

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE CITY OF CORAL GABLES COMPREHENSIVE PLAN PURSUANT TO ZONING CODE ARTICLE 14, "PROCESS," SECTION 14-213, "COMPREHENSIVE PLAN TEXT AND MAP AMENDMENTS," AND SMALL SCALE AMENDMENT PROCEDURES (SS. 163.3187, FLORIDA STATUTES), FROM "COMMERCIAL LOW-RISE INTENSITY" TO "COMMERCIAL HIGH-RISE INTENSITY" FOR LOTS 8 THROUGH 21, LESS THE WEST ½ OF LOT 8, BLOCK 29, CRAFTS SECTION, TOGETHER WITH THAT PORTION OF THE 20-FOOT PLATTED ALLEY LYING EAST OF LOTS 11 AND 19, OF SAID BLOCK 29, (3000 PONCE DE LEON BLVD, 216 & 224 CATALONIA, 203 UNIVERSITY DR, AND 225 MALAGA), CORAL GABLES, FLORIDA; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE. (LEGAL DESCRIPTION ON FILE) (LPA REVIEW)

WHEREAS, the City of Coral Gables is requesting a change of land use from "Commercial Low-Rise Intensity" to "Commercial High-Rise Intensity" for the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, Coral Gables Crafts Section, Coral Gables;

WHEREAS, the proposed change of land use is being submitted concurrently with a proposed alley vacation, Receipt of Transfer of Development Rights (TDRs), Conditional Use Site Plan, and re-plat;

WHEREAS, Staff finds that the procedures for reviewing and recommending on a proposed change of land use are provided in Zoning Code Article 14 "Process," Section 14-213 "Comprehensive Plan Text and Map Amendments," and that the proposed land use map amendment has met those criteria and standards;

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, a public hearing was held before the Planning and Zoning Board/Local Planning Agency of the City of Coral Gables on February 10, 2021, at which hearing all interested persons were afforded the opportunity to be heard;

WHEREAS, at the February 10, 2021 Planning and Zoning Board meeting, the Planning and Zoning Board/Local Planning Agency deferred the proposed change of land use;

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, a public hearing was held before the Planning and Zoning Board/Local Planning Agency of the City of Coral Gables on August 11, 2021, at which hearing all interested persons were afforded the opportunity to be heard;

WHEREAS, at the August 11, 2021 Planning and Zoning Board meeting, the Planning and Zoning Board/Local Planning Agency recommended denial the proposed change of land use (7-0);

WHEREAS, the Applicant revised the application to reduce the number of units, building height, and other changes;

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, a public hearing was held before the Planning and Zoning Board/Local Planning Agency of the City of Coral Gables on June 8, 2022, at which hearing all interested persons were afforded the opportunity to be heard;

WHEREAS, at the June 8, 2022 Planning and Zoning Board meeting, the Planning and Zoning Board/Local Planning Agency made a motion for denial of the proposed change of land use (3-2);

WHEREAS, Section 14-102.3(B) of the Zoning Code states that a vote of less than 4 members on a motion is deemed as a tie vote and therefore has no recommendation;

WHEREAS, the City Attorney has opined in CAO 2022-004 that the application shall be presented again to the Planning & Zoning Board one additional time in order to attempt to break the “tie” that results in Section 14-102.3(B) of the Zoning Code;

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, a public hearing was held before the Planning and Zoning Board/Local Planning Agency of the City of Coral Gables on July 13, 2022, at which hearing all interested persons were afforded the opportunity to be heard;

WHEREAS, at the July 13, 2022 Planning and Zoning Board meeting, the Planning and Zoning Board/Local Planning Agency recommended denial the proposed change of land use (5-2);

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, the City Commission held a public hearing on July 25, 2022 at which hearing all interested persons were afforded an opportunity to be heard and this application for change of land use was approved on first reading;

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, the City Commission held a public hearing, at which hearing all interested persons were afforded an opportunity to be heard and this application for change of land use was approved on second reading;

WHEREAS, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request to change the land use pursuant to Florida

Statutes, 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, FLORIDA:

SECTION 1. The foregoing ‘WHEREAS’ clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The City of Coral Gables’ request for a change of zoning pursuant to Zoning Code Zoning Code Article 14 “Process,” Section 14-213 “Comprehensive Plan Text and Map Amendments,” from “Commercial Low-Rise Intensity” to “Commercial High-Rise Intensity” for the properties legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, Coral Gables Crafts Section, Coral Gables, Florida, is hereby approved.

SECTION 3. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. Pursuant to Section 163.3187(5)(c), Florida Statutes, the effective date of the small-scale comprehensive plan amendment approved by this ordinance shall be thirty-one (31) days after adoption by the Commission, if the amendment is not timely challenged.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2022.

APPROVED:

VINCE C. LAGO
MAYOR

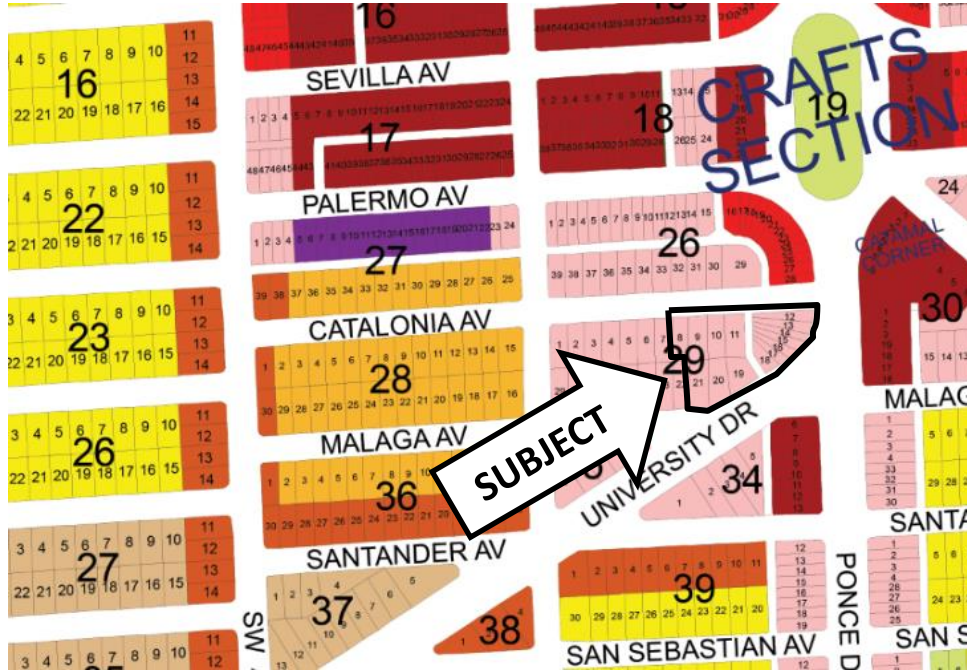
ATTEST:

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY

Existing Future Land Map



Proposed Future Land Use Map:

