

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2011-06

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) ZONING CODE TEXT 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 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 09.15.2010 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 approved on First Reading (vote: 3-1) subject to the conditions referenced herein; and

WHEREAS, on 12.14.2010, the City Commission recommended deferral (vote: 4-0) of 2nd Reading to the 01.25.2011 meeting and at the 01.25.2011 and 02.08.2011 meetings the item was again deferred. The deferral allowed Gulliver Academy to further discuss possible solutions of student access to the school for families residing within Gables-by-the-Sea neighborhood; and

WHEREAS, on 03.08.11, the City Commission made a motion for 2nd Reading approval and the resulting vote was 2-2, which is considered a "denial." The applicant requested reconsideration of the motion to allow additional time to pursue other student access alternatives and the Commission rescheduled consideration for the 03.22.11 meeting; and

WHEREAS, the City Commission held a public hearing on 03.22.11 at which hearing all interested persons were afforded an opportunity to be heard and the application was passed and adopted on Second Reading (vote: Majority: 4-0);

NOW, THEREFORE, BE IT RESOLVED 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. That the City Commission does hereby authorize the City Manager to grant the application of Gulliver Academy located on Tract No. 7, Avocado Land Company subdivision 12595 Red Road, Coral Gables, Florida providing for the following:

1. Planned Area Development (PAD) assignment, pursuant to Zoning Code Article 3, Division 5.
2. Site Plan and/or amendment to the previously approved Gulliver Academy Master Campus Site Plan to allow for new classrooms, pavilion building, gymnasium, baseball field house and other miscellaneous improvements subject to conditions of approval referenced and provided herein.
3. Encroachments for the following:
 - a. Campamento Drive. Up to a maximum of eight (8) feet into the right-of-way for paving to accommodate the proposed private drive as referenced on the site plan.
 - b. Old Cutler Road and Red Road rights-of-ways. Miscellaneous curbing, paving, landscaping,

etc as referenced on the site plan

Subject to submission of all necessary documentation to provide for applicable easements subject to City Attorney review and approval. All costs associated with the encroachments shall be borne by the applicant.

4. Zoning Code text amendment to Appendix A – Site Specific Zoning Regulations, Section A-6, Avocado Land Company Subdivision – Tract 7 as follows:
 - a. Minimum 75'-0" side setback along the south property line (Campamento Drive) for the proposed natatorium. All other proposed future structures along the south property line shall adhere to the required 80'-0" setback.
 - b. Minimum 40'-0" setback along the north property line for the proposed gymnasium and baseball field house. All other proposed future structures along the north property line shall adhere to the required 100'-0" setback.

Is hereby approved subject to all of the following conditions of approval:

1. Application/supporting documentation. Construction of the shall be in conformance with the following:
 - a. Application package on file in the Planning Department and submitted to the City Commission -"Date stamped 12.07.2010- Planning Department".
 - b. All representations proffered and accepted by the applicant's representatives provided during public hearing reviews.
2. Implementation of all conditions of approval. All conditions of approval indicated by shaded text shall be in effect or implemented at the commencement of the Gulliver Academy 2011-2012 school year.
3. General.
 - a. Restrictive covenant. Within 30 days of City Commission approval, 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.
 - b. Revisions to approved PAD site plan. Administrative approval of minor amendments to the approved PAD site plan as permitted in Zoning Code Section 3-508(A) shall only apply to changes less than twenty percent (20%) for lot coverage and change in location of individual buildings. All other changes, including changes in floor area, maximum height, minimum setbacks, total campus square footage, required on-site parking and maximum student enrollment shall be considered major amendments and subject to review and consideration at public hearings in accordance with Section 3-508(B) of the Code.
 - c. 04.28.1995 Gables-by-the-Sea Road Closing Agreement. The applicant shall complete the necessary changes and secure all applicable agency approvals to modify the existing 04.28.1995 Gables-by-the-Sea Road Closing Agreement pursuant to the conditions of approval referenced and contained herein.
4. School use and operations.
 - a. General.
 - 1) Future Board of Architects review. Plans for each individual building and/or additions shall be submitted to the Board of Architects for architectural and design review prior to issuance of any building permit.
 - 2) Shared use. Shared use of all on-campus facilities shall only be permitted with students and scholastic activities from other Gulliver affiliated campuses. The use of any school facilities by outside vendors or for commercial purposes such as renting, leasing, or

allowing third parties unaffiliated with the operations of the school is prohibited.

