CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2014-22

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA REQUESTING A CHANGE OF ZONING PURSUANT TO ZONING CODE ARTICLE 3, "DEVELOPMENT REVIEW", DIVISION 14, "ZONING CODE TEXT AND MAP AMENDMENTS" FROM COMMERCIAL LIMITED DISTRICT (CL) TO COMMERCIAL DISTRICT (C) FOR THE PROPERTY LEGALLY DESCRIBED AS LOT 13 AND LOTS 17-23, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBAN'S PARK SECTION (280 SOUTH DIXIE HIGHWAY), CORAL GABLES, FLORIDA; AND PROVIDING FOR SEVERABILITY, REPEALER AND AN EFFECTIVE DATE. (LEGAL DESCRIPTION ON FILE AT THE CITY)

WHEREAS, an Application was submitted requesting a change of zoning pursuant to Zoning Code Article 3, "Development Review", Division 14, "Zoning Code Text and Map Amendments" from Commercial Limited District (CL) to Commercial District (C) on the property legally described as Lot 13 and Lots 17-23, Block 1B, MacFarlane Homestead and St. Alban's Park Section (280 South Dixie Highway) Coral Gables, Florida; and

WHEREAS, the Application has been submitted concurrently with an Application requesting review of a Planned Area Development (PAD) pursuant to Zoning Code Article 3, "Development Review", Division 5, "Planned Area Development (PAD)" for the proposed project referred to as the "Gables Pointe Plaza" on Lots 7-27, Block 1B, MacFarlane Homestead and St. Alban's Park Section (280 South Dixie Highway) Coral Gables, Florida; and

WHEREAS, after notice of public hearing was 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 of the City of Coral Gables on May 14, 2014, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the May 14, 2014 Planning and Zoning Board meeting, the Board recommended approval (vote: 6-0) of the change of zoning from Commercial Limited District (CL) to Commercial District (C) for the proposed project referred to as the "Gables Pointe Plaza" on the property legally described as Lot 13 and Lots 17-23, Block 1B, MacFarlane Homestead and St. Alban's Park Section (280 South Dixie Highway) Coral Gables, Florida; and

WHEREAS, after notice was duly published, a public hearing for First Reading was held before the City Commission on August 26, 2014 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, at the August 26, 2014 public hearing the City Commission was presented with the proposed change of zoning from Commercial Limited District (CL) to Commercial District (C) for the proposed project referred to as the "Gables Pointe Plaza" and after due consideration and discussion approved the change of zoning on First Reading (vote: 5-0).

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 Article 3, "Development Review", Division 14, "Zoning Code Text and Map Amendments" from Commercial Limited District (CL) to Commercial District (C) on the property legally described as Lot 13 and Lots 17-23, Block 1B, MacFarlane Homestead and St. Alban's Park Section (280 South Dixie Highway) Coral Gables, Florida 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 ELEVENTH DAY OF SEPTEMBER, A.D., 2014.
(Moved: Quesada/ Seconded: Kerdyk)
(Yeas: Keon, Kerdyk, Lago, Quesada, Cason)
(Unanimous: 5-0 Vote)
(Agenda Item: E-2)

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY