

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2016-140

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA GRANTING CONDITIONAL USE APPROVAL PURSUANT TO ZONING CODE ARTICLE 3, "DEVELOPMENT REVIEW", DIVISION 4, "CONDITIONAL USES", FOR A DAY CARE WITHIN A MIXED USE DEVELOPMENT ON THE PROPERTY LEGALLY DESCRIBED AS THE EAST 12.64 FEET OF LOT 3, ALL OF LOTS 7-45 AND ALLEY LYING BETWEEN, BLOCK 35, CORAL GABLES SECTION K (320 GIRALDA AVENUE), CORAL GABLES, FLORIDA; INCLUDING REQUIRED CONDITIONS.

WHEREAS, an Application was submitted requesting conditional use site plan review in order to allow a day care as a permitted conditional use within a mixed use building on the property legally described as the East 12.64 feet of Lot 3, all of Lots 7-45 and alley lying between, Block 35, Coral Gables Section K (320 Giralda Avenue), Coral Gables, Florida; and

WHEREAS, pursuant to Zoning Code Section 4-201, "Mixed Use District (MXD)" day care is identified as a conditional use permitted within a mixed use building and shall comply with the public hearing review requirements established in Zoning Code Article 3, "Development Review", Division 4, "Conditional Uses"; and

WHEREAS, after notice of public hearing duly published and courtesy notifications of all property owners of record within one-thousand (1,000) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on May 11, 2016, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the Planning and Zoning Board's May 11, 2016 meeting, the Board recommended approval of the proposed conditional use (vote: 7-0) subject to conditions of approval; and

WHEREAS, a public hearing was held before the City Commission on May 24, 2016, at which hearing this item was presented and all interested persons were afforded the opportunity to be heard; and

WHEREAS, the City Commission on May 24, 2016, approved the requested conditional use (vote: 5-0); and

WHEREAS, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request for mixed use 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 RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES THAT:

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

SECTION 2. The proposed conditional use site plan review for the day care referred to as "Coral Gables Preschool" on the East 12.64 feet of Lot 3, all of Lots 7-45 and alley lying between, Block 35, Coral Gables Section K (320 Giralda Avenue), Coral Gables, Florida shall be and is hereby approved subject to all of the following conditions:

1. Student age and maximum capacity. The preschool shall be for children from the ages of three (3) months through four (4) years old, and total enrollment shall be limited to a maximum of one-hundred and seventy-four (174) students.
2. Hours of operation. Preschool hours of operation shall be limited to Monday through Friday between 6:30 AM and 6:30 PM.
3. Vehicular drop-off and pick-up location. All vehicular student drop-off and pick-up shall take place within the garage utilizing the six (6) parking spaces designated in the application submittal package as being reserved for student drop-off and pick-up.

SECTION 3. That the applicant shall further be required to comply with all applicable zoning regulations and any changes to the application herein granted shall be in conformance with the requirements of Zoning Code Section 3-410, "Changes to conditional use approvals."

SECTION 4. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FOURTH DAY OF MAY, A.D., 2016.

(Moved: Lago / Seconded: Slesnick)

(Yeas: Slesnick, Keon, Lago, Quesada, Cason)

(Unanimous: 5-0 Vote)

(Agenda Item: E-10)

APPROVED:


JIM CASON
MAYOR

ATTEST:


WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


CRAIG E. LEEN
CITY ATTORNEY