3) School public information liaison/point of contact. A specific point of contact person of Gulliver Academy shall be selected to serve as the single point of contact for the neighborhood, surrounding properties and public inquiries. The purpose of the contact is to provide a vehicle for exchange of information between all parties. The Gulliver Academy point of contact name(s), email(s), mailing address(es) phone, and hours of availability shall be provided to all City of Coral Gables property owners, City of Coral Gables neighborhood association(s) and Village of Pinecrest neighborhood association(s) point of contact(s) within 1,000' of the property. This notice shall be provided prior to the date the City issues the final certificate of completion for the improvements provided for herein and thereafter on an annual basis prior to the start of each school year. Verification of the notification shall be provided to the Planning Department within the time frame required herein and on an annual basis.

4) Construction programming. No construction access or vehicles shall be permitted at any time along any portion of Campamento Avenue or Bernal Street rights-of-ways. There shall be no construction staging or storage of construction materials within 100' of Campamento Avenue or 475' feet of Bernal Street right-of-ways. All construction shall observe City Code allowable hours of construction per City Code Sec. 105-26, as amended (M – F, 7:30 a.m. to 6:00 p.m.) with no construction permitted on Saturdays. Per City procedures, a plan for specific construction and materials staging procedures shall be submitted to the Building Department for review and approval.

b. Student mix and population.

1) Student mix. Gulliver Academy shall be operated as a Pre-kindergarten through eighth grade school.

2) Maximum student enrollment. Maximum student capacity shall remain at 1,162 students.

3) Annual report on student enrollment. Gulliver Academy shall submit to the City an executed affidavit each year within 30 days after the first day of the school year, identifying and attesting to the number of students enrolled for the academic school year in total and by grade.

c. Use of facilities.

1) Athletic fields. There shall be no activities, events or any other use of the athletic fields between sunset and sunrise.

2) Tennis courts. There shall be no use of the tennis courts between sunset and sunrise.

3) Athletic equipment. Only athletic equipment associated with the specific athletic event shall be permitted on the athletic fields. The storage of equipment, machinery or other non-athletic related items on the athletic fields in open view shall not be permitted.

4) After school hours activities. The use of the athletic facilities between the hours of 6:00 p.m. and 8:00 a.m. for uses other than for school sponsored events shall be prohibited.

d. Special events and athletic events.

1) Event permit(s) required. All school events where 216 or more vehicles are anticipated shall secure a special events permit from the City's Special Events Committee. A tentative schedule of school events shall be submitted to the City 30 days prior to each school year to determine which events necessitate future application and review by the Special Events Committee.

2) Event parking. All parking for events shall be entirely accommodated on campus and shall not be permitted off-site. The "F" lot (south parking lot along Campamento Avenue) shall not be utilized by patrons attending events. This parking area shall only be utilized for parking by school administrators, employees, athletic support staff. The area shall not be utilized as a staging or storage area for any events. The intent use of this parking area shall remain as vehicle storage/parking.

3) Event traffic management plan. Gulliver Academy shall be required to implement the recommended traffic management requirements for each event type identified in the "Gulliver Academy Special Events Traffic Management Plan", prepared by David Plummer and Associates, and dated 05.18.10.

4) Event signage. Temporary directional signage may only be posted the day of the special event, and must be taken down within twenty-four (24) hours after the end of the event. d.

