



**City of Coral Gables
CITY COMMISSION MEETING
September 28, 2010**

AGENDA ITEM NO. _____

ITEM TITLE:

Ordinances on Second Reading. Consideration of the following three (3) related Ordinances:

1. **Comprehensive Plan Amendment.** An Ordinance of the City Commission of Coral Gables amending the City of Coral Gables Comprehensive Plan pursuant to large scale amendment procedures subject to ss. 163.3187, Florida Statutes, for the following Comprehensive Plan text and Comprehensive Plan Map amendments for the University of Miami, City of Coral Gables Campus, generally bounded by Ponce de Leon Boulevard, Red Road (SW 57th Avenue), Mataro Avenue, San Amaro Drive, Campo Sano Drive, Pisano Avenue and Carillo Street, Coral Gables, Florida (depicted graphically herein); and providing for severability, repealer, codification, and an effective date; as follows:
 - A. Amendment to Comprehensive Plan Policy FLU-1.1.6, Table FLU-5, entitled "Other Land Uses", by re-naming "University" land use to "University Campus" land use, and adding the "University Campus Multi-Use Area".
 - B. Amendment to Comprehensive Plan Policy FLU-1.1.6, Table FLU-5, entitled "Other Land Uses", by increasing the maximum Floor Area Ratio (FAR) for "University" land use from 0.5 FAR to 0.7 FAR.
 - C. Amendment to the Future Land Use Map to change the land use designation of University owned properties located on Block 192, Riviera Section Part 14 from "Commercial Use, Low-Rise Intensity" to "University Campus" land use.
 - D. Amendment to Comprehensive Plan Policy MOB-2.2.1, to include the University of Miami campus and several contiguous properties outside the campus in the geographic description of the Gables Redevelopment and Infill District (GRID) also known as a Transportation Concurrency Exemption Area (TCEA), including the area bounded by Ponce de Leon Boulevard, Red Road (SW 57th Avenue), Mataro Avenue, San Amaro Drive, Campo Sano Drive, Pisano Avenue and Carillo Street.
 - E. Amendment to Comprehensive Plan MOB-2 Map, to graphically include the University of Miami campus and several contiguous properties outside of the campus into the Gables Redevelopment and Infill District (GRID) also known as a Transportation Concurrency Exemption Area (TCEA).
 - F. Amendment to the Future Land Use Map to designate and graphically locate proposed "University Campus Multi-Use Area" along Ponce de Leon Boulevard, approximately bounded by Stanford Drive, Walsh Avenue and the University (Mahi) Waterway Canal.
2. **Zoning Code Text Amendment - Article 3, Division 19, "Development Agreements".** An Ordinance of the City Commission of Coral Gables granting approval of an amendment to Zoning Code Article 3, Division 19, entitled "Development Agreements", Section 3-1907, entitled "Contents of development agreement/recording", by increasing the duration of a development agreement from not to exceed ten (10) years to not to exceed twenty (20) years; and providing for severability, repealer, codification, and an effective date.

3. **University of Miami Development Order.** An Ordinance of the City Commission of Coral Gables granting approval of a Development Order for the University of Miami pursuant to Zoning Code Article 3, Division 19, entitled “Development Agreements”, for the University of Miami, City of Coral Gables Campus, for the area bounded by Ponce de Leon Boulevard, Red Road (SW 57th Avenue), Mataro Avenue, San Amaro Drive, Campo Sano Drive, Pisano Avenue and Carillo Street, Coral Gables, Florida; providing for incorporation of Ordinance No. 2964 through UMCAD approvals up and including Ordinance 2007-16 and amending same as reflected in the proposed development agreement including but not limited to an increase in seating at the Bank United Center, an amendment to Resolution No. 2003-7 to allow for the sale of alcoholic beverages, an amendment to certain provisions of Ordinance No. 2007-16 with respect to the timing of certain obligations and modifications of Declaration of Covenants recorded on October 3, 2007, at OR Book 25968, Pages 4593-4609; and providing for severability, repealer, codification, and an effective date.

The Ordinances are attached as Exhibits A - C.

