

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2016-34

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA REQUESTING CONDITIONAL USE WITH SITE PLAN REVIEW PURSUANT TO ZONING CODE ARTICLE 3, "DEVELOPMENT REVIEW", DIVISION 4, "CONDITIONAL USES", AND ARTICLE 4, "ZONING DISTRICTS", DIVISION 2, "OVERLAY AND SPECIAL PURPOSE DISTRICTS", SECTION 4-204, "SPECIAL USE (S) DISTRICT", FOR SITE PLAN APPROVAL OF A NEW COUNTRY CLUB HOUSE LOCATED WITHIN A SPECIAL USE (S) DISTRICT, FOR THE PROPERTY COMMONLY REFERRED TO AS THE "RIVIERA COUNTRY CLUB" AND LEGALLY DESCRIBED AS PORTION OF TRACTS 1 AND 5, RIVIERA COUNTRY CLUB SECTION PART 5 (1155 BLUE ROAD), CORAL GABLES, FLORIDA; AND INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, PROVIDING FOR A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Application was submitted for consideration of a conditional use with site plan review for a new country club house on the property commonly referred to as the "Riviera Country Club" and legally described as portions of Tracts 1 and 5, Riviera Country Club, a portion of Miami-Biltmore Golf Course of Riviera Section Part 4 and Lots 10-14, Block 112, Country Club Section Part 5 (1155 Blue Road), Coral Gables, Florida; and

WHEREAS, pursuant to Zoning Code Section 4-204, "Special Use (S) District" country clubs are identified as a conditional use within Special Use (S) zoned districts, and that the proposed new construction of a country club house 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 a public hearing being duly published and a courtesy public notice was mailed to all property owners of record within a one thousand (1,000) foot radius from the said property, a public hearing was held before the Planning and Zoning Board on April 13, 2016, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the April 13, 2016 Planning and Zoning Board meeting, the Board recommended approval (vote: 6-0) with conditions on the conditional use with site plan review pursuant to Zoning Code Article 3, "Development Review", Division 4, "Conditional Uses", and Article 4, "Zoning Districts", Division 2, "Overlay and Special Purpose Districts", Section 4-204, "Special Use (S) District", for the construction of a country club house within a Special Use (S) zoned district; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on May 24, 2016, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented the conditional use with site plan review, and after due consideration and discussion, approved (vote: 4-0) the proposed new country club house within a Special Use (S) zoned district with conditions on First Reading;

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 Applicant’s request for conditional use with site plan review pursuant to Zoning Code Article 3, “Development Review”, Division 4, “Conditional Uses”, and Article 4, “Zoning Districts”, Division 2, “Overlay and Special Purpose Districts”, Section 4-204, “Special Use (S) District”, for the construction of a new country club house within a Special Use (S) zoned district, for the property commonly referred to as the “Riviera Country Club” and legally described as portions of Tracts 1 and 5, Riviera Country Club, a portion of Miami-Biltmore Golf Course of Riviera Section Part 4 and Lots 10-14, Block 112, Country Club Section Part 5 (1155 Blue Road), Coral Gables, Florida, is approved subject to the following conditions of approval:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following documents:
 - a. Site plans, building plans, elevations and landscape plans prepared by Peacock and Lewis, Architects and Planners, LLC, dated 12.14.15.
 - b. All representations and exhibits as prepared and provided to the Planning and Zoning Division as a part of the application submittal package dated 05.06.16.
 - c. All representations proffered by the applicant’s representatives as a part of the review of the application at public hearings.
 - d. Any changes to the plans and drawings referenced above unless specified herein shall require Planning and Zoning Board and City Commission review and final approval in ordinance form.

2. Restrictive covenant. Within 30 days of approval of the site plan, the property owner, its successors or assigns shall submit a restrictive covenant for City Attorney review and approval outlining all conditions of approval as approved by the City Commission. Failure to submit the draft restrictive covenant within the specified time frame shall render the approval void unless said time frame for submittal of the draft restrictive covenant is extended by the City Attorney after good cause as to why the time frame should be extended.

