



## AGENDA ITEM NO. \_\_\_\_\_

### City of Coral Gables CITY COMMISSION MEETING March 22, 2011

#### ITEM TITLE:

**Ordinance on Second Reading. Planned Area Development, Site Plan, Encroachments and Zoning Code Text Amendment.** An Ordinance of the City Commission of Coral Gables requesting the following for Gulliver Academy, located on Tract No. 7, Avocado Land Company Subdivision (12595 Red Road), Coral Gables, Florida:

- 1) Planned Area Development (PAD) assignment, pursuant to Zoning Code Article 3, Division 5;
- 2) Site plan review and an amendment to the previously approved Gulliver Academy Master Campus Site Plan to allow for new classrooms, pavilion building, gymnasium, baseball field house, natatorium and other miscellaneous improvements;
- 3) Encroachment into the Campamento Drive, Old Cutler Road and Red Road rights-of-ways; and,
- 4) Zoning Code text amendment to the Official Zoning Code, Appendix A, Site Specific Zoning Regulations;

providing for severability, repealer, codification, and an effective date.

#### DEPARTMENT HEAD RECOMMENDATION:

Approval of the application subject to the conditions of approval provided in Exhibit A - Ordinance.

#### PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board conducted three (3) public hearings on 07.14.10, 07.21.10 and 09.15.10. At the 09.15.10 meeting, the Board recommended approval (vote: 6-0) of the application with Staff's recommended conditions of approval.

#### BRIEF HISTORY:

The City Commission on 11.09.10 recommended 1<sup>st</sup> Reading approval (vote: 3-1). On 12.14.10, 01.25.10 and 02.08.11, the Commission recommended deferral of 2<sup>nd</sup> Reading. The deferrals allowed Gulliver Academy to further discuss possible solutions of student access to the school for families residing within Gables-by-the Sea (GBTS) neighborhood. After 02.08.11, Gulliver Academy met with the GBTS Home Owners Association (HOA) and parents. Gulliver Academy continued to meet with the parents and Gulliver Academy and advised "The solution that has been reached is that the seventeen (17) Gulliver families will accommodate their own transportation, as do the other Gulliver Academy students."

On 03.08.11, a motion was made for 2<sup>nd</sup> Reading approval and the resulting vote was 2-2, which is considered a "denial." The applicant requested reconsideration of the motion to allow additional time to pursue other alternatives. The Commission rescheduled consideration for the 03.22.11 meeting.

Gulliver Academy continued discussions with both the GBTS HOA and parents. To insure the safety of students, Gulliver Academy shall provide door to door (portal to portal) bus service for all parents residing within the GBTS neighborhood. Gulliver Academy has indicated to City staff all GBTS parents find this mutually acceptable. See Exhibit B for the applicants letter and letters of approval from all GBTS parents.

A copy of the ratified Settlement Agreement with the GBTS HOA is attached as Exhibit C. A complete copy of the previously provided large application package is available upon request. No additional written public comments have been received since the 03.08.11 meeting.

**LEGISLATIVE ACTION:**

<b>Date:</b>	<b>Resolution/Ordinance No.</b>	<b>Comments</b>
11.09.10	Ordinance	Approval on First Reading with conditions as modified (vote: 3-1)
12.14.10	Ordinance	Recommended deferral (vote: 4-0) of 2 <sup>nd</sup> Reading
01.25.11	Ordinance	Recommended deferral (vote: 4-0) of 2 <sup>nd</sup> Reading
02.08.11	Ordinance	Recommended deferral (vote: 4-0) of 2 <sup>nd</sup> Reading
03.08.11	Ordinance	Motion was made for 2 <sup>nd</sup> Reading approval which resulted in a 2-2 vote or denial. The applicant requested 2 <sup>nd</sup> Reading reconsideration to the 03.22.11 meeting. This request was approved by the Commission (vote: 4-0).

**OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):**

<b>Date</b>	<b>Board/Committee</b>	<b>Comments (if any)</b>
07.14.10	Planning and Zoning Board	Continued application to 07.21.10 meeting.
07.21.10	Planning and Zoning Board	Continued application to 09.15.10 meeting.
09.15.10	Planning and Zoning Board	Approval (vote: 6-0) with conditions as modified.

**PUBLIC NOTIFICATION(S):**

<b>Date</b>	<b>Form of Notification</b>
05.20.10, 06.22.10, 08.25.10 and 10.21.10	Courtesy notification mailed to all property owners within 1,500 feet of the subject property.
06.24.10, 09.03.10 and 10.29.10	Posted property.
05.27.10, 06.22.10, 07.01.10, 09.03.10, 10.29.10	Advertisements (i.e., Agendas, application titles, legal ads, etc)
07.09.10, 07.16.10 and 09.10.10	Posted Staff report and all attachments on City web page.
11.05.10	City Commission memo and all attachments posted on City web page.
12.01.10	Advertisement of public hearing with map.
12.01.10	Advertisement of Ordinance headings.
12.10.10	City Commission memo posted on City web page.
01.25.11	City Commission memo posted on City web page.
01.25.11	Advertisement of Ordinance headings.
01.25.11	City Commission memo posted on City web page.
01.28.11	Advertisement of Public hearing with map.

01.28.11	Advertisement of Ordinance headings.
01.28.11	City Commission memo posted on City web page.
02.25.11	Advertisement of Public hearing with map.
02.25.11	Advertisement of Ordinance headings.
02.25.11	City Commission memo posted on City web page.
03.11.11	Advertisement of Ordinance headings.
03.18.11	City Commission memo posted on City web page.

**APPROVED BY:**

Department Director	City Attorney (If Applicable)	City Manager

**EXHIBIT(S):**

- A. Ordinance.
- B. 03.16.11 Gulliver Academy Letter
- C. GBTS HOA and Gulliver Schools Settlement Agreement.