

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO.

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES APPROVING A CHANGE OF LAND USE FROM “COMMERCIAL USE, LOW-RISE INTENSITY” TO “RESIDENTIAL USE (MULTI-FAMILY) LOW DENSITY” ON LOTS 1-4, BLOCK 6, SINGER SUBDIVISION, “RESIDENTIAL USE (MULTI-FAMILY) DUPLEX DENSITY” TO “RESIDENTIAL USE (MULTI-FAMILY) LOW DENSITY” ON LOT 5, BLOCK 5 AND LOT 5 AND 5-A, BLOCK 6, SINGER SUBDIVISION, AND “COMMERCIAL, LOW-RISE INTENSITY” FOR PARCEL “A’ (NO LAND USE CURRENTLY ASSIGNED), CORAL GABLES, FLORIDA; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Application No. 02-07-480-P was submitted for approval in order to amend the Future Land Use Map of the "City of Coral Gables Comprehensive Plan" to provide changes in land use from “Commercial Use, Low-Rise Intensity” to “Residential Use (Multi-Family) Low Density” on Lots 1-4, Block 6, Singer Subdivision, “Residential Use (Multi-Family) Duplex Density” to “Residential Use (Multi-Family) Low Density” on Lot 5, Block 5 and Lot 5 and 5-A, Block 6, Singer Subdivision, and “Commercial, Low-Rise Intensity” for Parcel “A’ (no land use currently assigned) as illustrated in Exhibit A, to permit the construction of a Planned Area Development (PAD) project known as “Gables Waterway”; 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, after notice of public hearing duly published and notification of all property owners of record within one thousand fifteen hundred (1500) feet, a public hearing was held before the Local Planning Agency (Planning and Zoning Board) of the City of Coral Gables on May 14, 2008, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, the Local Planning Agency voted to recommend denial of the proposed change in land use (vote 6-1), pursuant to Staff’s recommendation and findings of fact, and the testimony and evidence submitted at the public hearing; and,

WHEREAS, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on June 3, 2008 at which hearing all interested persons were afforded an opportunity to be heard and this application was _____ on first reading; and,

WHEREAS, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on _____ at which hearing all interested persons were afforded

an opportunity to be heard and this application was _____ on second reading.

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. The request for a land use amendment to the “City of Coral Gables Comprehensive Plan,” and in particular that portion of the Future Land Use Element, known as the Future Land Use Map of Coral Gables, shall be and is hereby amended to show henceforth a change in the Future Land Use by changing the "Land Use Category" from “Commercial Use, Low-Rise Intensity” to “Residential Use (Multi-Family) Low Density” on Lots 1-4, Block 6, Singer Subdivision, “Residential Use (Multi-Family) Duplex Density” to “Residential Use (Multi-Family) Low Density” on Lot 5, Block 5 and Lot 5 and 5-A, Block 6, Singer Subdivision, and “Commercial, Low-Rise Intensity” for Parcel “A’ (no land use currently assigned) as illustrated in Exhibit A, with the following conditions:

[insert City Commission conditions as applicable]

SECTION 3. The City Manager shall transmit the amendment to all applicable local, county, regional, and state agencies in accordance with State statutes governing the review of Comprehensive Land Use Plan amendments.

SECTION 4. 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 City of Coral Gables Comprehensive Land Use Plan, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to “element”, “section”, or other appropriate word to accomplish such intention.

SECTION 9. The effective date of this plan amendment shall be the date a final order is issued by the Florida Department of Community Affairs finding the amendment to be in compliance in accordance with Chapter 163.3184, FS, as amended; or the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Chapter 163.3184, FS, as amended, and further that the Florida Department of Community Affairs notice of intent to find a plan amendment in compliance shall be deemed to be a final order if no timely petition challenging the amendment is filed.