DEPARTMENT HEAD RECOMMENDATION:

The Planning Department recommends approval of the three (3) Ordinances.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Local Planning Agency/Planning and Zoning Board at their 06.24.10 meeting recommended the following for the Comprehensive Plan amendment (above item 1):

1. Approval (vote: 5-1) of the transmittal of all proposed comprehensive plan amendments A - F (as referenced in the Ordinance title and attached as Exhibit 1) for the University of Miami, City of Coral Gables Campus to the Department of Community Affairs (DCA) for review pursuant to section 163.3187, Fla. Stat. (2010). However, the Board recommended denial of amendments D and E (extension of the GRID for the University campus).
2. Approval (vote: 6-0) of that in the event that the City Commission supports the proposed comprehensive plan amendments, that such approval be made subject to the approval of a Development Agreement between the City and the University providing for the future growth and development of the University and subject to appropriate mitigation of any potential adverse impacts to the City and its residents.
3. Approval (vote: 5-1) that these recommendations are in furtherance of the Comprehensive Plan (CP) Goals, Objectives and Policies and the Zoning Code provisions and is subject to adhering to all plans, exhibits and descriptions submitted by the applicant.

The Planning and Zoning Board at their 08.11.10 meeting recommended the following for the University of Miami Development Order and Zoning Code text amendment (above items 2 and 3):

1. Approval (vote: 6-0) of a University of Miami Development Order pursuant to Zoning Code Article 3, Division 19, entitled “Development Agreements”.
2. Approval (vote: 6-0) of an amendment to the Zoning Code increasing the duration of a development agreement from not to exceed ten (10) years to not to exceed twenty (20) years.

BRIEF HISTORY:

The City Commission at their 06.30.10 meeting unanimously approved (vote: 4-0) the Comprehensive Plan amendment on first reading. The amendment was transmitted to Department of Community Affairs (DCA). On 09.03.10, the DCA issued a letter stating that the Department did not have any comments or objections, and that the letter served as the Objections, Recommendations and Comments (ORC) Report (see Exhibit D). DCA’s letter of “No objection” allows the Comprehensive Plan amendments to be considered on second reading.

On 09.14.10, the City Commission unanimously approved (vote: 5-0) the University of Miami Development Order and Zoning Code text amendment on first reading. All three (3) Ordinances are now jointly coming to the City Commission for consideration on second reading.

The final University of Miami Development Agreement is in the large white binder. The 06.30.10 Commission meeting minutes and updated public comments are also provided as Exhibits E and F.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
06.30.10	Ordinance	Unanimous approval of Comprehensive Plan amendment on 1 st reading (vote: 4-0).
09.14.10	Ordinances	Unanimous approval of the Development Order and Zoning Code text amendment on First Reading (vote: 5-0).

OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
06.24.10	Local Planning Agency/Planning and Zoning Board	Recommended transmittal of Comprehensive Plan amendment to DCA . See above for Board recommendation for specific votes.
08.11.10	Planning and Zoning Board	Unanimously recommended approval of the Development Order and Zoning Code text amendment (vote: 6-0).

PUBLIC NOTIFICATION(S):

Type	Dates
Courtesy notification of all property owners within 1,500 feet of the subject property (1,697 Notices)	06.09.10 (item 1) and 07.23.10 (items 2 and 3)
Newspaper ad w/ map published	06.11.10, 06.21.10 and 06.23.10 (item 1) and 07.28.10 and 09.04.10 (items 2 and 3)
Posted courtesy notice on City web page	06.14.10 (item 1) and 07.26.10 (items 2 and 3)
Posted ad on City web page	06.14.10 (item 1) and 07.26.10 (items 2 and 3)
Posted property (30+ signs)	06.14.10 (item 1) and 07.26.10 (items 2 and 3)
Posted agenda on City web page/City Hall	06.14.10 (item 1) and 07.26.10 (items 2 and 3)
University per the request of Planning Staff conducted a neighborhood meeting	08.04.10
Posted Staff report and application on City web page	06.21.10 (item 1) and 08.06.10 (items 2 and 3)
Newspaper ad with Ordinance titles published	09.07.10 (items 2 and 3) and 09.17.10 (items 1, 2 and 3)
Newspaper ad with map published	09.21.10 (item 2) and 09.23.10 (item 1)

APPROVED BY:

Department Director	City Attorney (If Applicable)	City Manager

EXHIBIT(S):

- A. Ordinance – Comprehensive Plan amendment.
- B. Ordinance – University of Miami Development Order.
- C. Ordinance – Zoning Code text amendment.
- D. 09.03.10 DCA letter of “No Objection”.
- E. 06.30.10 City Commission meeting verbatim minutes.
- F. Updated public comments.