

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2022-10

AN ORDINANCE OF THE CITY COMMISSION GRANTING APPROVAL OF A SITE PLAN AMENDMENT PURSUANT TO ZONING CODE ARTICLE 14, "PROCESS" SECTION 14-203, "CONDITIONAL USES," FOR A PREVIOUSLY APPROVED COUNTRY CLUB BY ORDINANCE NO. 2016-34, LOCATED WITHIN A SPECIAL USE (S) 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; ALL OTHER CONDITIONS OF APPROVAL CONTAINED IN ORDINANCE 2016-34 SHALL REMAIN IN EFFECT; PROVIDING FOR AN EFFECTIVE DATE. (LEGAL DESCRIPTION ON FILE AT THE CITY).

WHEREAS, on June 14, 2016, the City Commission adopted Ordinance No. 2016-34 granting Conditional Use approval with Site Plan for a new club house located at the Riviera Country Club, 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, an application has been submitted by Mark Snure on behalf of Riviera Country Club, requesting Site Plan Amendment: 1.) to change the paving material at the main entrance on Blue Road, from concrete pavers to asphalt; 2.) change the crosswalks from concrete pavers to thermo-plastic paint; 3.) change concrete pavers on the east and west parking lot entrances with Coral Gables beige concrete; 4.) eliminate two (2) on-site parking spaces to allow for new FPL switch cabinets; and 5.) to change street tree species from ironwood to live oak; and

WHEREAS, included in the condition of approval, Section 2.1(d) of Ordinance No. 2016-34, states that 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; and

WHEREAS, after notice of a public hearing being duly published and a public notice 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 February 10, 2021, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the February 10, 2021 Planning and Zoning Board meeting, the Board recommended approval of all the requested changes to the previously approve Site Plan (vote: 7-0), pursuant to the Zoning Code, Article 14 “Process” Section 14-203 “Conditional Uses”; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on March 9, 2021, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with the proposed changes to the previously approved Site Plan, and after due consideration and discussion, the City Commission voted to approve requests 3, 4, and 5, but did not approve requests 1 and 2 (vote: 5-0); and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on March 29, 2022, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, during the March 29, 2022 quasi-judicial hearing, the City Commission heard testimony from the City’s Planning and Zoning Director and the City’s Public Works Director; and

WHEREAS, based on the explanations provided that the initially-required pavers are interlocking concrete pavers used throughout Miami-Dade County and not pavers such as those seen in other areas of the City, that developers are, as a matter of policy, responsible for the maintenance of any improvements in the right-of-way, and that the required pavers serve as a traffic calming element, which constitutes competent substantial evidence, the City Commission voted to approve requests 3, 4, and 5, but did not approve requests 1 and 2; and

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 Site Plan amendment to: change concrete pavers on the east and west parking lot entrances with Coral Gables beige concrete; eliminate two (2) on-site parking spaces to allow for new FPL switch cabinets; and to change street tree species from ironwood to live oak, on the south side, is granted.

SECTION 3. All other conditions of approval contained in Ordinance No. 2016-34 shall remain in effect.

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


SECTION 6. 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 7. This Ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-NINTH DAY OF MARCH, A.D., 2022.


(Moved: Mena / Seconded: Anderson)
(Yeas: Mena, Menendez, Anderson, Fors, Jr., Lago)
(Unanimous: 5-0 vote)
(Agenda Item: F-1)

APPROVED:

DocuSigned by:

53B880AB93824A5...


VINCE LAGO
MAYOR

ATTEST:

DocuSigned by:

358417D2FA884FF...

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

DocuSigned by:

03A0CB1421E64AC...

MIRIAM SOLER RAMOS
CITY ATTORNEY