

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES AMENDING THE CITY OF CORAL GABLES AND UNIVERSITY OF MIAMI DEVELOPMENT AGREEMENT, ADOPTED BY ORDINANCE NO. 2010-31 ON 09.28.10, PURSUANT TO ZONING CODE ARTICLE 3, DIVISION 19, ENTITLED “DEVELOPMENT AGREEMENTS,” FOR THE UNIVERSITY OF MIAMI, CITY OF CORAL GABLES CAMPUS, AMENDING THE FIRST RECITAL TO INCLUDE THE PROPERTY LEGALLY DESCRIBED AS LOTS 1 THRU 8 AND 34 THRU 40, BLOCK 196, CORAL GABLES RIVIERA SECTION 6 (6500 RED ROAD), CORAL GABLES, FLORIDA; AND PROVIDING FOR SEVERABILITY, REPEALER AND AN EFFECTIVE DATE. (LEGAL DESCRIPTION ON FILE)

WHEREAS, an application was submitted requesting an amendment to the City of Coral Gables and University of Miami Development Agreement, adopted by Ordinance No. 2010-31 on September 28, 2010, pursuant to Zoning Code Article 3, Division 19, entitled “Development Agreements”, for the University of Miami, City of Coral Gables Campus, amending the First Recital to include the property located at 6500 Red Road; and

WHEREAS, the purpose of the modification to the First Recital and its reference to Exhibit A, that contains the legal description and map for the University of Miami Coral Gables Campus is to reflect the University of Miami’s acquisition of the property at 6500 Red Road, legally described as Lots 1 thru 8 and 34 thru 40, Block 196, Coral Gables Riviera Section 6, Coral Gables, Florida; and

WHEREAS, after notice of public hearing duly published and notification of all property owners of record within one thousand five hundred (1500) feet of the property, a public hearing was held before the Planning and Zoning Board on November 14, 2018, at which hearings all interested persons were afforded the opportunity to be heard; and

WHEREAS, at a public hearing held on November 14, 2018, the Planning and Zoning Board recommended approval of the amendment to the University of Miami Development Agreement with conditions (vote: 6-0); and

WHEREAS, the City Commission held a public hearing on January 8, 2019 at which hearing all interested persons were afforded an opportunity to be heard and this application for an amendment to the Development Agreement was (approved/denied) on first reading (vote: _-_-); and

WHEREAS, the City Commission held a public hearing on (month) (day), 2019 at which hearing all interested persons were afforded an opportunity to be heard and this application for an amendment to the Development Agreement was (approved/denied) on second reading (vote: _-_-); and

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. The City of Coral Gables and University of Miami Development Agreement, adopted by Ordinance No. 2010-31 on September 28, 2010 is hereby amended in the First Recital and its reference to Exhibit A containing the legal description and map of the University of Miami Coral Gables Campus as follows¹:

Main Campus-Coral Gables, Florida. Legal Descriptions - Areas I and II.

AREA I:

ALL THOSE LOTS, PIECES, PARCELS OR STRIPS OF LAND, SITUATE, LYING AND BEING IN SECTION 30, TOWNSHIP 54 SOUTH, RANGE 41 EAST, CITY OF CORAL GABLES, MIAMI-DADE COUNTY, FLORIDA BEING GENERALLY DESCRIBED AS THE PROPERTIES OWNED IN FEE SIMPLE BY THE UNIVERSITY OF MIAMI, THE SAME BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, VIZ.:

LOT 1 THROUGH 12, INCLUSIVE, AND LOTS 19 THROUGH 30, INCLUSIVE, IN BLOCK 184 OF “CORAL GABLES RIVIERA SECTION PART 6,” ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20 AT PAGE 79 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA.

TOGETHER WITH:

LOTS 1 THROUGH 30, INCLUSIVE, IN BLOCK 185 OF “CORAL GABLES RIVIERA SECTION PART 6,” ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20 AT PAGE 79 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA.

TOGETHER WITH:

LOTS 1 THROUGH 6, INCLUSIVE, LOTS 10 THROUGH 12, INCLUSIVE, LOTS 19 THROUGH 21, INCLUSIVE AND LOTS 25 THROUGH 30, INCLUSIVE, IN BLOCK 186 OF “CORAL GABLES RIVIERA SECTION PART 6,” ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20 AT PAGE 79 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA.

