

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2008-24

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES FOR A CHANGE OF LAND USE FROM "RESIDENTIAL USE (SINGLE-FAMILY) LOW DENSITY" TO "PARKS AND RECREATIONAL USE" FOR THE FOLLOWING: MAGGIORE PARK ON LOTS 1-3, BLOCK 99, RIVIERA SECTION #2; ROTARY CENTENNIAL PARK ON LOTS 7-8, BLOCK 17, FLAGLER STREET SECTION; AND, SAN SEBASTIAN PARK ON LOTS 5-6, BLOCK 44, CRAFTS SECTION, CORAL GABLES, FLORIDA; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Application No. 07-08-073-P was submitted requesting a change of land use from "Residential Use (Single-Family) Low Density" to "Parks and Recreational Use" as a prerequisite for a change of zoning district for the following: Maggiore Park on Lots 1-3, Block 99, Riviera Section #2; Rotary Centennial Park on Lots 7-8, Block 17, Flagler Street Section; and, San Sebastian Park on Lots 5-6, block 44, Crafts Section, Coral Gables, Florida; 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 (1000) feet of each individual park, public hearings were held before the Local Planning Agency (Planning and Zoning Board) of the City of Coral Gables on August 13, 2008, at which hearings all interested persons were afforded the opportunity to be heard; and

WHEREAS, at a public hearing held on August 13, 2008, the Local Planning Agency (Planning and Zoning Board) recommended approval of the change of land use, change in zoning and conditions of approval (vote: 6-0); and

WHEREAS, as a part of this application, the applicant at the Planning and Zoning Board meeting agreed to the conditions of approval; and

WHEREAS, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on September 9, 2008 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on first reading (vote: 5-0); and

WHEREAS, after notice of a public hearing being duly published, the City Commission held a public hearing on October 14, 2008 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on second reading (Vote: Majority 3-2); and

WHEREAS, this request is considered a small scale amendment, and would not require review by the Department of Community Affairs;

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 Ordinance upon adoption.

SECTION 2. That 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 it is hereby amended to show henceforth a change in the Future Land Use by changing the "Land Use Category" from "Residential Use (Single-Family) Low Density" to "Parks and Recreational Use" on the following: Lots 1-3, Block 99, Riviera Section #2 (Maggiore Park); Lots 7-8, Block 17, Flagler Street Section (Rotary Centennial Park); and, Lots 5-6, Block 44, Crafts Section (San Sebastian Park), Coral Gables, Florida, with the following condition:

1. The City's Parks and Recreation Department shall complete neighborhood meetings with surrounding property owners to present and provide for public input and comments for future development plans for Maggiore and San Sebastian City parks when plans are being prepared.

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 relettered 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 of its passage and adoption herein.

PASSED AND ADOPTED THIS FOURTEENTH DAY OF OCTOBER, A.D., 2008.
(Moved: Anderson / Seconded: Withers)
(Yea: Anderson, Withers, Slesnick)
(Absent: Cabrera, Kerdyk)
(Majority: (3-0) Vote)
(Agenda Item: E-3)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



ELIZABETH HERNANDEZ
CITY ATTORNEY