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

DONALD D. SLESNICK II
MAYOR

ATTEST:
WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

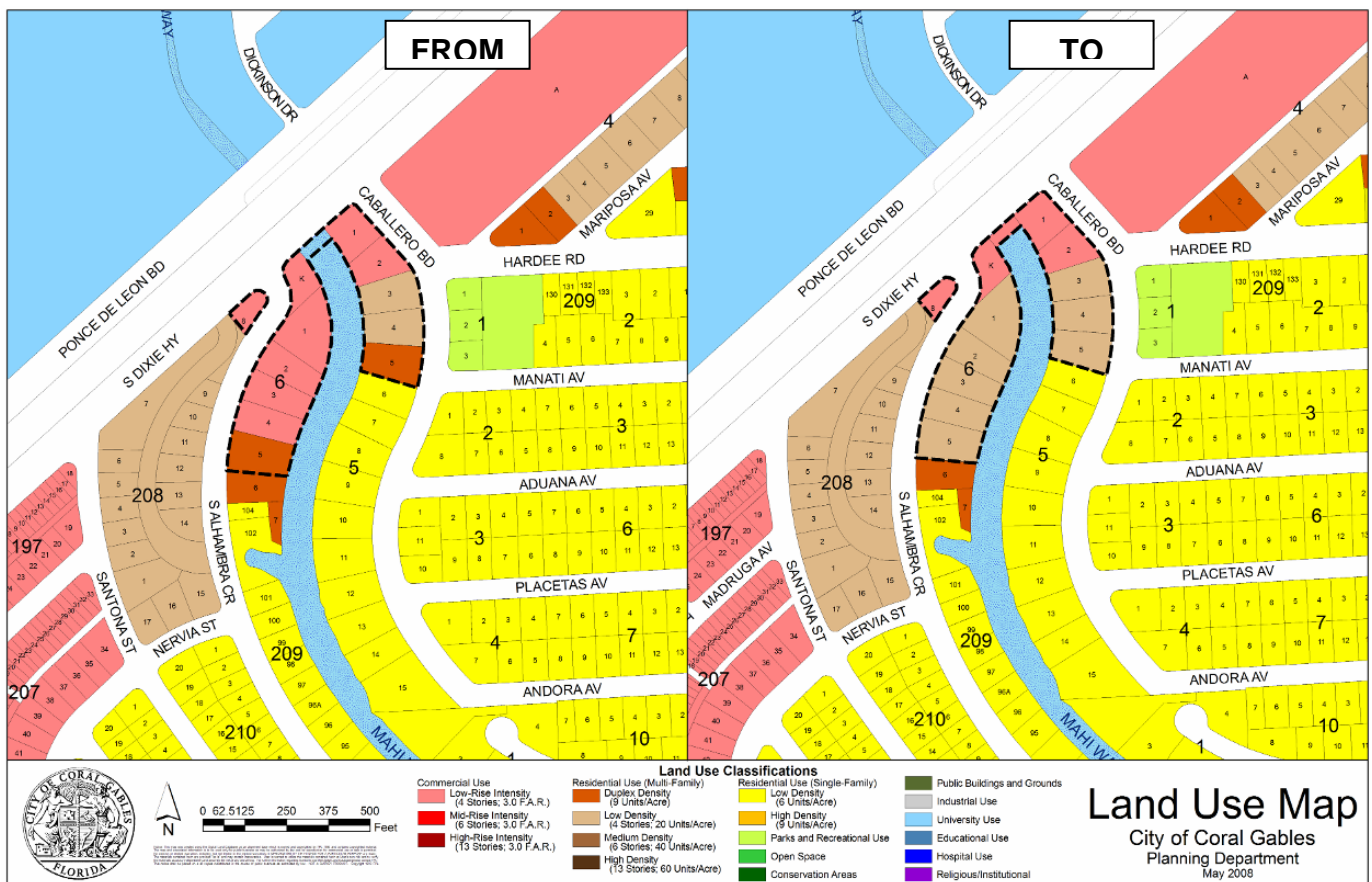
ELIZABETH HERNANDEZ
CITY ATTORNEY

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EXHIBIT A

Application No. 02-07-480-P

An Ordinance of the City Commission of Coral Gables approving a change of land use from "Commercial Use, Low-Rise Intensity" to "Residential Use (Multi-Family) Low Density" on Lots 1-4, Block 6, Singer Subdivision, "Residential Use (Multi-Family) Duplex Density" to "Residential Use (Multi-Family) Low Density" on Lot 5, Block 5 and Lot 5 and 5-A, Block 6, Singer Subdivision, and "Commercial, Low-Rise Intensity" for Parcel "A" (no land use currently assigned), Coral Gables, Florida; providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date.



CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO.

