrictive Covenant within the specified time frame shall render the approval void unless said time frame for submittal of the draft Restrictive Covenant is extended by the City Attorney after good cause as to why the time frame should be extended.
3. General conditions. Prior to the issuance of a building permit, the property owner, its successors or assigns, shall adhere to all of the following conditions:
 - a. If nighttime uses are proposed on the property, compliance shall be required with the performance standards for nighttime uses specified in the Commercial Limited (CL) District provisions in Section 4-301(E) of the Zoning Code.
 - b. Parking lot lighting. Parking lot lights shall be turned off at 9:00 p.m., Monday through Sunday. Required low level safety and/or emergency lighting shall be exempt from these provisions.
 - c. Building signage. No building signage shall be permitted on any building elevation that fronts residentially zoned property, specifically the east and south building elevations.
 - d. Existing mangroves. Existing mangrove growth along the canal bank shall be protected during the construction of the project pursuant to local, regional and state standards.
 - e. Medical uses. Medical offices and clinics shall not be permitted on the subject property for this proposal or any future proposal.
 - f. Landscape buffering. The trees along the east property line shall be a minimum height of twenty-five (25) feet at time of installation.
 - g. Parking lot landscaping. Parking spaces 26 and 27 on the proposed site plan shall be reconfigured to provide additional landscape buffer, subject to review and approval by the Public Service Director. No loss of parking shall be permitted.
4. Maximum building height limitations. If the proposed project is not constructed as provided herein or the granted development approval lapses, any future development of the subject property shall be limited to a maximum height of forty-five feet (45’) from the established grade to the highest point of the building, as defined by the Zoning Code.

SECTION 3. All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

SECTION 4. All ordinance or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 5. If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 6. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to “section”, “article”, or other appropriate word to accomplish such intention.

SECTION 7. This ordinance shall become effective _____, 2010.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2010.

APPROVED:

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH HERNANDEZ
CITY ATTORNEY

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