

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES AMENDING THE CITY OF CORAL GABLES AND UNIVERSITY OF MIAMI DEVELOPMENT AGREEMENT, ADOPTED BY ORDINANCE NO. 2010-31 ON SEPTEMBER 28, 2010, PURSUANT TO ZONING CODE ARTICLE 3, DIVISION 20, ENTITLED “DEVELOPMENT AGREEMENTS,” FOR THE UNIVERSITY OF MIAMI, CITY OF CORAL GABLES CAMPUS, AMENDING SECTION 17 “BANK UNITED CENTER” TO ALLOW FOR THE SALE OF ALCOHOLIC BEVERAGES; AND PROVIDING FOR SEVERABILITY, REPEALER AND AN EFFECTIVE DATE. (LEGAL DESCRIPTION ON FILE)

WHEREAS, an application was submitted requesting an amendment to the City of Coral Gables and University of Miami Development Agreement, adopted by Ordinance No. 2010-31 on September 28, 2010, pursuant to Zoning Code Article 3, Division 20, entitled “Development Agreements,” for the University of Miami, City of Coral Gables Campus, amending Section 17 “Bank United Center” to allow for the sale of alcoholic beverages; and

WHEREAS, the purpose of the modification to Section 17 “Bank United Center” and its reference to Exhibit A, that contains the description of the facility is to allow certain uses; and

WHEREAS, the City Commission approved Resolution No. 2019-82 on March 12, 2019, to allow the sale of alcoholic beverages throughout the University of Miami’s Watsco Center; and

WHEREAS, after notice of public hearing duly published and notification of all property owners of record within one thousand (1,000) feet of the property, a public hearing was held before the Planning and Zoning Board on June 12, 2019, at which hearings all interested persons were afforded the opportunity to be heard; and

WHEREAS, at a public hearing held on June 12, 2019, the Planning and Zoning Board recommended approval of the amendment to the University of Miami Development Agreement with conditions (vote: 7-0); and

WHEREAS, the City Commission held a public hearing on July 9, 2019 at which hearing all interested persons were afforded an opportunity to be heard and this application for an amendment to the Development Agreement was approved on first reading (vote: 5-0); and

WHEREAS, after notice of public hearing duly published and notification of all property owners of record within one thousand (1,000) feet of the property, a public hearing was held before the City Commission on August 27, 2019, at which hearings all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the public hearing held on August 27, 2019, before the City Commission, this application for an amendment to the Development Agreement was (approved/denied) on second reading (vote: __-__); and

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 hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The City of Coral Gables and University of Miami Development Agreement, adopted by Ordinance No. 2010-31 on September 28, 2010 is hereby amended as shown in Exhibit “A,” attached hereto and incorporated herein by this reference.

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 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 adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2019

APPROVED:

RAUL VALDES-FAULI
MAYOR

ATTEST:

BILLY Y. URQUIA

CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY

Exhibit "A"

City of Coral Gables and University of Miami Development Agreement

* * *

~~Bank United Center~~ **Convocation Center**. The Convocation Center, also known as the ~~Bank United Center~~ Watsco Center and the Basketball Arena, located in the Coral Gables Campus of the University of Miami

* * *

17. ~~Bank United Center~~ **Convocation Center**

* * *

(b) Alcoholic beverages may be sold at the ~~Bank United Center~~ Convocation Center

- i) ~~At University Athletic and Academic Programs only in and restricted to the Hurricane 100 facilities and suites. For the purposes of this paragraph, "University Athletic and Academic Programs" means programs, events and extra-curricular activities commonly associated with a college education, including commencement ceremonies, student orientation, student activities, student banquets, instructional lectures, symposia, intercollegiate basketball, volleyball, and other intercollegiate sports, high school sports, practices, coaching clinics, and sports.~~
- ii) ~~A~~ at programs and events ~~which are not University athletic and academic programs and events,~~ in indoor public spaces (including the concourse, floor, and event levels, suites and the Hurricane 100 facilities as well as in temporary seating ~~in such areas~~).