

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2014-05

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA REQUESTING CONDITIONAL USE WITH SITE PLAN REVIEW PURSUANT TO ZONING CODE ARTICLE 3, "DEVELOPMENT REVIEW", DIVISION 4, "CONDITIONAL USES", AND ARTICLE 4, "ZONING DISTRICTS", DIVISION 2, "OVERLAY AND SPECIAL PURPOSE DISTRICTS", SECTION 4-204, "SPECIAL USE (S) DISTRICT", FOR AN ADDITION TO AN EXISTING RELIGIOUS INSTITUTION WITHIN A SPECIAL USE (S) ZONED DISTRICT, FOR THE PROPERTY COMMONLY REFERRED TO AS "TEMPLE JUDEA" AND LEGALLY DESCRIBED AS LOTS 1-31, BLOCK 135, RIVIERA SECTION PART 9 (5500 GRANADA BOULEVARD), CORAL GABLES, FLORIDA; AND INCLUDING REQUIRED CONDITIONS; PROVIDING FOR SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.

WHEREAS, an Application was submitted for consideration of a conditional use with site plan review for a proposed addition to the existing building on the property commonly referred to as "Temple Judea" and legally described as Lots 1-31, Block 135, Riviera Section Part 9 (5500 Granada Boulevard), Coral Gables, Florida; and

WHEREAS, pursuant to Zoning Code Section 4-204, "Special Use (S) District" religious institutions are identified as a conditional use within Special Use (S) zoned districts, and that proposed new construction or an addition to an existing religious institution shall comply with the public hearing review requirements established in Zoning Code Article 3, "Development Review", Division 4, "Conditional Uses"; and

WHEREAS, Temple Judea was designated as a Local Historic Landmark in September, 2013, and on November 14, 2013 the Historic Preservation Board reviewed and approved an application for a Special Certificate of Appropriateness for the proposed addition and modifications to the existing building; and

WHEREAS, on October 3, 2013 the Board of Architects reviewed and preliminarily approved the proposed addition and modifications to Temple Judea; and

WHEREAS, after notice of a public hearing being duly published and a courtesy public notice was mailed to all property owners of record within a one thousand (1,000) foot radius from the said property, a public hearing was held before the Planning and Zoning Board on February 12, 2014, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the February 12, 2014 Planning and Zoning Board meeting, the Board

recommended approval (vote: 7-0) with conditions on the conditional use with site plan review pursuant to Zoning Code Article 3, "Development Review", Division 4, "Conditional Uses", and Article 4, "Zoning Districts", Division 2, "Overlay and Special Purpose Districts", Section 4-204, "Special Use (S) District", for an addition to an existing religious institution within a Special Use (S) zoned district; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on February 25, 2014 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented the conditional use with site plan review, and after due consideration and discussion, approved (vote: 5-0) the proposed addition to an existing religious institution within a Special Use (S) zoned district with conditions on First Reading;

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 conditional use with site plan review pursuant to Zoning Code Article 3, "Development Review", Division 4, "Conditional Uses", and Article 4, "Zoning Districts", Division 2, "Overlay and Special Purpose Districts", Section 4-204, "Special Use (S) District", for an addition to an existing religious institution within a Special Use (S) zoned district, for the property commonly referred to as "Temple Judea" and legally described as Lots 1-31, Block 135, Riviera Section Part 9 (5500 Granada Boulevard), Coral Gables, Florida, is approved subject to the following conditions of approval:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following:
 - a. Site plans, building plans and elevations prepared by Rodriguez and Quiroga, Architects, dated 10.29.13.
 - b. Landscape plans prepared by Rodriguez and Quiroga, Architects, dated 10.18.13.
 - c. Temple Judea Traffic Statement prepared by David Plummer and Associates and dated 01.16.14.
 - d. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated 02.12.14.
 - e. All representations proffered by the applicant's representatives as a part of the review of the application at public hearings.
2. Restrictive covenant. Within 30 days of approval of the site plan, the property owner, its successors or assigns shall submit a restrictive covenant for City Attorney review and approval outlining all conditions of approval as approved by the City Commission. Failure to submit the draft restrictive covenant within the specified time frame shall render the approval void unless said time frame for submittal of the draft restrictive covenant is extended by the City Attorney after good cause as to why the time frame should be extended.

3. Pre-school enrollment at Temple Judea shall be limited to a maximum of 140 students, and pre-school classes shall only be held on Monday through Friday, between 8:00 am and 3:30 pm. No other school classes or additional students shall be permitted during those days and time.
4. Temple Judea shall implement all drop-off/pick-up requirements for pre-school students specified in the Temple Judea Traffic Statement prepared by David Plummer and Associates and dated 01.16.14, including the following:
 - a. Limit pre-school student drop-off/pick-up to the on-site parking lot located on the west side of the property and accessed from Marius Street, and along the portion of Miami Homestead Avenue between Granada Boulevard and Marius Street.
 - b. A police officer and a traffic director shall be stationed at each of the pre-school student drop-off/pick-up areas to facilitate the drop-off/pick-up of students on all days and times pre-school students are scheduled to be dropped-off/picked-up.
 - c. Gates to the parking lot drop-off/pick-up area shall be opened a minimum of 15 minutes prior to the beginning and dismissal of school to avoid queuing on Marius Street.
5. Temple Judea shall implement all special events parking requirements as specified in the Temple Judea Traffic Statement prepared by David Plummer and Associates and dated 01.16.14 for scheduled school related special events requiring parking of one-hundred twenty (120) or more vehicles, including the following:
 - a. Temple Judea shall provide a minimum of one (1) police officer and two (2) school “traffic coordinators” to facilitate and direct parking and pedestrian circulation.
 - b. Parking shall be prohibited along the south side of Aguero Avenue, and a traffic coordinator shall be stationed on Aguero Avenue, between Granada Boulevard and Marius Street to enforce the no parking requirement.
6. Temple Judea shall comply with the tree protection and root preservation plan submitted by the Applicant with the application submittal package dated 02.12.14, as reviewed and approved by the Public Service Division and Planning and Zoning Division.

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 MARCH, A.D. 2014.
(Moved: Keon / Seconded: Quesada)
(Yeas: Quesada, Keon, Kerdyk, Lago, 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