

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2010-29

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.

WHEREAS, the City of Coral Gables, pursuant to Florida Statutes and the City of Coral Gables Zoning Code, has designated the Planning and Zoning Board as the Local Planning Agency; and

WHEREAS, to promote public outreach and participation in the public hearing process, the City has provided the following notice: 1) required advertising per State Statutes; 2) courtesy notification mailing of all property owners of record within one-thousand five-hundred (1,500) feet of the property, which is in excess of the identified one-thousand (1,000) feet courtesy notice provided for in the City' Zoning Code; 3) posting of the property with abundant signage identifying the public hearing opportunity; 4) City web page posting of the public hearing agendas; and 5) electronic mailing to interested parties; and

WHEREAS, to provide ample and effective opportunities for public participation in the City of Coral Gables governance and decision making process pursuant to the City's administrative procedures and Comprehensive Plan Goals, Objectives and Policies of the "Governance Element", the City requires the applicant to conduct a neighborhood meeting or meetings in advance of public hearings to disseminate information of the application and allow neighborhood and interested party input; and

WHEREAS, the applicant, the University of Miami has provided courtesy notification mailing to all property owners of record within one thousand five-hundred (1,500) feet of the property and conducted a neighborhood meeting on June 16, 2010 to disseminate information of the application and allow neighborhood and interested party input; and

WHEREAS, the application, legal description, ordinances, mapping, legal advertising, notices, public comments and all other supporting documentation was available for inspection and review at the City of Coral Gables Planning Department and City Clerk's office; and

WHEREAS, in advance of public hearing consideration, the City's staff analysis, recommendation and Findings of Fact are available for inspection at City of Coral Gables Planning Department and City Clerk's office and available on the City's Web page at www.coralgables.com for easy retrieval; and

WHEREAS, a public hearing was held before the Local Planning Agency (Planning and Zoning Board) of the City of Coral Gables on June 24, 2010, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at a public hearing held on June 24, 2010, the Local Planning Agency (Planning and Zoning Board) recommended the following:

1. Approval (5 – 1 vote) of the transmittal of all proposed comprehensive plan amendments A - F (as referenced in the Ordinance title) for the University of Miami, City of Coral Gables Campus to the Department of Community Affairs 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 (6 – 0 vote) 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 (5 - 1 vote) 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; and

WHEREAS, the City Commission held a public hearing on June 30, 2010, at which hearing all interested persons were afforded an opportunity to be heard and the City Commission voted to transmit (vote: 4-0) the Comprehensive Plan amendments to the Department of Community Affairs for review; and

WHEREAS, amendments to the Comprehensive Plan Future Land Use Map and Text are considered as a large scale amendment, therefore, as required by State Statutes, are required to be transmitted to the Department of Community Affairs (DCA), South Florida Regional Planning Council (SFRPC) and other review agencies for review prior to consideration by the City Commission on second reading; and

WHEREAS, the City has provided a Comprehensive Plan Citizen Courtesy Information List as a part of the public record at the public hearings to allow interested parties the opportunity to receive information concerning the date of publication of the Notice of Intent by the DCA; and

WHEREAS, the Planning Department on June 30, 2010 transmitted the amendment to the DCA, SFRPC and other review agencies for review; and

WHEREAS, South Florida Regional Planning Council (SFRPC) on August 2, 2010 found the amendment “to be generally consistent with the Strategic Regional Policy Plan for South Florida”; and

WHEREAS, the Department of Environmental Protection, Department of Transportation, Department of State, South Florida Water Management District and Miami-Dade County reviewed the amendments and raised no objections; and

WHEREAS, the DCA on September 3, 2010 issued its Objections, Recommendations and Comments (ORC) report and found “No objections;”

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL OF 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 request amending the City of Coral Gables Comprehensive Plan pursuant to large scale amendment procedures subject to ss. 163.3187, Florida Statutes, for the below listed 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; and providing for severability, repealer, codification, and an effective date; is hereby approved by the City Commission on Second/Final Reading on September 28, 2010:

- 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.

Legal descriptions and mapping on file within the Planning Department and City Clerk’s Office.

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 ordinances 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 re-lettered 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 upon the date the Development Agreement between the University of Miami and the City of Coral Gables becomes effective or November 1, 2010 whichever occurs first.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF SEPTEMBER, A.D.,
2010.

(Moved: Anderson / Seconded: Kerdyk)
(Yeas: Withers, Anderson, Cabrera, Kerdyk, Slesnick)
(Unanimous: 5-0 Vote)
(Agenda Item: E-4)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY