

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES APPROVING A CHANGE OF LAND USE FROM “COMMERCIAL, LOW-RISE INTENSITY” TO “COMMERCIAL, HIGH-RISE INTENSITY” FOR THE PROPOSED PROJECT REFERRED TO AS THE “2600 LEJEUNE OFFICE BUILDING”, ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 25-32, BLOCK 6, BILTMORE SECTION (2524 LEJEUNE ROAD), CORAL GABLES, FLORIDA; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State Legislature passed the Local Government Comprehensive Planning and Land Development Regulation Act requiring all counties and cities to prepare a Comprehensive Land Use Plan; and

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, Application No. 02-07-455-P was submitted requesting that the Future Land Use Map of the Comprehensive Land Use Plan be amended to change the land use of various parcels of land from “Commercial, Low-Rise Intensity” to “Commercial, High-Rise Intensity” for the proposed project referred to as the “2600 LeJeune Office Building”, on the property legally described in the heading of this ordinance; and

WHEREAS, after a courtesy public notice was mailed to all property owners within the affected area, and within 1,000 foot radius from the affected area; and

WHEREAS, after notice of a public hearing being duly published, a public hearing was held before the Planning and Zoning Board, acting as the Local Planning Agency, of the City of Coral Gables on August 13, 2008 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, at the August 13, 2008 Local Planning Agency meeting, the Local Planning Agency failed to pass a motion to deny, therefore no recommendation was provided on the proposed amendments to the Future Land Use Map (vote: 3-2); and

WHEREAS, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission on September 9, 2008 passed the proposed amendment to the Future Land Use Map on First Reading as provided herein (vote: ___-___); and

WHEREAS, the application is considered a small-scale amendment, and therefore not subject to state and regional review; and

WHEREAS, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request to amend the Future Land Use Map of the City's Comprehensive Land Use Plan pursuant to Florida Statutes after carefully considering written and oral comments by members of the public and governing agencies;

NOW, THEREFORE, BE IT ORDAINED 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 are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. That the Future Land Use Map of the City of Coral Gables Comprehensive Land Use Plan be amended to change the land use from "Commercial, Low-Rise Intensity" to "Commercial, High-Rise Intensity" for the proposed project referred to as the "2600 LeJeune Office Building", on the property legally described in the heading of this ordinance.

SECTION 3. That the City transmit the amendment to the Florida Department of Community Affairs with an acknowledgement that the amendment is a small-scale amendment as defined by Florida Statutes, and therefore not subject to state and regional review.

SECTION 4. That it is the intention of the City Commission that each provision hereof be considered severable, and that the invalidity of any provision of this Ordinance shall not affect the validity of any other portion of this Ordinance, the Coral Gables Comprehensive Land Use Plan, or the Coral Gables Zoning Code.

SECTION 5. 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 6. All ordinance or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 7. 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 8. 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 9. That this Ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D.,
2008.

(Moved: _____)
(Seconded: _____)
(Nays: _____)
(__-__ Vote)
(Agenda Item ____)

APPROVED:

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH HERNANDEZ
CITY ATTORNEY