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES APPROVING A CHANGE OF ZONING FROM “CL”, COMMERCIAL LIMITED (“CA”, COMMERCIAL) TO “MF2”, MULTI FAMILY 2 DISTRICT (“A-13”, APARTMENT) ON LOTS 1-4, BLOCK 6, SINGER SUBDIVISION, “MF1”, MULTI FAMILY 1 DUPLEX DISTRICT (“D-10”, DUPLEX) TO “MF2”, MULTI FAMILY 2 DISTRICT (“A-13”, APARTMENT) ON LOT 5, BLOCK 5 AND LOT 5 AND 5-A, BLOCK 6, SINGER SUBDIVISION AND “CL”, COMMERCIAL LIMITED (“CA”, COMMERCIAL) FOR PARCEL “A’ (NO ZONING CURRENTLY ASSIGNED), CORAL GABLES, FLORIDA; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Application No. 02-07-480-P was submitted for approval in order to amend the Zoning Map of the "City of Coral Gables Zoning Code" to provide changes in zoning from “CL”, Commercial Limited (“CA”, Commercial) to “MF2”, Multi Family 2 District (“A-13”, Apartment) on Lots 1-4, Block 6, Singer Subdivision, “MF1”, Multi Family 1 Duplex District (“D-10”, Duplex) to “MF2”, Multi Family 2 District (“A-13”, Apartment) on Lot 5, Block 5 and Lot 5 and 5-A, Block 6, Singer Subdivision and “CL”, Commercial Limited (“CA”, Commercial) for Parcel “A’ (no zoning currently assigned) as illustrated in Exhibit A, to permit the construction of a Planned Area Development (PAD) project known as “Gables Waterway”; and,

WHEREAS, after notice of public hearing duly published and notification of all property owners of record within one thousand fifteen hundred (1500) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on May 14, 2008, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, the Planning and Zoning Board voted to recommend denial of the proposed change in zoning (vote 5-2), pursuant to Staff’s recommendation and findings of fact, and the testimony and evidence submitted at the public hearing; and,

WHEREAS, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on June 3, 2008 at which hearing all interested persons were afforded an opportunity to be heard and this application was _____ on first reading; and,

WHEREAS, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on _____ at which hearing all interested persons were afforded an opportunity to be heard and this application was _____ on second reading.

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. The request for an amendment to the “City of Coral Gables Zoning Code,” and in particular that portion of the Code known as the Zoning Map of Coral Gables, shall be and is hereby amended to show henceforth a change in the Zoning Map by changing the "Zoning Districts" from “CL”, Commercial Limited (“CA”, Commercial) to “MF2”, Multi Family 2 District (“A-13”, Apartment) on Lots 1-4, Block 6, Singer Subdivision, “MF1”, Multi Family 1 Duplex District (“D-10”, Duplex) to “MF2”, Multi Family 2 District (“A-13”, Apartment) on Lot 5, Block 5 and Lot 5 and 5-A, Block 6, Singer Subdivision and “CL”, Commercial Limited (“CA”, Commercial) for Parcel “A’ (no zoning currently assigned) as illustrated in Exhibit A, with the following conditions:

[insert City Commission conditions as applicable]

SECTION 3. 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 4. 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 5. All ordinance or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 6. 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 7. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the City of Coral Gables Zoning Code, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to “element”, “section”, or other appropriate word to accomplish such intention.

SECTION 8. The effective date of this amendment shall be the date a final order is issued by the Florida Department of Community Affairs finding the associated Comprehensive Land Use Plan (CLUP) amendment to be in compliance in accordance with Chapter 163.3184, FS, as amended; or the date a final order is issued by the Administration Commission finding the associated CLUP amendment to be in compliance in accordance with Chapter 163.3184, FS, as amended, and further that the Florida Department of Community Affairs notice of intent to find a plan amendment in compliance shall be

deemed to be a final order if no timely petition challenging the amendment is filed.

