

THE CITY OF CORAL GABLES

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA GRANTING APPROVAL OF A PROPOSED PLANNED AREA DEVELOPMENT (PAD) APPROVAL REFERRED TO AS "MEDITERRANEAN VILLAGE" PURSUANT TO ZONING CODE ARTICLE 3, "DEVELOPMENT REVIEW", DIVISION 5, "PLANNED AREA DEVELOPMENT (PAD)", FOR THE CONSTRUCTION OF A PROJECT CONSISTING OF A MIX OF USES INCLUDING OFFICE, COMMERCIAL, RETAIL, HOTEL AND RESIDENTIAL, CONSISTENT WITH THE SEPARATELY PROPOSED SECTION 3-510 "MEDITERRANEAN VILLAGE FORM-BASED PLANNED AREA DEVELOPMENT," ON THE PROPERTY LEGALLY DESCRIBED AS BLOCK 20, BLOCK 23 (LESS LOT 12 AND A PORTION OF LOT 11), AND BLOCK 30, CRAFTS SECTION, ALSO GENERALLY KNOWN AS 2801, 2901, AND 3001 PONCE DE LEON BOULEVARD, CORAL GABLES, FLORIDA; INCLUDING REQUIRED CONDITIONS; PROVIDING FOR SEVERABILITY, REPEALER AND AN EFFECTIVE DATE. (LEGAL DESCRIPTION OF PROPERTY ON FILE AT THE CITY)

WHEREAS, an Application was submitted requesting approval of a proposed Planned Area Development (PAD) pursuant to Zoning Code Article 3, "Development Review", Division 5, "Planned Area Development", for the construction of a mixed-use project referred to as the "Mediterranean Village" (the Mediterranean Village PAD) on the property legally described as Block 20, Block 23 (Less Lot 12 and a portion of Lot 11), and Block 30, Crafts Section (generally known as 2801, 2901, and 3001 Ponce de Leon Boulevard) (the "Property"), Coral Gables, Florida; and,

WHEREAS, the Applicant has submitted an application for Zoning Code text amendments which propose Section 3-510, "Mediterranean Village Form-Based Planned Area Development" and related supporting Comprehensive Plan text amendments which the applicant seeks to utilize in the design and development of the Mediterranean Village PAD; and,

WHEREAS, the proposed Planned Area Development Site Plan has been submitted concurrently with proposed applications including Comprehensive Plan map amendments, Development Agreement, and Vacation of an Alleyway, which consistent with the proposed Section 3-510 of the Zoning Code, are all necessary for the Mediterranean Village PAD to be reviewed in its totality; and,

WHEREAS, the Application has been submitted concurrently with proposed

applications including Comprehensive Plan text amendments, Comprehensive Plan map amendments, Zoning Code text amendments, and Vacation of an Alleyway, which are all necessary for the Mediterranean Village PAD to be reviewed in its totality; and,

WHEREAS, after notice of public hearing was duly published and notification of all property owners of record within one thousand (1000) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on _____, 2015, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, at the _____, 2015 Planning and Zoning Board meeting, the Board recommended _____ (vote: ____) of the Mediterranean Village PAD on the Property; and,

WHEREAS, after notice was duly published, a public hearing for First Reading on the Mediterranean Village PAD and related development agreement was held before the City Commission on _____, 2015 at which hearing all interested parties were afforded the opportunity to be heard, and the City Commission, after due consideration and discussion, _____ the PAD on First Reading (vote: _____); and

WHEREAS, after notice was duly published, a public hearing for Second Reading on the Mediterranean Village PAD and related development agreement was held before the City Commission on _____, 2015 at which hearing all interested parties were afforded the opportunity to be heard, and the City Commission, after due consideration and discussion, _____ the PAD on Second Reading (vote: _____).

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. That 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. That the Applicant’s request for approval of the proposed Mediterranean Village PAD on the Property pursuant to Zoning Code Article 3, “Development Review”, Division 5, “Planned Area Development” is _____, subject to the following conditions:

1. Application/supporting documentation. Construction of the proposed project shall be in substantial conformance with the following:
 - a. Applicant’s Submittal Package dated _____ prepared by RTKL.
 - b. Traffic Impact Analysis, dated _____ and revised _____ prepared by Kimley-Horn and Associates, Inc.
 - c. Initial Application submittal shall be considered as amended and supplemented via the City review process, and
 - d. All representations proffered by the Applicant’s representatives as a part of the review of the Application at public hearings.

2. Restrictive covenant and development agreement. Within 30 days of approval, the property owner, its successors or assigns shall submit a draft restrictive covenant and development agreement for City Attorney review/approval outlining all conditions of approval as approved by the City Commission. Failure to submit the covenant and development agreement within the specified time frame shall render the approval void unless said time frame for submittal of the covenant or development agreement is extended by the City Attorney after good cause as to why the time frame should be extended.
3. Conditions prior to building permit. Prior to the issuance of a City Building Permit for the project, the Applicant, property owner(s), and its successors or assigns, shall satisfy the following conditions:

*Conditions under development by staff to be finalized by Commission.*_____

4. Written notice. Provide a minimum of seventy-two (72) hour written notice to all properties within five hundred (500) feet of the Mediterranean Village project Property of any proposed partial street/alley closures as a result of the project's construction activity. Complete street/alley closure is prohibited.
5. Alleyway configuration. The Applicant may be permitted to re-configure the substitute alleyway configuration and adjust the legal description, subject to the review and approval by the City Attorney, Fire Chief and Directors of Planning and Zoning, Public Works and Public Service. Such easement amendment instrument shall be in a form acceptable to the City Attorney and shall be recorded and executed in favor of the City of Coral Gables prior to the issuance of any building permit.
6. Conditions prior to Certificate of Occupancy. Prior to the issuance of a Certificate of Occupancy (CO) for the project, the Applicant, property owner, its successors or assigns shall complete the following:

*Conditions under development by staff to be finalized by Commission.*_____

7. _____

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 FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY