

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

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.

WHEREAS, Application No. 09-09-092-P was submitted requesting PAD assignment pursuant to Zoning Code Article 3, Division 5, site plan review and an amendment to the previously approved Gulliver Academy Master Campus Site Plan on the property located on Tract No. 7, Avocado land Company Subdivision (12595 Red Road), Coral Gables, Florida; and,

WHEREAS, this request is being submitted to allow for the construction of new classrooms, pavilion building, gymnasium, baseball field house, natatorium and other miscellaneous improvements within the confines of the existing property; and,

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one thousand five hundred (1500) feet, public hearings were held before the Planning and Zoning Board of the City of Coral Gables on 07.14.10, 07.21.10 and 09.15.10 at which hearings all interested persons were afforded the opportunity to be heard; and,

WHEREAS, the Planning and Zoning Board heard and continued this item at public hearings held on 07.14.2010 and 07.21.2010.; and,

WHEREAS, at the Planning and Zoning Board 09.15.10 meeting, a Settlement Agreement between the applicant and Gables by the Sea Homeowner's Association was presented; and,

WHEREAS, at the Planning and Zoning Board's 09.15.10 meeting, the Board recommended approval (vote: 6-0) with conditions; and

WHEREAS, City Staff advised the Planning and Zoning Board's that pursuant to the Settlement Agreement, the Staff recommendation and conditions of approval would be modified to reflect the details of the Settlement Agreement between Gulliver Academy and the Gables by the Sea Homeowner's Association, subject to final City Department review and approval; and

WHEREAS, after the 09.15.201 meeting, the applicant modified the application providing revised site plans, landscape plans, elevations, etc., and submitted a request to encroach into the adjacent right-of-ways and submitted a text amendment to the Zoning Code to allow for reduced setbacks for the gymnasium and natatorium; and,

WHEREAS, City Staff forwarded an additional courtesy notice to all property owners of record within one thousand five hundred (1500) feet advising of the 11.09.10 public hearing before the City Commission, at which all interested persons were afforded the opportunity to be heard; and,

WHEREAS, the City Commission held a public hearing on 11.09.10 at which hearing all interested persons were afforded an opportunity to be heard and the application was _____ on first reading (vote: __-__) subject to the conditions referenced herein; and,

WHEREAS, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request 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 application/request as identified below is hereby approved with the following conditions:

(Conditions of approval will be inserted after 1st Reading consideration)

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