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

DONALD D. SLESNICK II
MAYOR

ATTEST:
WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

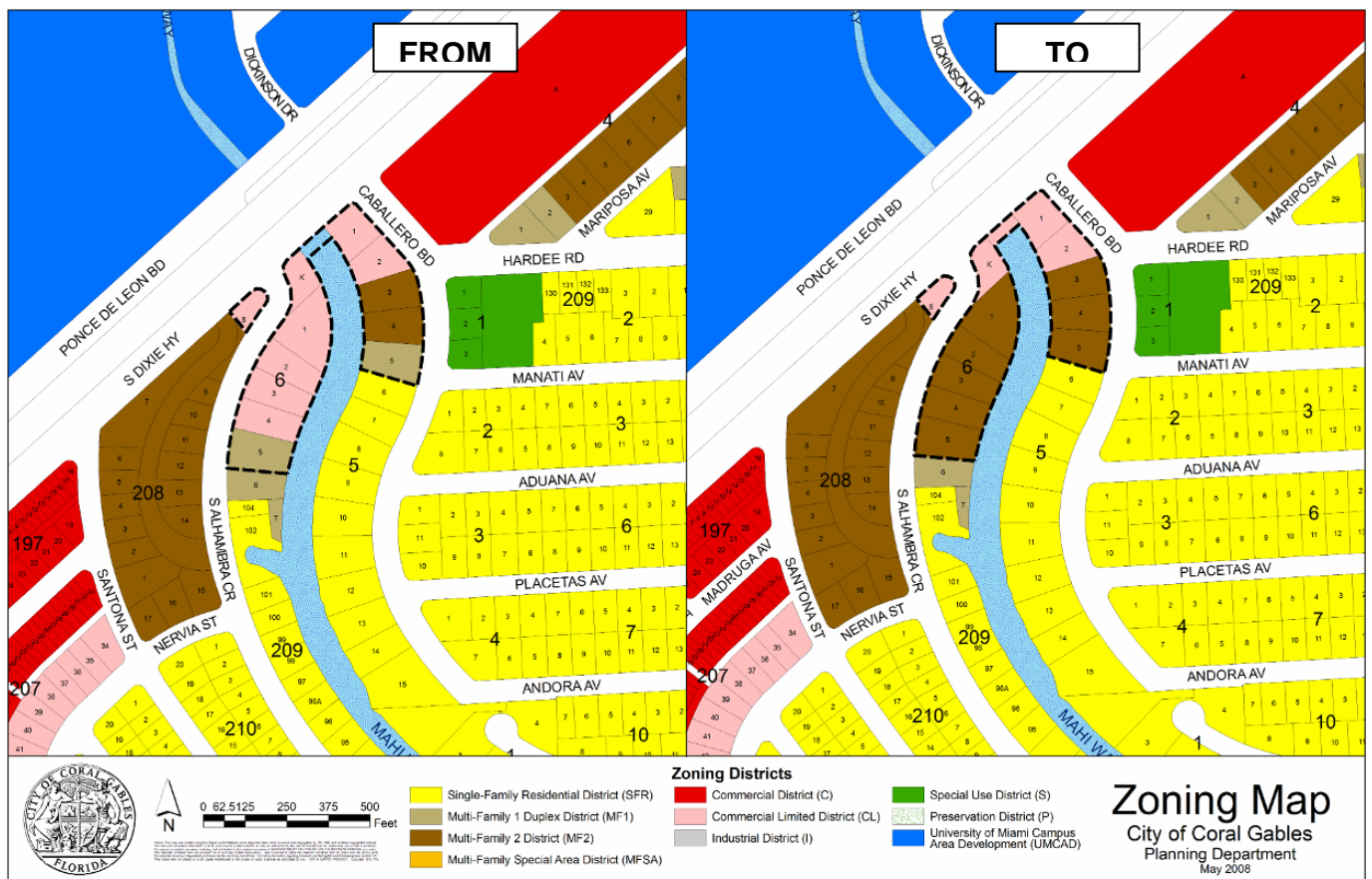
ELIZABETH HERNANDEZ
CITY ATTORNEY

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EXHIBIT A

Application No. 02-07-480-P

An Ordinance of the City Commission of Coral Gables approving a change of zoning from "CL", Commercial Limited ("CA", Commercial) to "MF2", Multi Family 2 District ("A-13", Apartment) on Lots 1-4, Block 6, Singer Subdivision, "MF1", Multi Family 1 Duplex District ("D-10", Duplex) to "MF2", Multi Family 2 District ("A-13", Apartment) on Lot 5, Block 5 and Lot 5 and 5-A, Block 6, Singer Subdivision and "CL", Commercial Limited ("CA", Commercial) for Parcel "A" (no zoning currently assigned), Coral Gables, Florida; providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date.



CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO.