TOGETHER WITH:

LOTS 1 THROUGH 6, INCLUSIVE, LOTS 25 THROUGH 27, INCLUSIVE, AND LOT 30 IN BLOCK 188 OF “CORAL GABLES RIVIERA SECTION PART 6,” ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20 AT PAGE 79 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA.

¹ Deletions are indicated by ~~strikethrough~~. Insertions are indicated by underline. The General Location Map provided herein has been modified to include the additional property.

TOGETHER WITH:

LOT 1, LOTS 4 THROUGH 12, INCLUSIVE, LOT 19, LESS THE SOUTH 70 FEET, LOT 20, LESS THE EAST 20 FEET OF THE SOUTH 70 FEET THEREOF, AND ALL OF LOTS 21 THROUGH 30, INCLUSIVE, IN BLOCK 189 OF "CORAL GABLES RIVIERA SECTION PART 6," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20 AT PAGE 79 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA.

TOGETHER WITH:

LOTS 1 THROUGH 30, INCLUSIVE, IN BLOCK 190 OF "CORAL GABLES RIVIERA SECTION PART 6," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20 AT PAGE 79 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA.

TOGETHER WITH:

LOTS 1 THROUGH 20, INCLUSIVE, IN BLOCK 193 OF "CORAL GABLES RIVIERA SECTION PART 6," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20 AT PAGE 79 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA.

TOGETHER WITH:

LOTS 4 AND 5 IN BLOCK 194 OF "CORAL GABLES RIVIERA SECTION PART 6," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20 AT PAGE 79 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA.

LESS THEREFROM:

THAT PORTION OF SAID LOT 4 AS CONVEYED TO THE CITY OF CORAL GABLES, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, THE SAME AS BEING MORE FULLY DESCRIBED IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 16907 AT PAGE 3532 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA. (SAID PORTION OF LOT 4 WAS RE-CONVEYED TO THE UNIVERSITY OF MIAMI BY THAT CERTAIN SPECIAL WARRANTY DEED FROM THE CITY OF CORAL GABLES AS RECORDED IN OFFICIAL RECORDS BOOK 27590 AT PAGE 637 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.)

TOGETHER WITH:

LOTS 1, 2, 3, 6, 7 AND 8, AND A PORTION OF LOT 4, BLOCK 194, "CORAL GABLES RIVIERA SECTION PART 6," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, AT PAGE 79, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, AND A PORTION OF AVENUE SAGUA, VACATED AND DISCONTINUED PURSUANT TO CORAL GABLES CITY ORDINANCE NO. 842 DATED JULY 27, 1954 AND RECORDED IN OFFICIAL RECORDS BOOK 27887 AT PAGE 4501 OF THE PUBLIC RECORDS OF MIAMIDADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 54 SOUTH, RANGE 41 EAST, DADE COUNTY, FLORIDA; THENCE SOUTH 00 DEGREES 13 MINUTES 22 SECONDS WEST, ALONG THE WEST LINE OF SAID SECTION 30,

FOR 472.32 FEET TO THE INTERSECTION OF THE WESTERLY EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF SAID AVENUE SAGUA; THENCE NORTH 89 DEGREES 41 MINUTES 10 SECONDS EAST FOR 30.00 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF S.W. 57TH AVENUE (RED ROAD); THENCE CONTINUE NORTH 89 DEGREES 41 MINUTES 10 SECONDS EAST FOR 133.37 FEET; THENCE SOUTH 00 DEGREES 18 MINUTES 50 SECONDS EAST, AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, FOR 13.55 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 10 SECONDS EAST FOR 67.32 FEET; THENCE SOUTH 00 DEGREES 18 MINUTES 14 SECONDS WEST FOR 138.15 FEET TO A POINT, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY OF AVENUE LEVANTE, AS SHOWN ON SAID PLAT OF "CORAL GABLES RIVIERA SECTION PART 6," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, AT PAGE 79; THENCE SOUTH 50 DEGREES 19 MINUTES 22 SECONDS WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF AVENUE LEVANTE, FOR 163.61 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY-WESTERLY, ALONG THE ARC OF A CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 39 DEGREES 21 MINUTES 48 SECONDS, FOR AN ARC DISTANCE OF 13.74 FEET TO A POINT OF TANGENCY; THENCE SOUTH 89 DEGREES 41 MINUTES 10 SECONDS WEST FOR 42.27 FEET TO A POINT OF CURVE; THENCE WESTERLYNORTHWESTERLY- NORTHERLY, ALONG THE ARC OF A CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 90 DEGREES 32 MINUTES 12 SECONDS, FOR AN ARC DISTANCE OF 31.60 FEET TO A POINT OF TANGENCY, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF S.W. 57TH AVENUE (RED ROAD); THENCE NORTH 00 DEGREES 13 MINUTES 22 SECONDS EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF S.W. 57TH AVENUE (RED ROAD), FOR 239.82 FEET TO THE POINT OF BEGINNING.

