

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 ZONING CODE ARTICLE 3, "DEVELOPMENT REVIEW", DIVISION 15, "COMPREHENSIVE PLAN TEXT AND MAP AMENDMENTS", AND SMALL SCALE AMENDMENT PROCEDURES (SS. 163.3187, FLORIDA STATUTES), FROM "RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY" TO "COMMERCIAL MID-RISE INTENSITY" FOR THE PROPERTY LEGALLY DESCRIBED AS LOTS 11-16, BLOCK 203, RIVIERA SECTION PART 14 (1500 VENERA AVENUE), CORAL GABLES, FLORIDA; AND, PROVIDING FOR SEVERABILITY, REPEALER AND AN EFFECTIVE DATE.

WHEREAS, an application was submitted requesting a change of land use from "Residential Multi-Family Medium Density" to "Commercial Mid-Rise Intensity" for the property legally described as Lots 11-16, Block 203, Riviera Section Part 14 (1500 Venera Avenue), Coral Gables; and,

WHEREAS, a mixed use project referred to as "Shoma Park Tower" consisting of both commercial and multi-family residential uses is proposed to be constructed on the subject property, and mixed use projects require a commercial land use designation; and,

WHEREAS, the proposed change of land use is being submitted concurrently with a proposed change of zoning from Multi-Family 2 District (MF2) to Commercial District (C), and mixed use site plan review for the project referred to as "Shoma Park Tower"; and,

WHEREAS, Staff finds that the procedures for reviewing and recommending on a proposed change of land use are provided in Zoning Code Article 3, "Development Review", Division 15, "Comprehensive Plan Text and Map Amendments", and that the proposed land use map amendment has met those criteria and standards; and,

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1000) feet, a public hearing was held before the Planning and Zoning Board/Local Planning Agency of the City of Coral Gables on October 8, 2014, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, at the October 8, 2014 Planning and Zoning Board meeting, the Planning and Zoning Board/Local Planning Agency recommended approval of the proposed change of land use (vote: 6-1); and,

WHEREAS, the City Commission held a public hearing on October 28, 2014 at which hearing all interested persons were afforded an opportunity to be heard and this application for change of land use was (approved/denied) on first reading (vote: __ - __); and,

WHEREAS, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request to change the land use pursuant to Florida Statutes, and including careful consideration of written and oral comments by members of the public.

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 a change of zoning pursuant to Zoning Code Zoning Code Article 3, “Development Review”, Division 15, “Comprehensive Plan Text and Map Amendments”, from “Residential Multi-Family Medium Density” to “Commercial Mid-Rise Intensity” for the property legally described as Lots 11-16, Block 203, Riviera Section Part 14 (1500 Venera Avenue), Coral Gables, is hereby approved.

SECTION 3. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 4. 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 5. 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 6. This ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2014.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY

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