



**City of Coral Gables
CITY COMMISSION MEETING
November 9, 2010**

AGENDA ITEM NO. _____

ITEM TITLE:

Ordinance on First Reading. An Ordinance of the City Commission of Coral Gables requesting the following for Gulliver Academy, located on Tract No. 7, Avocado Land Company Subdivision (12595 Red Road), Coral Gables, Florida:

- 1) Planned Area Development (PAD) assignment, pursuant to Zoning Code Article 3, Division 5;
- 2) Site plan review and an amendment to the previously approved Gulliver Academy Master Campus Site Plan to allow for new classrooms, pavilion building, gymnasium, baseball field house, natatorium and other miscellaneous improvements;
- 3) Encroachment into the Campamento Drive, Old Cutler Road and Red Road rights-of-ways; and,
- 4) An amendment to the Official Zoning Code, Appendix A, Site Specific Zoning Regulations; providing for severability, repealer, codification, and an effective date. (See Exhibit A – Ordinance)

DEPARTMENT HEAD RECOMMENDATION:

The Planning Department recommends approval subject to the conditions of approval as provided for in Exhibit B – Staff Recommendation.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board conducted three (3) public hearings on 07.14.10, 07.21.10 and 09.15.10. At the 09.15.10 meeting, the Board recommended approval (vote: 6-0) of the application with Staff's recommended conditions of approval. Staff advised the Board that pursuant to the Settlement Agreement, the Staff recommendation and conditions of approval would be modified to reflect the details of the Agreement between Gulliver Academy and the Gables by the Sea Homeowner's Association. City staff did advise the Board that changes to the site plan per the Agreement would require further City staff review and approval. City staff requested the Board include this "staff review" stipulation as a part of the Board's motion.

Refer to Exhibit B for a clean version of the modified Staff Recommendation and Conditions of Approval and Exhibit C for a ~~strikeout~~/underline version.

BRIEF HISTORY:

Gulliver Academy has filed an application to amend the previously approved 1998 Gulliver Academy Master Plan and adopt a revised master plan in accordance with the Zoning Code's Planned Area Development (PAD) provisions. The plan includes new classrooms, additions to existing classrooms and support facilities, construction of a new pavilion building, gymnasium/auditorium, natatorium (indoor pool to replace the existing open-air pool), and a new baseball field house and stands. The proposal provides for no increase in the existing maximum 1,162 student enrollment. The classroom additions include new computer stations and support facilities that are not now available to the students. The school currently does not have an existing gym or an auditorium, which are proposed to be combined into one structure. The new gymnasium/auditorium will house activities that currently take place outdoors or on other campuses.

The application was presented to the Planning and Zoning Board on 07.14.10. At that meeting, the Board entertained public input and continued the item to 07.21.10 meeting. At the 07.21.10 meeting, the Board entertained additional public input/testimony, concluded its deliberations and granted a second continuance to allow the applicant to meet with Gables by the Sea Homeowner's Association to resolve remaining issues. On 09.15.10, the Planning and Zoning Board received a Settlement Agreement between Gulliver Academy and the Homeowner's Association providing mutually agreed conditions and resolution of issues (see Exhibit D, Tab 2 – Settlement Agreement).

In summary, the Settlement Agreement provides for the following:

1. Ability of the natatorium structure to encroach five (5) feet into the required Zoning Code Site Specific - eighty (80) foot setback [South (Campamento Avenue) property line], thereby establishing a seventy-five (75) foot setback. The applicant has modified the application to request a Zoning Code text amendment to provide for the seventy-five (75) foot setback.
2. Provides for a maximum height, compatible "residential" design, limitations of mechanical equipment and parking location limitations related to the construction of the natatorium.
3. Requires the closure of the existing Campamento Avenue vehicular access prior to the commencement of the 2011-2012 school year. Provides for timelines to submit for applicable City permits after obtaining City Commission site plan approval.
4. Requires the construction of an alternative private access drive from Red Road to the south side of the property for delivery of goods and services, teacher and administration parking, etc. This private drive meanders through the existing tree canopy and provides for no removal of overstory trees and vegetation, thereby protecting the existing overstory buffer. However, to ensure no removal of trees, an encroachment up to a maximum of eight (8) feet is necessary into to the Campamento Avenue right-of-way to accommodate paving for a twenty (20) to twenty-two (22) foot access drive. This results in no relocation of the existing fence line on Campamento Avenue which meanders through the right-of-way. The request for encroachment has been included as a part of the modified application and appropriate access easements will be required by City Staff.
5. Allows for City Fire and Police Department review to determine if City emergency vehicle access is required from Campamento Drive to serve the property.
6. Eliminates UPS, FedEx etc. deliveries from Campamento Avenue within thirty (30) days of City Commission site plan approval.
7. Provides for the installation of additional landscaping along Campamento Avenue adjacent to the private access drive.
8. Provides for a five (5) foot access gate from the southern property line to Campamento Avenue for maintenance vehicles (i.e., mowers, etc) to maintain the adjoining Campamento Avenue and Bernal Street right-of ways. The intention is to prohibit student drop-off and pickup from this area.