5. Traffic and traffic circulation.

a. Student drop-off and pick-up. The existing student drop-off and pick-up operations shall incorporate the following changes as recommended in the "Gulliver Academy Traffic Study" prepared by David Plummer and Associates, dated May 2010:

1) Supervisors assisting with drop-off and pickup shall wear a safety vest.

2) Off-campus parking and walk-ups along Old Cutler Road shall be prohibited. Traffic modifications. As recommended in the "Gulliver Academy Traffic Study" prepared by David Plummer and Associates, dated May 2010, Gulliver Academy shall initiate and work with Miami-Dade County to study and implement signal timing adjustments required at the intersection of Old Cutler Road / SW 120 Street to alleviate eastbound left turn morning delay.

b. Supplemental traffic and pedestrian management. The applicant shall provide one (1) additional police officer for traffic management during the morning (approximately 7:30 - 8:30 a.m.) and afternoon hours (approximately 3:00 - 4:00 p.m.) at the intersection of Old Cutler and S.W. 128th Avenue intersection.

6. Parking.

a. Faculty and staff. Only school faculty and staff shall be permitted to park in the "F" (South) Parking Lot. Parking shall be prohibited to all visitors, parents and attendees of special events or athletic events.

b. Visitors. All visitors, parents and attendees of special events or athletic events shall be required to park in the parking lots located on the north side of the campus.

c. Vehicle access. Vehicular curb cuts, access or other means of vehicular access from Campamento Avenue and Bernal Street right-of-ways shall be prohibited.

d. Campamento Avenue and Bernal Street right-of ways. No Gulliver Academy vehicle parking, storage or standing (temporary or permanent) shall be permitted along any portion of the Campamento Avenue or Bernal Street right-of-ways. Where not currently posted, the appropriate City "No parking" signage shall be installed as required and determined by the Parking Director. Gulliver Academy shall be responsible for all costs associated with the installation of all signage.

7. On and off-site improvements. Gulliver Academy shall be responsible for the installation and all costs and permitting from all applicable agencies (i.e., City, Miami-Dade County) associated with the installation of the following improvements.

a. Old Cutler Road right-of-way-northern triangle. In addition to the improvements as shown on the site plan, Gulliver Academy shall complete the following improvements within the existing large triangle of Old Cutler Road:

1) Remove the landscaping and irrigation currently installed within this area.

2) Install non-mountable curbing around the entire perimeter of the triangle.

3) Sod the entire area.

4) Install no parking signs within the sodded area. Location and number of signs shall be subject the Parking Director approval.

8. Landscaping and landscape maintenance. All landscaping as referenced on landscape plan shall be installed within 30 days of issuance of the Certificate of Use for the proposed private access drive. The applicant shall be responsible in perpetuity for all maintenance and upkeep of all landscaping and grassed areas on the Red Road (adjacent to the front entrance), north side of Campamento

Avenue, and west side of Bernal Avenue right-of-ways in perpetuity. This shall include removal of trash and debris. The existing and proposed hedges along the Campamento Avenue right-of-ways from Red Road to the existing western edge of the existing playfields shall be maintained and permitted to mature to a minimum height of twelve (12) feet.

9. Campamento Avenue right-of-way and Lot "F" (South) parking area.

a. Access. Prior to the commencement of the Gulliver Academy 2011-2012 school year the following shall be completed:

- 1) The existing vehicular access point on Campamento Avenue shall be closed.
- 2) The gate shall be removed.
- 3) All driveway pavement from the existing Campamento Avenue roadway paving edge to the Gulliver Academy property shall be removed.
- 4) The construction of an private access drive from Red Road to the south side of the property shall be completed, operational and approved by the City to allow for the emergency access, delivery of goods and services, teacher and administration parking to the south side of the property. In association with the submittal of the Restrictive Covenant required herein, the applicant shall submit the necessary easements or other documentation to the City Attorney for review and approval providing for the access drive.
- 5) The Red Road gate shall include a "knox box" mechanism or other mechanism to allow for emergency access. The type of mechanism, location, etc. is subject to Fire Department review and approval.
- 6) Installation of a six (6) foot gate (with lock) east of the proposed natatorium and west of Bernal Avenue right-of-way (adjacent to the baseball fields) that provides access to/from the Campamento Avenue right-of-way for maintenance equipment to maintain the adjoining right-of-ways. This gate shall remain closed and locked at all times except during maintenance.