3. Prior to the issuance of a City Building Permit for the project, the Applicant, property owner(s), its successors or assigns, shall satisfy the following conditions:
 - a. Comply with the requirements for Art in Public Places as provided in Zoning Code Article 3, "Development Review," Division 21, "Art in Public Places Program."
 - b. Provide payment for an extension of the ten (10) foot multi-use path on the north side of Blue Road from the eastern (terminus of the proposed path) edge of the subject property line to University Drive and from the western edge of the property line to Santa Maria Street as determined by the Public Works Department.
 - c. Comply with USGBC LEED checklist for the proposed Riviera Country Club clubhouse as provided by the applicant in the letter dated June 2, 2016, prepared by Peacock & Lewis, Architects and Planners, LLC.
4. Prior to the issuance of any final Certificate of Occupancy for the project, the Applicant, property owner(s), its successors or assigns, shall satisfy the following conditions:
 - a. Provide "No Left Turn" signage for the eastern vehicular egress from the proposed parking lot located south of Blue Road.
 - b. Install in-street crosswalk signage within the two (2) pedestrian crosswalks connecting the parking lot located south of Blue Road to the country club property located north of Blue Road, subject to review and approval by the Public Works Department.
 - c. Provide a ten (10) foot landscaping buffer, as measured from the property line to the middle of the wall, and a six (6) foot wall along the western edge of the property line adjacent to the properties located at 1215 Blue Road and 1220 Alegriano Avenue, subject to approval by the Director of Public Service.
5. The Applicant, its successors or assigns, shall adhere to the following conditions:
 - a. No standing, stopping or storage of vehicles shall be permitted associated with the use of the facility along Blue Road rights-of-way, including but not limited to the swale. The City may install no parking signage and enforce accordingly. The Riviera Country Club will be responsible for enforcement of this condition and will provide a management plan to be approved by the Parking Director.
 - b. All truck deliveries will be made to the designated service area and shall be permitted from 7:00 a.m. to 7:00 p.m. Monday thru Saturday. Trash removal shall only be permitted between the hours of 7:00 a.m. and 5:00 p.m. Monday thru Saturday.
 - c. Trucks or other similar vehicles delivering or picking up goods, products, merchandise, etc. to the facility may not park or stop outside the confines of the identified service area. All such activities shall occur within the service area.
 - d. No outside storage of merchandise, goods or other products shall occur outside the confines of the service yard enclosure or any other portions of the site.
 - e. Landscaping that expires shall be replaced on a 1 to 1 ratio (caliber size lost shall be replaced with identical caliber). The selection of replaced materials, location and other applicable standards shall be subject to Public Service Director's review and approval.
 - f. Parking lot night lighting shall be reduced after 2:00 a.m. to minimum allowable standard as established by the applicable Building Code.
 - g. Hours of operation of the County Club shall be between 7:00 a.m. and 1:00 a.m.

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

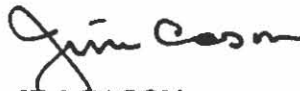
SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. This development permit by the City of Coral Gables does not in any way create any right on the part of an applicant to obtain a permit from a county, state or federal agency. Likewise, this development permit does not create any liability on the part of the City of Coral Gables for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a county, state or federal agency, or if the applicant undertakes actions that result in a violation of county, state or federal law. In addition, as a condition of this approval, all county, state and federal permits must be obtained before commencement of the development.

SECTION 6. This ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FOURTEENTH DAY OF JUNE, A.D., 2016.
(Moved: Keon / Seconded: Lago)
(Yeas: Lago, Quesada, Slesnick, Keon, Cason)
(Unanimous: 5-0 Vote)
(Agenda Item: E-3)

APPROVED:



JIM CASON
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



CRAIG E. LEEN
CITY ATTORNEY