Please refer to Exhibit D, Tab 2 - Settlement Agreement for the detailed terms of the Agreement.

In association with the above and the Planning and Zoning Board recommendation, the applicant modified its application requesting an encroachment into the adjacent Campamento Avenue right-of-ways and amendment to the Zoning Code to allow for reduced setbacks. This also included submission of revised site plans, landscape plans, elevations, etc.

Planning Staff, upon receipt of the revised application, coordinated City review with the Public Works, Public Service, Fire, Police, and Parking Departments as well as the City Attorney's Office. Planning Staff in association with other City Departments has concluded its review and the revised conditions of approval provided in Exhibit B reflect final review by all City Departments.

Two (2) issues do require further clarification and have been included as conditions of approval:

1. Emergency access from Campamento Avenue. The Fire and Police Department have reviewed of emergency access from Campamento Avenue. Both Departments have determined that the proposed alternative private access drive when installed, will be sufficient to meets the fire/life safety needs on the south side of the property. This would allow for the removal of the Campamento Avenue gate at which time the private access drive is operational.
2. Maintenance access gate to Campamento Avenue. Pursuant to the Settlement Agreement, a five (5) foot gate is proposed from the southern property line to Campamento Avenue to allow for maintenance vehicles (i.e., mowers, etc.) to maintain the adjoining right-of-way. City staff recommends the five (5) foot gate shown on the site plan be relocated east of the proposed natatorium and west of Bernal Avenue right-of-way (adjacent to the baseball fields). This gate shall remain locked and closed except during maintenance of the adjoining rights-of-ways. City staff has been contacted by several Gables-by-the-Sea residents who have requested pedestrian/student access be preserved to alleviate the necessity of parents residing within the residential neighborhood to drop off student(s) at the school's front entrance on Red Road.

Planning Staff will provide a thorough presentation at the Commission meeting outlining the modified conditions of approval.

See the following Exhibits for supplemental information:

- E. Planning Department 07.14.10, 07.21.10 and 09.15.10 Staff report without attachments
- F. Building and Zoning Department Preliminary Zoning Analysis
- G. Board of Architects Preliminary Review Comments
- H. City Consultant (Marlin Engineering) Memorandum - Review of Gulliver Traffic Study (May 2010)
- I. City Consultant (Marlin Engineering) Memorandum – Review of Gulliver Academy Special Events Traffic Management Plan (May 18, 2010)
- J. 07.14.10 Planning and Zoning Board meeting minutes
- K. 07.21.10 Planning and Zoning Board meeting minutes
- L. 09.15.10 Planning and Zoning Board meeting minutes
- M. Public comments.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
N/A		

OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
07.14.10	Planning and Zoning Board	Continued application to 07.21.10 meeting.
07.21.10	Planning and Zoning Board	Continued application to 09.15.10 meeting.
09.15.10	Planning and Zoning Board	Approval - (vote: 6-0) with conditions as modified.

PUBLIC NOTIFICATION(S):

Date	Form of Notification
05.20.10, 06.22.10, 08.25.10 and 10.21.10	Courtesy notification mailed to all property owners within 1,500 feet of the subject property.
06.24.10, 09.03.10 and 10.29.10	Posted property.

05.27.10, 06.22.10, 07.01.10, 09.03.10, 10.29.10	Advertisements (i.e., Agendas, application titles, legal ads, etc)
07.09.10, 07.16.10 and 09.10.10	Posted Staff report and all attachments on City web page.
11.05.10	City Commission memo and all attachments posted on City web page.

APPROVED BY:

Department Director	City Attorney (If Applicable)	City Manager

EXHIBIT(S):

- A. Ordinance
- B. Modified conditions of approval – clean version
- C. Modified conditions of approval – strikeout/underline version
- D. Gulliver Academy Application
- E. Planning Department 07.14.10, 07.21.10 and 09.15.10 Staff report without attachments
- F. Building and Zoning Department Preliminary Zoning Analysis
- G. Board of Architects Preliminary Review Comments
- H. City Consultant (Marlin Engineering) Memorandum - Review of Gulliver Traffic Study (May 2010)
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