THIS BEING THE SAME PROPERTY RE-CONVEYED TO THE UNIVERSITY OF MIAMI BY THAT CERTAIN SPECIAL WARRANTY DEED FROM THE CITY OF CORAL GABLES AS RECORDED IN OFFICIAL RECORDS BOOK 27590 AT PAGE 637 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

TOGETHER WITH:

LOTS 1, 2, THE SOUTHWESTERLY 1/2 OF LOT 3 AND LOTS 6 THROUGH 10, INCLUSIVE, IN BLOCK 192 OF "SECOND REVISED PLAT OF CORAL GABLES RIVIERA SECTION PART 14," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28 AT PAGE 32 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA.

TOGETHER WITH:

LOTS 1 THROUGH 4, INCLUSIVE, IN BLOCK 1 OF "UNIVERSITY OF MIAMI MAIN CAMPUS FIRST ADDITION," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 87 AT PAGE 10 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA.

TOGETHER WITH:

ALL THOSE STRIPS, LOTS, PIECES OR PARCELS OF LAND, SITUATE, LYING AND BEING IN SECTION 30, TOWNSHIP 54 SOUTH, RANGE 41 EAST, CITY OF CORAL GABLES, MIAMI-DADE COUNTY, FLORIDA BEING RIGHTS OF WAY OR ALLEYS VACATED OR ABANDONED IN

FAVOR OF THE UNIVERSITY OF MIAMI, THE SAME BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, VIZ.:

AVENUE LEPANTO, (NOW KNOWN AS AVENUE APRICALE), AS SHOWN AND DESCRIBED IN THE RECORDED PLAT OF "CORAL GABLES RIVIERA SECTION PART 6," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20 AT PAGE 79 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA, AS VACATED BY THE CITY OF CORAL GABLES, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, PURSUANT TO ORDINANCE NUMBER 1272, DATED MARCH 13, 1962 AND RECORDED IN OFFICIAL RECORDS BOOK 27887 AT PAGE 4505 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BUTTED AND BOUNDED AS FOLLOWS:

ON THE NORTH: BY THE SOUTH BOUNDARY OF BLOCK 190 AS SHOWN ON SAID PLAT OF "CORAL GABLES RIVIERA SECTION PART 6," THIS ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF SAID AVENUE LEPANTO (AVENUE APRICALE). ON THE EAST: BY THE WESTERLY RIGHT OF WAY LINE OF AVENUE LEVANTE, AS SHOWN ON SAID PLAT OF "CORAL GABLES RIVIERA SECTION PART 6." ON THE SOUTH: BY THE NORTH BOUNDARY OF BLOCK 193 AS SHOWN ON SAID PLAT OF "CORAL GABLES RIVIERA SECTION PART 6," THIS ALSO BEING THE SOUTH RIGHT OF WAY LINE OF SAID AVENUE LEPANTO (AVENUE APRICALE). ON THE WEST: BY THE EAST RIGHT OF WAY LINE OF RED ROAD, (S.W. 57TH AVENUE) AS SHOWN ON SAID PLAT OF "CORAL GABLES RIVIERA SECTION PART 6."

