

CITY OF CORAL GABLES, FLORIDA**ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA REQUESTING A CHANGE OF ZONING PURSUANT TO ZONING CODE ARTICLE 3, "DEVELOPMENT REVIEW", DIVISION 14, "ZONING CODE TEXT AND MAP AMENDMENTS", FROM MULTI-FAMILY 2 DISTRICT (MF2) TO COMMERCIAL DISTRICT (C) FOR THE PROPERTY LEGALLY DESCRIBED AS LOTS 6 AND 7, BLOCK 26, DOUGLAS SECTION, CORAL GABLES, FLORIDA; AND PROVIDING FOR SEVERABILITY, REPEALER AND AN EFFECTIVE DATE.

WHEREAS, an application was submitted requesting a change of zoning from Multi-Family 2 District (MF2) to Commercial District (C) for Lots 6 and 7, Block 26, Douglas Section, Coral Gables, Florida; and,

WHEREAS, the construction of a commercial office building referred to as "Ofizzina" is proposed on Lots 6-10, and while the entire property has the appropriate "Commercial High-Rise Intensity" land use designation, only Lots 8-10 have the appropriate Commercial District (C) zoning designation; and,

WHEREAS, the proposed Commercial District (C) zoning designation for Lots 6 and 7 is consistent with the property's existing "Commercial High-Rise Intensity" land use designation and would correct an existing inconsistency, and is the appropriate zoning designation for the proposed commercial office use; and,

WHEREAS, the proposed change of zoning is being submitted concurrently with a proposed conditional use with site plan for the construction of a drive-through bank teller facility; and,

WHEREAS, Staff finds that the procedures for reviewing and recommending on proposed Zoning Code map amendments are provided in Zoning Code Article 3, Division 14, "Zoning Code Text and Map Amendments", and that the proposed Zoning Code map amendment has met those criteria and standards; and,

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1000) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on October 8, 2014, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, at the October 8, 2014 Planning and Zoning Board meeting, the Board recommended approval of the proposed change of zoning (vote: 7-0); and,

WHEREAS, the City Commission held a public hearing on October 28, 2014 at which hearing all interested persons were afforded an opportunity to be heard and this application for change of zoning was (approved/denied) on first reading (vote: __ - __); and,

WHEREAS, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request to change the zoning pursuant to Florida Statutes, 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, FLORIDA:

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

SECTION 2. The Applicant’s request for a change of zoning pursuant to Zoning Code Article 3, “Development Review”, Division 14, “Zoning Code Text and Map Amendments”, from Multi-Family 2 District (MF2) to Commercial District (C) for the construction of a commercial office building referred to as “Ofizzina” (1200 Ponce de Leon Boulevard), including a drive-through bank facility, for the portion of the property legally described as Lots 6 and 7, Block 26, Douglas Section, Coral Gables, Florida, is hereby approved.

SECTION 3. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. This development permit by the City of Coral Gables does not in any way create any right on the part of an applicant to obtain a permit from a county, state or federal agency. Likewise, this development permit does not create any liability on the part of the City of Coral Gables for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a county, state or federal agency, or if the applicant undertakes actions that result in a violation of county, state or federal law. In addition, as a condition of this approval, all county, state and federal permits must be obtained before commencement of the development.

SECTION 6. This ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2014.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY

N:\P Z B\Projects\1200 Ponce - Ofizzina\10.28.14 change in zoning ordinance - Ofizzina - 1st reading.doc