b. Student drop-off and pick-up. Student drop-off and pick-up shall be prohibited from Campamento Avenue and Bernal Street right-of-ways onto any portion of the property.

c. Staging of delivery and service vehicles. No queuing, waiting of delivery/service vehicles or delivery of goods and services for Gulliver Academy shall occur at any time on or along the Campamento Avenue and Bernal Avenue right-of-ways

d. Trash facilities. All trash facilities (i.e. dumpsters) shall be contained within perimeter opaque fencing and gate a minimum around the entire dumpster. The fencing and gate shall be a minimum of one foot above the height of the dumpster facility. The dumpster facility gate shall be closed at all times except during pickup.

e. Outdoor storage.

- 1) Storage of material, kitchen support material, etc are permitted within the storage area however shall be maintained in a neat and orderly manner.
- 2) No storage or material or other items shall be permitted within the parking lot. The use of the lot shall be for the purposes of storing vehicles.

10. Drainage. Prior to the issuance of a Certificate of Occupancy for either the gymnasium or natatorium, Gulliver Academy shall prepare and implement a storm water management/drainage plan for the entire property pursuant to SFWMD requirements to ensure all storm water is retained on-site, and there is no drainage off-site. The plan shall be subject to Public Works Department review and final approval subject to all applicable city, local, state, etc. requirements.

11. Other requirements

a. Lighting

- 1) Lighting of the athletic fields, open areas, parking areas shall be prohibited.
- 2) Off-site lighting saturation and/or dispersion shall be prohibited from any portion of the facility property onto neighboring properties. Lighting standards for parking lots and within the core of the campus shall require review and approval by the Board of

Architects. Required low level safety and/or emergency lighting shall be exempt from these provisions.

b. Amplified speakers. No fixed outside amplified speaker/announcer equipment shall be permitted within 100 feet of Campamento Avenue or 275 feet of Bernal Street.

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.

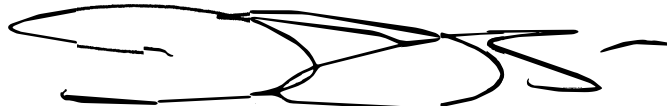
SECTION 5. If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

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. That this ordinance shall become effective within ten (10) days following the date of its passage and adoption herein.

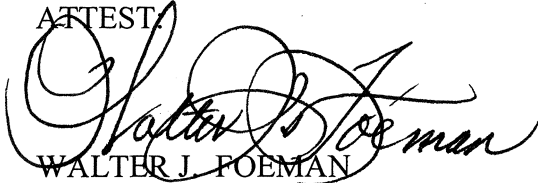
PASSED AND ADOPTED THIS TWENTY-SECOND DAY OF MARCH, A.D., 2011.
(Moved: Cabrera / Seconded: Withers)
(Yes: Withers, Anderson, Cabrera, Slesnick)
(Majority: (4-0) Vote)
(Absent: Kerdyk)
(Agenda Item: E-1)

APPROVED:



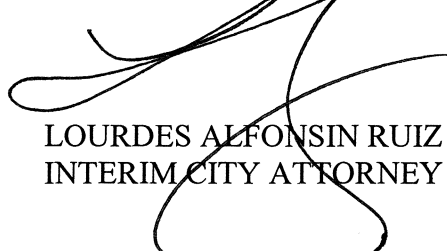
DONALD D. SLESNICK II
MAYOR

ATTEST



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



LOURDES ALFONSIN RUIZ
INTERIM CITY ATTORNEY

Ordinances

Kerdyk, seconded by Commissioner Brake, to grant the request for a change of zoning on subject property as recommended by the Planning Board. The motion failed by the following roll call: "Yeas" - Commissioner Brake. "Nays" - Commissioners Chapman, Jacobson and Kerdyk; Mayor Knight.

