

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, REQUESTING AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE CITY OF CORAL GABLES COMPREHENSIVE PLAN PURSUANT TO SMALL SCALE AMENDMENT PROCEDURES (SS. 163.3187, FLORIDA STATUTES), FROM “RELIGIOUS/INSTITUTIONAL” TO “COMMUNITY SERVICES AND FACILITIES” FOR A 2.6 ACRE PARCEL OF LAND COMMONLY KNOWN AS THE “UNIVERSITY BAPTIST CHURCH”, LEGALLY DESCRIBED AS ALL OF BLOCK 116, CORAL GABLES COUNTRY CLUB SECTION PART 6 (624 ANASTASIA AVENUE), CORAL GABLES, FLORIDA; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE.

WHEREAS, Application No. 07-10-113-P was submitted requesting a Change of Land Use from “Religious/ Institutional” to “Community Services and Facilities” on all of Block 116, Coral Gables Country Club Section Part 6 (624 Anastasia Avenue), Coral Gables, Florida; and,

WHEREAS, the proposed Change of Land Use is being submitted in association with a proposed Conditional Use and Site Plan review for the charter school referred to as “Somerset Academy Grace Charter School at Coral Gables”; 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 two thousand (2000) feet of the property, public hearings were held before the Local Planning Agency (Planning and Zoning Board) of the City of Coral Gables on April 27, 2011, June 8, 2011, June 22, 2011 and November 30, 2011, at which hearings all interested persons were afforded the opportunity to be heard; and,

WHEREAS, at the June 22, 2011 hearing, before the Planning and Zoning Board, approximately ninety (90) interested parties provided input and testimony. Upon conclusion of the hearings, the Board recommended (6-0 vote) a continuance of all three (3) applications, with the agreement of the Applicant, in order to allow the applicant to complete the following:

1. Supplement and amend application regarding the proposed maximum student enrollment, traffic and circulation, student drop-off and pick-up procedures, and other issues identified during the public hearings.
2. Meet with neighbors and the neighbor’s representative to attempt to resolve outstanding issues prior to returning before the Board.

WHEREAS, at a public hearing held on November 30, 2011, the Local Planning Agency (Planning and Zoning Board) made a motion for “Denial” to the Change in Land Use Application with a 3 - 2 vote. A minimum of four (4) votes is necessary for recommendation. Therefore, a second motion was made for “No recommendation” and this motion passed with a 5-0 vote; and,

WHEREAS, pursuant to the provisions of Section 163.3187 of Florida Statutes, the City Commission held a public hearing on December 13, 2011, at which hearing all interested persons were afforded an opportunity to be heard and this application for Change of Land Use was unanimously approved on first reading (vote: 5-0);

WHEREAS, the City Commission on January 10, 2011 unanimously approved (vote: 5-0) the Applicant’s request for a “continuance” of 2nd and Final Reading; and,

WHEREAS, this request is considered a Small Scale Amendment, and would not require review by the Florida Department of Economic Opportunity, Community and Planning Development Section.

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. 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 on the Future Land Use Map by changing the "Land Use Category" from “Religious/ Institutional” to “Community Services and Facilities” on all of Block 116, Coral Gables Country Club Section Part 6 (624 Anastasia Avenue), Coral Gables, Florida.

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 re-lettered 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 _____, 2012.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2012.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG LEEN
CITY ATTORNEY