



AGENDA ITEM NO. _____

City of Coral Gables CITY COMMISSION MEETING January 27, 2009

ITEM TITLE:

Proposed Zoning Code Text Amendment pursuant to a Proposed Settlement Agreement with Fernando Menoyo and Almeria Row, LLC, represented by Tew Cardenas, LLP

Zoning Code Text Amendment – Appendix A, Site Specific Zoning Regulations. An Ordinance of the City of Coral Gables amending the text of the Official Zoning Code, Appendix A, Site Specific Zoning Regulations providing for changes to the allowable townhouse building height for specific properties from 35 to 45 feet pursuant to a City of Coral Gables City Commission Settlement Agreement; providing for repeal, providing severability, providing for codification thereof, and providing for an effective date.

PLANNING AND ZONING BOARD RECOMMENDATION:

Recommended approval (4 – 1 vote) of the following:

1. Proposed text language/amendment provided by the Claimants legal counsel.
2. Request City staff complete a study of Multi-Family Special Area (MFSA) properties adjacent via streets to Single Family Residential (SFR) zoned properties.

BRIEF HISTORY:

At the 01.13.09 meeting, the City Commission recommended 1st Reading approval (5 to 0 vote) of the applicants proposed site specific zoning code text language, which provides an increased building height only for “townhouse/rowhouse” building typologies. The revised regulations including the recommended change is attached as Exhibit A and the revised Ordinance is attached as Exhibit B.

The City has received public comments regarding the above, a copy of the written comments is attached as Exhibit C.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
01.13.09	Not assigned	City Commission recommended approval of Claimant proposed text amendments subject to one modification as referenced herein.

OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
10.08.08	Planning and Zoning Board	Item discussed. The Board requested additional information.
11.13.08	Planning and Zoning Board	Item was deferred. Board did not complete all scheduled agenda items.
12.10.08	Planning and Zoning Board	Board recommended approval (4 – 1 vote) of Claimant proposed text amendments.

PUBLIC NOTIFICATION(S):

Date	Form of Notification
04.24.08	City Attorneys Office provided written mail notice per the Bert J. Harris Private Property Rights Protection Act notice requirements [F.S. 70.001(4)(b)] to all property owners contiguous to the Claimants properties.
09.24.08	Agenda item was posted on Planning Department web page/City Hall as a part of 10.08.08 Planning and Zoning Board Agenda.
09.24.08	Agenda item was advertised as a part of 10.08.08 Planning and Zoning Board Agenda.
10.03.08	All 10.08.08 staff reports, background items, etc. were posted on Planning Department web page.
10.29.08	Agenda item was posted on Planning Department web page/City Hall as a part of 11.12.08 Planning and Zoning Board Agenda.
10.29.08	Agenda item was advertised as a part of 11.12.08 Planning and Zoning Board Agenda.
11.07.08	All 11.12.08 staff reports, background items, etc. were posted on Planning Department web page.
11.26.08	Agenda item was posted on Planning Department web page/City Hall as a part of 12.10.08 Planning and Zoning Board Agenda.
11.26.08	Agenda item was advertised as a part of 12.10.08 Planning and Zoning Board Agenda.
12.05.08	All 12.10.08 staff reports, background items, etc. were posted on Planning Department web page.
01.02.09	Advertised agenda item for possible First Reading consideration at 01.13.09 City Commission.
01.06.09	City Attorneys Office provided written mail notice per the Bert J. Harris Private Property Rights Protection Act notice requirements [F.S. 70.001(4)(b)] to all property owners contiguous to the Claimants properties.
01.09.09	All 01.13.09 City Commission staff reports, background items, etc. were posted on Planning Department web page.
01.14.09	Advertised agenda item for Second Reading consideration.
01.23.09	All 01.27.09 City Commission staff reports, background items, etc. were posted on Planning Department web page.

APPROVED BY:

Department Director	City Attorney (If Applicable)	Interim City Manager
Eric Riel, Jr. Planning Director	Elizabeth Hernandez	Maria A. Jimenez

EXHIBIT(S):

- Claimant proposed Zoning Code language.
- Draft Ordinance with Claimants proposed Zoning Code language.
- Public Comments received.