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES APPROVING A PLANNED AREA DEVELOPMENT (PAD) REVIEW PURSUANT TO ZONING CODE ARTICLE 9, "PLANNED AREA DEVELOPMENT", SECTION 9-1 THRU 9-10 (ENTIRE PROPERTY LEGALLY DESCRIBED IN BELOW "WHEREAS" CLAUSE, EXCLUDING A PORTION OF LOT 8 AND A PORTION OF THE AREA DESIGNATED AS UNIVERSITY WATERWAY, BLOCK 208, SECOND REVISED PLAT OF CORAL GABLES RIVIERA SECTION PART 14), CORAL GABLES, FLORIDA; AND INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Application No. 02-07-480-P was submitted for Planned Area Development (PAD) review for the properties located in all of Tract "K", Addition to Riviera Waterways Section, Lots 1-4, Block 5 and Lots 1-4, Block 6, Riviera Waterways Section, Lot 5, Block 5 and Lot 5 and 5-A, Block 6, Singer Subdivision, and Parcel "A" lying between Lot 1, Block 5, Riviera Waterways Section and Tract "K", Addition to Riviera Waterways Section (6100 Caballero Boulevard), Coral Gables, Florida to permit the development of a project consisting of commercial and multi-family residential uses known as "Gables Waterway"; and,

WHEREAS, companion applications have been submitted and filed with the City for change of land use, change of zoning, site plan review, and conditional use special location review necessary to allow for the development of the project; and,

WHEREAS, after notice of public hearing duly published and notification of all property owners of record within one thousand fifteen hundred (1500) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on May 14, 2008, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, the Planning and Zoning Board voted to recommend denial of the proposed PAD (vote 7-0), pursuant to Staff's recommendation and findings of fact, and the testimony and evidence submitted at the public hearing; and,

WHEREAS, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on June 3, 2008 at which hearing all interested persons were afforded an opportunity to be heard and this application was _____ on first reading; and,

WHEREAS, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on _____ at which hearing all interested persons were afforded

an opportunity to be heard and this application was _____ on second reading.

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. The “Gables Waterway” PAD is hereby approved subject to all of the following conditions:

[insert City Commission conditions as applicable]

SECTION 3. The applicant shall further be required to comply with all applicable zoning regulations and any changes to the submitted plans in connection with the PAD herein granted shall require a recommendation from the Planning and Zoning Board and approval by the City Commission.

SECTION 4. 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. The effective date of this PAD approval shall be the date a final order is issued by the Florida Department of Community Affairs finding the associated Comprehensive Land Use Plan (CLUP) amendment to be in compliance in accordance with Chapter 163.3184, FS, as amended; or the date a final order is issued by the Administration Commission finding the associated CLUP amendment to be in compliance in accordance with Chapter 163.3184, FS, as amended, and further that the Florida Department of Community Affairs notice of intent to find a plan amendment in compliance shall be deemed to be a final order if no timely petition challenging the amendment is filed.

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

DONALD D. SLESNICK II
MAYOR

ATTEST:
WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH HERNANDEZ
CITY ATTORNEY

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CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO.

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES APPROVING THE SITE PLAN REVIEW FOR ENTIRE PROPOSED PROJECT (ENTIRE PROPERTY LEGALLY DESCRIBED IN BELOW “WHEREAS” CLAUSE, INCLUDING PAD PARCEL AND COMMERCIAL PARCEL LOCATED ON SOUTHWEST CORNER OF SOUTH ALHAMBRA DRIVE / U.S.1 INTERSECTION), CORAL GABLES, FLORIDA; AND INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Application No. 02-07-480-P was submitted for site plan review for the properties located on all of Tract “K”, Addition to Riviera Waterways Section, Lots 1-4, Block 5 and Lots 1-4, Block 6, Riviera Waterways Section, Lot 5, Block 5 and Lot 5 and 5-A, Block 6, Singer Subdivision, a portion of Lot 8 and a portion of the area designated as University Waterway, Block 208, Second revised Plat of Coral Gables Riviera Section Part 14, and Parcel “A” lying between Lot 1, Block 5, Riviera Waterways Section and Tract “K”, Addition to Riviera Waterways Section (6100 Caballero Boulevard), Coral Gables, Florida to permit the development of a project consisting of commercial and multi-family residential uses known as “Gables Waterway”; and,

WHEREAS, companion applications have been submitted and filed with the City for change of land use, change of zoning, Planned Area Development (PAD) review, and conditional use special location review necessary to allow for the development of the project; and,

WHEREAS, after notice of public hearing duly published and notification of all property owners of record within one thousand fifteen hundred (1500) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on May 14, 2008, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, the Planning and Zoning Board voted to recommend denial of the proposed site plan (vote 7-0), pursuant to Staff’s recommendation and findings of fact, and the testimony and evidence submitted at the public hearing; and,

WHEREAS, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on June 3, 2008 at which hearing all interested persons were afforded an opportunity to be heard and this application was _____ on first reading; and,

WHEREAS, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on _____ at which hearing all interested persons were afforded an opportunity to be heard and this application was _____ on second reading.

