

CITY OF CORAL GABLES, FLORIDA)

ORDINANCE NO. 2015-15 (AS AMENDED)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA APPROVING A DEVELOPMENT AGREEMENT PURSUANT TO ZONING CODE ARTICLE 3, DIVISION 20, ENTITLED "DEVELOPMENT AGREEMENTS," FOR A PROPOSED PLANNED AREA DEVELOPMENT REFERRED TO AS "MEDITERRANEAN VILLAGE" RELATED TO 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, GENERALLY KNOWN AS 2801, 2901, AND 3001 PONCE DE LEON BOULEVARD, CORAL GABLES, FLORIDA; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE. (LEGAL DESCRIPTION OF PROPERTY ON FILE AT THE CITY)

WHEREAS, a Development Agreement has been submitted pursuant to Zoning Code Article 3, "Development Review", Division 20, "Development Agreements", related to 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 Development Agreement has been submitted concurrently with proposed applications including Comprehensive Plan map amendments, a proposed Planned Area Development Site Plan, 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, 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 February 11, 2015, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the February 11, 2015 Planning and Zoning Board meeting, the Board recommended approval with conditions (vote: 7 – 0) of the Development Agreement; and

WHEREAS, after notice was duly published, a public hearing for First Reading on the Development Agreement was held before the City Commission on March 25, 2015 at which hearing all interested parties were afforded the opportunity to be heard, and the item was continued to a special City Commission hearing on April 2, 2015 and the City Commission, after due consideration and discussion, approved with conditions the Development Agreement on First Reading (vote: 5 – 0); and

WHEREAS, after notice was duly published, a public hearing for Second Reading on the Development Agreement was held before the City Commission on May 26, 2015 and continued to a special City Commission meeting on June 10, 2015 at which hearing all interested parties were afforded the opportunity to be heard, and the City Commission, after due consideration and discussion, unanimously approved the Development Agreement in concept (vote: 5-0), and approved the attached Development Agreement, implementing the development of habitable square footage for a fine dining restaurant above 190.5 feet on Second Reading (vote: 3-2);

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, pursuant to Zoning Code Article 3, “Development Review”, Division 20, “Development Agreements” the Applicant’s request for approval of the Development Agreement related to the construction of 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), Coral Gables, Florida, is 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 passage and adoption herein.

PASSED AND ADOPTED THIS TENTH DAY OF JUNE, A.D. 2015.

(Moved: Quesada / Seconded Lago)

(Yeas: Keon, Quesada, Cason)

(Majority: (3-2) Vote)

(Nays: Slesnick, Lago)

(Agenda Item: A-6)

APPROVED:



JIM CASON
MAYOR

ATTEST:



WALTER L. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



CRAIG E. LEEN
CITY ATTORNEY