Consideration was then given to the Planning Board proceedings of December 2, 1975, pertaining to driveways across sidewalks and parking garages on the first floor of buildings on certain portions of Miracle Mile and Ponce de Leon Boulevard. After discussion, the following ordinance was presented and read:

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 1525, AS AMENDED, AND KNOWN AS THE "ZONING CODE", BY AMENDING SECTION 4.03 THEREOF, ENTITLED: "PROHIBITED USES, CERTAIN STREETS". THIS AMENDMENT DEALING WITH THE CONSTRUCTION OF DRIVEWAYS ACROSS SIDEWALKS AND THE LOCATION OF OFFSTREET PARKING ON THE GRADE LEVEL OF BUILDINGS CONSTRUCTED ON PROPERTIES ABUTTING MIRACLE MILE FROM DOUGLAS ROAD TO LE JEUNE ROAD AND/OR ON PROPERTIES ABUTTING PONCE DE LEON BOULEVARD FROM ALHAMBRA CIRCLE TO UNIVERSITY DRIVE; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

upon first reading. Motion for its adoption was made by Commissioner Brake, seconded by Commissioner Chapman. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Brake, Chapman, Jacobson and Kerdyk; Mayor Knight. "Nays" - None.

Present at the meeting at this time was Attorney J. Kirk McDonald representing the Gulliver Academy, Inc. on the cases versus the City of Coral Gables. Also present was Mr. Berman, President of the Coral Gables Property Owners Association, to state that that association is an intervenor in the litigation. City Attorney, Charles M. Spooner, reported that a hearing was held on December 5, 1975 concerning settlement of the case at which time the judge indicated that a compromise be reached by all parties. After lengthy discussion, the following resolution was presented and read:

RESOLUTION NO. 20973

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO COMPROMISE, SUBJECT TO APPROVAL OF THE COURT, THE LAWSUIT OF GULLIVER ACADEMY, INC. v. CITY OF CORAL GABLES IN CIRCUIT COURT, CASE NO. 74-9764; AND SETTING FORTH THE PROPOSED STIPULATION.

WHEREAS, Gulliver Academy, Inc., as the Plaintiff, has obtained an injunction in the Circuit Court in Case No. 74-9764 against the City, preventing further administrative proceedings to determine the meaning of its Ordinance No. 1546, which gave permission for the Plaintiff to operate a Grade School, only, on property zoned residential; and

DATED this _____ day of December, 1975.

J. KIRK McDONALD, ESQUIRE
Turner, Hendrick, Guilford, et al.
Attorneys for Gulliver Academy, Inc.
2222 Ponce de Leon Boulevard
Coral Gables, Florida 33134

CHARLES H. SPOONER, ESQUIRE
Coral Gables City Attorney -
City Hall, 405 Biltmore Way
Coral Gables, Florida 33134

J. Kirk McDonald

Charles H. Spooner

STANLEY J. BARTEL, ESQUIRE
Noriega and Bartel, P.A.
Attorneys for Intervenors
2100 First Federal Building
One Southeast Third Avenue
Miami, Florida 33131

JOSEPH Z. FLEMING, ESQUIRE
Fleming and Neuman
Attorneys for Coral Bay Property
Owners Assn.
626 Ingraham Building
25 S.E. Second Avenue
Miami, Florida 33131

Stanley Jay Bartel

Joseph Z. Fleming

Motion for its adoption was made by Commissioner Brake, seconded by Commissioner Kerdyk. Resolution was adopted by the following roll call: "Yeas" - Commissioners Brake, Chapman and Kerdyk; Mayor Knight. "Nays" - Commissioner Jacobson.

The following resolution was presented and read:

RESOLUTION NO. 20974

A RESOLUTION GRANTING AN EXCEPTION TO USE A PRIVATELY-OWNED GOLF CAR ON THE BILTMORE GOLF COURSE FOR A CERTAIN PERIOD OF TIME.

WHEREAS, Resolution No. 20632, passed and adopted May 27, 1975, fixes an annual fee of \$150 for privately owned resident only electric car provided resident has an annual greens fee card and a fee of \$4.50 for such car for 18 holes; and

WHEREAS, John Sullivan, 3935 Segovia Street, Coral Gables, Florida is instructed by his doctors to take up golf as physical therapy for a paralysis stroke and because of current disability is hard pressed to meet the requirement of the \$4.50 per day rate;

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

That an exception to the provisions of Resolution No. 20632 fixing fees and charges for the Biltmore and Granada Golf Course, to permit Mr. John Sullivan, 3935 Segovia Street, Coral Gables, Florida, to use his privately-owned golf car on the Biltmore Golf Course during his period of recuperation, for an annual fee of \$150 in lieu of the \$4.50 per day rate, be and the same hereby is granted and approved.

Motion for its adoption was made by Commissioner Jacobson, seconded by Commissioner Kerdyk. Resolution was adopted by the following roll call: "Yeas" - Commissioners Brake, Chapman, Jacobson and Kerdyk. "Nays" - None. "Abstention" - Mayor Knight.

Mayor Knight stated that the reason for his abstention from voting on Resolution No. 20974 is because of his many years of friendship with Mr. Sullivan.

ORDINANCE NO. 1548

AN ORDINANCE AMENDING ORDINANCE NO. 1525, AS AMENDED, AND KNOWN AS THE "ZONING CODE", BY PERMITTING THE USE OF "TRACT SEVEN OF AVOCADO LAND COMPANY'S SUBDIVISION", ACCORDING TO THE PLAT RECORDED IN PLAT BOOK TWO AT PAGE FORTY-FOUR OF THE PUBLIC RECORDS OF DADE COUNTY FOR PRIVATE GRADE SCHOOL PURPOSES, UNDER CERTAIN TERMS AND CONDITIONS; SETTING THE EFFECTIVE DATE OF SAID ORDINANCE; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, an application has been made to the Commission of the City of Coral Gables for a special exception or a change in the present zoning classification from Single Family Residential Use to an "X" use to permit construction and operation of a private grade school only, located on "Tract 7, Avocado Land Company Subdivision", being that twenty (20) acre area bounded on the West by Red Road, on the South by Avenue Composites and on the East by Bernal Street, Coral Gables, Florida; and

WHEREAS, after Notice of Public Hearing duly published and notification having been given to all property owners of record within three hundred feet (300'), a public hearing was held before the Planning and Zoning Board of the City of Coral Gables, Florida on Friday, May 20, 1966, at which hearing all persons interested were afforded the opportunity to be heard, and

WHEREAS, the Planning and Zoning Board at such meeting recommended a change of zoning on subject property from Single Family Residential Use to X-F1 Single Family Residential Use to permit construction and operation of a private grade school only;

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

SECTION 1. That Ordinance No. 1525, as amended, and known as the "Zoning Code", and, in particular, that certain Building Content and Area District Map, Plate No. 16, attached to and by reference made a part hereof, be and the same hereby is amended to show "Tract 7, Avocado Land Company Subdivision", Coral Gables, Florida, according to the plat recorded in Plat Book Two, Page forty-four of the Public Records of Dade County, henceforth to be designated as having a change of zoning from Single Family Residential Use to X-F1 Single Family Residential Use to permit the construction and operation of a private grade school only.