TOGETHER WITH:

LOTS 1 THROUGH 8, INCLUSIVE AND LOTS 34 THROUGH 40, INCLUSIVE, AND ALL OF ALLEY NORTHWESTERLY & ADJACENT TO LOTS 34 THROUGH 40, LESS BEGINNING AT THE SOUTHEAST CORNER OF LOT 8 NORTHWESTERLY 10 FEET TO POINT OF BEGINNING, BLOCK 196 OF "SECOND REVISED PLAT OF CORAL GABLES RIVIERA SECTION PART 14," ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGE 32, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

TOGETHER WITH:

AVENUE SAGUA, AS SHOWN AND DESCRIBED ON THE PLAT OF "CORAL GABLES RIVIERA SECTION PART 6," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20 AT PAGE 79 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA, THE SAME AS VACATED BY THE CITY OF CORAL GABLES, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, PURSUANT TO RESOLUTION NUMBER 842, DATED JULY 27, 1954 AND RECORDED IN OFFICIAL RECORDS BOOK 27887 AT PAGE 4501 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BUTTED AND BOUNDED AS FOLLOWS:

ON THE NORTH: BY THE SOUTH BOUNDARY OF BLOCK 193 AS SHOWN ON SAID PLAT OF "CORAL GABLES RIVIERA SECTION PART 6," THIS ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF SAID AVENUE SAGUA. ON THE EAST: BY THE WESTERLY RIGHT OF WAY LINE OF AVENUE LEVANTE, AS SHOWN ON SAID PLAT OF "CORAL GABLES RIVIERA SECTION PART 6."

ON THE SOUTH: BY THE NORTH BOUNDARY OF BLOCK 194 AS SHOWN ON SAID PLAT OF "CORAL GABLES RIVIERA SECTION PART 6," THIS ALSO BEING THE SOUTH RIGHT OF WAY

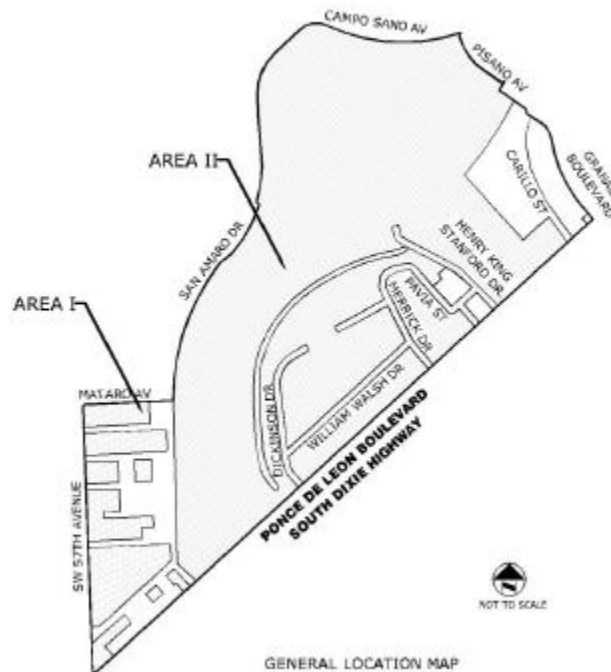
LINE OF SAID AVENUE SAGUA.

ON THE WEST: BY THE EAST RIGHT OF WAY LINE OF RED ROAD, (S.W. 57TH AVENUE) AS SHOWN ON SAID PLAT OF "CORAL GABLES RIVIERA SECTION PART 6."

THIS DESCRIPTION INCLUDES THAT PORTION OF AVENUE SAGUA RE-CONVEYED TO THE UNIVERSITY OF MIAMI BY THAT CERTAIN SPECIAL WARRANTY DEED FROM THE CITY OF CORAL GABLES AS RECORDED IN OFFICIAL RECORDS BOOK 27590 AT PAGE 637 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

TOGETHER WITH:

THAT PORTION OF AVENUE SCODELLA (AVENUE OVIETO) AS SHOWN AND DESCRIBED IN THE RECORDED PLAT OF "UNIVERSITY OF MIAMI MAIN CAMPUS FIRST ADDITION," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 87 AT PAGE 10, AS VACATED BY THE CITY OF CORAL GABLES, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, PURSUANT TO ORDINANCE NUMBER 2794 DATED JULY 26, 1988 AND RECORDED IN OFFICIAL RECORDS BOOK 14887 AT PAGE 207, BOTH OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), 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 section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 6. 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 7. This ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2019

APPROVED:

RAUL VALDES-FAULI
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY