

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2020-245**

A RESOLUTION OF THE CITY COMMISSION DIRECTING THAT WHEN THE CORAL GABLES ZONING CODE REQUIRES THAT NOTIFICATION BE PROVIDED TO MIAMI-DADE COUNTY PUBLIC SCHOOLS, SUCH NOTIFICATION SHOULD BE SENT THROUGH THE OFFICE OF THE SUPERINTENDENT, AND FURTHER DIRECTING THAT IN SUCH CASES, COURTESY NOTICE BE PROVIDED TO THE PRINCIPAL OF THE SCHOOL SITE PHYSICALLY LOCATED WITHIN THE NOTICE AREA AND TO THE CORAL GABLES SCHOOL COMMUNITY RELATIONS COMMITTEE, FOR THE PURPOSE OF FACILITATING NOTIFICATION TO THE SCHOOL COMMUNITY.

**WHEREAS**, on October 16, 2020 the Coral Gables School Community Relations Committee (“SCRC”) discussed the upcoming construction of a Wawa Convenience Store located at 280 South Dixie Highway, Coral Gables, Florida 33133; and

**WHEREAS**, the history and approval process of the Wawa, including highlights of the settlement agreement that resolved litigation between Miami-Dade County, Bahamian Village, LLC., the Lola B. Walker Homeowners Foundation of Coral Gables, Inc., and the City of Coral Gables, is set forth in City Attorney Opinion 2020-003; and

**WHEREAS**, there is no requirement that City Attorney Opinions be mailed, however, on January 30, 2020, the developer mailed City Attorney Opinion No. 2020-03 to property owners within 1000 feet of the proposed Wawa site, including to Miami-Dade County Public Schools (MDCPS), the property owner of record of George Washington Carver Elementary School and George Washington Carver Middle School; and

**WHEREAS**, aggrieved parties may appeal a City Attorney Opinion by filing such appeal with the Circuit Court within thirty days, in accordance with Section 2-702 of the Zoning Code; and

**WHEREAS**, in this instance, no such appeal was filed, and the Wawa project is moving forward; and

**WHEREAS**, despite the efforts to ensure affected property owners in the area were apprised of the incoming development, representatives from MDCPS have stated that MDCPS did not receive the City Attorney Opinion, were unaware the Wawa was approved, and expressed disappointment that the City did not communicate directly with the Superintendent’s Office or the

school sites located within 1000 feet of the site, though in this case such communication was not required; and

**WHEREAS**, the City Commission believes that when notice is otherwise required to be mailed by the Zoning Code, and a school is one of the properties within the required notice area, that notice should be mailed to MDCPS through the Office of the Superintendent specifically; and

**WHEREAS**, the City acknowledges that in most cases, notice is provided by the property owner/applicant of a project as opposed to the City; in such cases, the property owner/applicant should ensure notice is mailed to MDCPS through the Office of the Superintendent, where such notice is otherwise required; and

**WHEREAS**, to facilitate the expanded notification intended by this resolution, City staff will contact the most commonly utilized zoning consultants in the City, who are in the business of providing radius maps and certified lists of property owners to property owners/applicants and developers, to advise them of this resolution and to request that the “Office of the Superintendent” be added to the listed address for MDCPS; and

**WHEREAS**, on October 16, 2020, the SCRC passed a resolution urging the City Commission to notify the SCRC of development projects that affect Coral Gables schools for the purpose of facilitating notification of such projects to the parents of children who attend the affected school/s; and

**WHEREAS**, Resolution No. 2015-87 revised the scope and purpose of the SCRC, and states that the Committee shall provide an opportunity for dialogue and collaboration between the schools under its purview (including George Washington Carver Elementary and Middle Schools) and their neighbors, including the City of Coral Gables; and

**WHEREAS**, the City Commission finds that members of the SCRC, and all City boards both advisory and quasi-judicial, have a duty to be factual, accurate, and truthful when sharing information in their capacity as board members and while acting as liaisons between residents, community stakeholders, City Staff and elected and appointed officials; and

**WHEREAS**, in addition to sending notice to MDCPS through the Office of the Superintendent, courtesy notice should also be provided to the principal of the school site physically located within the notice area and to the School Community Relations Committee, for the purpose of facilitating notification to the school community;

**NOW, THEREFORE, BE IT RESOLVED 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 are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** The Commission hereby directs that when notice is otherwise required to be mailed by the Zoning Code, and a Miami-Dade County public school is one of the properties within the required notice area, that notice should be mailed to Miami-Dade County Public Schools through the Office of the Superintendent.

**SECTION 3.** The Commission hereby directs that in addition to sending notice to Miami-Dade County Public Schools through the Office of the Superintendent, courtesy notice should be provided to the principal of the school site physically located within the notice area and to the School Community Relations Committee, for the purpose of facilitating notification of the school community.

**SECTION 4.** The Commission hereby directs staff to contact the most commonly utilized zoning consultants in the City, who are in the business of providing radius maps and certified lists of property owners to property owners/applicants and developers, to advise them of this resolution and its requirements.

**SECTION 5.** The Commission finds that members of the School Community Relations Committee, and all City boards, have a duty to be factual, accurate, and truthful when sharing information in their capacity as board members and while acting as liaisons between residents, community stakeholders, City Staff and elected and appointed officials, and directs that they proceed accordingly.

**SECTION 6.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED ON THIS TWENTY-SEVENTH DAY OF OCTOBER,  
A.D., 2020.

(Moved: Lago/ Seconded: Mena)

(Yeas: Keon, Lago, Mena, Fors, Jr., Valdes-Fauli)

(Unanimous: 5-0 Vote)

(Agenda Item: 2-3)



RAUL VALDES-FAULI  
MAYOR

ATTEST:



BILLY Y. URQUIA  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS  
CITY ATTORNEY