SECTION 2. That such use and change of zoning shall be subject to the following terms and conditions, to-wit:

- (a) This ordinance shall not become effective until and unless good marketable title in and to the property hereafter described shall have been dedicated to the City of Coral Gables as and for public road purposes, to wit and referring to said Tract 7, the following:
1. The East 30 feet
 2. The South 30 feet
 3. The West 35 feet

Said dedication, once made, to be irrevocable and to stand according to the dedication whether advantage be taken of the change of zoning, or the permissive zoning, or not.

- (b) No building or buildings may be erected on the premises closer than one hundred sixty-five feet (165') to Red Road, two hundred twenty feet (220') from Avenue Composites, one thousand feet (1000') to Bernal Street and one hundred feet (100') to the North property line.


SECTION 3. That all ordinances or parts of ordinances inconsistent or in conflict herewith hereby are repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS FOURTEENTH DAY OF JUNE, A. D. 1966.

APPROVED:


C. L. Dressel, MAYOR

ATTEST:


Loretta V. Sheehy, CITY CLERK

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 3016

AN ORDINANCE AMENDING ORDINANCE NO. 1525, AS AMENDED AND KNOWN AS "ZONING CODE", BY AMENDING CITY'S USE AND AREA MAPS TO INDICATE APPROPRIATE "S" SPECIAL USE ZONING DESIGNATION ON ALL PUBLIC AND PRIVATE SCHOOLS, RELIGIOUS AND INSTITUTIONAL PROPERTIES, AND PUBLIC BUILDINGS AND GROUNDS AS DESIGNATED ON CITY'S FUTURE LAND USE MAP; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

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WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on October 14, 1992, at which hearing all interested persons were afforded an opportunity to be heard, and at which time the Board recommended that the amendment to the City's Use and Area Maps be approved; and

WHEREAS, the City Commission after due consideration at its regular meeting of November 10, 1992 approved the proposed amendment on first reading;

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

SECTION 1. That from and after the effective date of this ordinance, Ordinance No. 1525, as amended and known as the "Zoning Code", shall be and is hereby amended, by amending the City's Use and Area Maps to indicate the appropriate "S" Special Use zoning designation on all public and private schools, religious and institutional properties and public buildings and grounds as designated on the city's Future Land Use Map.

SECTION 2. That all ordinances or parts of ordinances inconsistent or in conflict herewith shall be and they are hereby repealed insofar as there is conflict or inconsistency.

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PASSED AND ADOPTED THIS EIGHTH DAY OF DECEMBER, A. D., 1992.

APPROVED: *George M. Corbican*
GEORGE M. CORBICAN
MAYOR

ATTEST: *Virginia L. Paul*
VIRGINIA L. PAUL
CITY CLERK
H/B(5)

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CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 3341

AN ORDINANCE APPROVING CAMPUS MASTER SITE PLAN FOR GULLIVER ACADEMY, "S" SPECIAL USE PROPERTY LOCATED AT 12595 RED ROAD ON TRACT 7, AVOCADO LAND COMPANY SUBDIVISION; SUBJECT TO CERTAIN CONDITIONS; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, Application No. 697-P was submitted, requesting approval of the Campus Master Site Plan for Gulliver Academy, which represents the final build-out scenario for the proposed expansion so the school will not require review and approval of each individual phase; and

WHEREAS, after notice of hearing duly published and notification of all property owners of record within five hundred (500) feet, a public hearing was held before the Planning and Zoning Board on January 14, 1998 at which hearing all interested persons were afforded the opportunity to be heard, and the Board recommended that the plans be approved; and

WHEREAS, the City Commission after due consideration at its regular meeting of February 17, 1998 approved the plans on first reading;

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

SECTION 1. That from and after the effective date of this ordinance, and pursuant to Ordinance No. 1525, as amended and known as the "Zoning Code", and in particular Section 3-11(a) which requires that all proposed plans for redevelopment of property zoned "S" Special Use receive Commission approval, the Campus Master Site Plan which represents the final build-out scenario for the proposed four-phase expansion of Gulliver Academy, Inc., located at 12595 Red Road, on property legally described as Tract 7, Avocado Land Company Subdivision, Coral Gables, Dade County, Florida shall be and it is hereby approved with the following conditions:

1. That traffic mitigation measures recommended and presented in the traffic study are implemented.
2. That a comprehensive parking study shall be prepared by the School and approved by the Planning Department.
3. That a restrictive covenant shall be submitted to the City limiting the enrollment at Gulliver Academy to a maximum of 1,162 students.