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. The “Gables Waterway” site plan is hereby approved subject to all of the following conditions:

[insert City Commission conditions as applicable]

SECTION 3. The applicant shall further be required to comply with all applicable zoning regulations and any changes to the submitted plans in connection with the site plan herein granted shall require a recommendation from the Planning and Zoning Board and approval by the City Commission.

SECTION 4. 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. The effective date of this site plan approval shall be the date a final order is issued by the Florida Department of Community Affairs finding the associated Comprehensive Land Use Plan (CLUP) amendment to be in compliance in accordance with Chapter 163.3184, FS, as amended; or the date a final order is issued by the Administration Commission finding the associated CLUP amendment to be in compliance in accordance with Chapter 163.3184, FS, as amended, and further that the Florida Department of Community Affairs notice of intent to find a plan amendment in compliance shall be deemed to be a final order if no timely petition challenging the amendment is filed.

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

DONALD D. SLESNICK II

MAYOR

ATTEST:
WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH HERNANDEZ
CITY ATTORNEY

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CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO.

RESOLUTION GRANTING CONDITIONAL USE SPECIAL LOCATION REVIEW TO ALLOW MEDITERRANEAN ARCHITECTURAL BONUSES ADJACENT TO “SFR”, SINGLE FAMILY RESIDENTIAL (“R”, RESIDENTIAL) AND “MF1”, MULTI FAMILY 1 DUPLEX DISTRICT (“D”, DUPLEX) ZONED PROPERTY, CORAL GABLES, FLORIDA; AS SET FORTH IN APPLICATION NO. 02-07-480-P; SUBJECT TO CERTAIN CONDITIONS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Application No. 02-07-480-P was submitted for conditional use special location review for the properties legally described in the application to permit the development of a project consisting of commercial and multi-family residential uses known as “Gables Waterway”; and,

WHEREAS, companion applications have been submitted and filed with the City for change of land use, change of zoning, Planned Area Development (PAD) review, and site plan review necessary to allow for the development of the project; and,

WHEREAS, after notice of public hearing duly published and notification of all property owners of record within one thousand fifteen hundred (1500) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on May 14, 2008, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, the Planning and Zoning Board voted to recommend denial of the proposed conditional use special location review (vote 7-0), pursuant to Staff’s recommendation and findings of fact, and the testimony and evidence submitted at the public hearing; and,

WHEREAS, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on June 3, 2008 at which hearing all interested persons were afforded an opportunity to be heard and this application was presented for discussion; and,

WHEREAS, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on _____ at which hearing all interested persons were afforded an opportunity to be heard and this application was _____ on first and final reading.

NOW, THEREFORE, BE IT RESOLVED 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 Resolution upon adoption hereof.

SECTION 2. Conditional use special location review for the project known as “Gables

Waterway” is hereby approved subject to all of the following conditions:

[insert City Commission conditions as applicable]

SECTION 3. The applicant shall further be required to comply with all applicable zoning regulations and any changes to the submitted plans in connection with the conditional use special location review herein granted shall require a recommendation from the Planning and Zoning Board and approval by the City Commission.

SECTION 4. It is the intention of the City Commission that each provision hereof be considered severable, and that the invalidity of any provision of this Resolution shall not affect the validity of any other portion of this Resolution, 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 Resolution are repealed.

SECTION 7. If any section, part of session, paragraph, clause, phrase or word of this Resolution is declared invalid, the remaining provisions of this Resolution shall not be affected.

SECTION 8. The effective date of this conditional use special location review approval shall be the date a final order is issued by the Florida Department of Community Affairs finding the associated Comprehensive Land Use Plan (CLUP) amendment to be in compliance in accordance with Chapter 163.3184, FS, as amended; or the date a final order is issued by the Administration Commission finding the associated CLUP amendment to be in compliance in accordance with Chapter 163.3184, FS, as amended, and further that the Florida Department of Community Affairs notice of intent to find a plan amendment in compliance shall be deemed to be a final order if no timely petition challenging the amendment is filed.

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

DONALD D. SLESNICK II
MAYOR

ATTEST:
WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH HERNANDEZ
CITY ATTORNEY

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