SECTION 2. That the plans herein approved for the redevelopment of the Gulliver Academy shall be according to those plans drawn by Brown and Brown Architectural firm, dated October 27, 1997.

SECTION 3. That all ordinances or parts of ordinances inconsistent or in conflict herewith shall be and they are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS TWENTY-THIRD DAY OF SEPTEMBER, A.D., 1998.

**(Barker/Kerdyk(5)
(Clerk's Item No.16)
(First Reading February 17, 1998)**

**RAUL J. VALDES-FAULI
MAYOR**

ATTEST:

**VIRGINIA L. PAUL
CITY CLERK**

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 3263

AN ORDINANCE APPROVING PLANS ON "S" SPECIAL USE PROPERTY, FOR CONSTRUCTION OF ADDITION TO EXISTING GULLIVER ACADEMY LIBRARY, ON TRACT 7, AVOCADO LAND COMPANY SUBDIVISION, LOCATED AT 12595 RED ROAD, SUBJECT TO CERTAIN CONDITIONS; WAIVING SECOND READING AND THIRTY-DAY WAITING PERIOD, WITH EFFECTIVE DATE JULY 8, 1997; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, Application No. 685-P, submitted by the Gulliver Academy, Inc., requested approval of an addition to the existing library, and after notice duly published, a public hearing was held before the Planning and Zoning Board on June 11, 1997, at which hearing all interested persons were afforded an opportunity to be heard and the Board recommended in favor the Application, with conditions; and

WHEREAS, the City Commission after due consideration at its regular meeting of July 8, 1997, approved the Application on first reading;

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

SECTION 1. That from and after the effective date of this ordinance, and pursuant to Ordinance No. 1525, as amended and known as the "Zoning Code", and in particular Section 3-11(a) which requires that all proposed plans for redevelopment of property zoned "S" Special Use receive Planning and Zoning Board approval, the redevelopment plans submitted by Gulliver Academy Inc., located at 12595 Red Road, on property legally described as Tract 7, Avocado Land Company Subdivision, Coral Gables, Dade County, Florida, shall be and they are hereby approved with the following conditions:

1. That prior to any future applications for building additions, modifications or new construction proposed on the Gulliver Academy campus, the following items shall be submitted to the City for review and approval:
 - (a) A Campus Master Plan, including all existing and proposed buildings and facilities, a traffic and parking plan and a landscape plan. The traffic study should identify existing conditions, projected impact due to the school's expansion and suggested mitigation to address the school's traffic impact. Traffic mitigations will be implemented prior to issuance of a final Certificate of Occupancy to the school.
 - (b) A summary of existing and projected student enrollment, including enrollment by grade and the projected number of teachers and staff.
 - (c) Written description of educational program, including school operations, any proposed shifts and extra-circular activities, and student drop-off and pick-up plans.

SECTION 2. That the plans herein approved for the redevelopment of the Gulliver Academy Library shall be according to those plans drawn by Brown and Brown Architectural firm, dated May 13, 1997.

SECTION 3. That this ordinance is hereby declared to be an emergency measure, thereby waiving second reading and thirty-day waiting period, making the ordinance effective on the eighth day of July, 1997.

SECTION 4. That all ordinances or parts of ordinances inconsistent or in conflict herewith are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS EIGHTH DAY OF JULY, A.D., 1997.

RAUL J. VALDES-FAULI
MAYOR

ATTEST:

VIRGINIA L. PAUL
CITY CLERK