CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2013-02

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA ON PROPERTY LEGALLY DESCRIBED AS TRACT "A", SNAPPER CREEK LAKES SUBDIVISION (11190 SNAPPER CREEK ROAD), CORAL GABLES, FLORIDA; REQUESTING THE FOLLOWING:

A. SITE PLAN REVIEW OF A PROPOSED TWO (2) STORY COMMUNITY CENTER TO REPLACE THE EXISTING ONE (1) STORY FACILITY FOR EXCLUSIVE USE BY SNAPPER CREEK LAKES RESIDENTS AND MARINA MEMBERS OF A PREVIOUSLY ANNEXED SUBDIVISION, KNOWN AS SNAPPER CREEK LAKES SUBDIVISION PURSUANT TO THE CITY OF CORAL GABLES RESOLUTION NO. 28947 (ANNEXATION), ORDINANCE NO. 3207 (LAND USE AND ZONING DESIGNATION) AND ORDINANCE NO. 3249 (SITE SPECIFIC REGULATIONS);
B. ENCROACHMENT OF LANDSCAPING AND OTHER ASSOCIATED IMPROVEMENTS INTO THE OLD CUTLER ROAD PUBLIC RIGHT-OF-WAY; AND,

INCLUDING REQUIRED CONDITIONS; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, an Application was submitted requesting Site plan review of a proposed two (2) story community center to replace the existing one (1) story facility for exclusive use by Snapper Creek Lakes residents and marina members and the encroachment of landscaping and other associated improvements into the Old Cutler Road public right-of-way on Tract "A", Snapper Creek Lakes Subdivision (11190 Snapper Creek Road), Coral Gables, Florida; and

WHEREAS, this request is being submitted in conjunction with a request for a Zoning Code text amendment to provide provisions governing the use of the existing Snapper Creek Lakes marina facility and community center; and

WHEREAS, after notice of public hearing duly published and notification of all property owners within the Snapper Creek Lakes Subdivision and as well as within one thousand (1,000) feet of the perimeter boundary of Subdivision and City of Pinecrest, Florida, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on January 9, 2013, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the Planning and Zoning Board's January 9, 2013 meeting, the Board recommended approval of the proposed site plan and encroachment of landscaping (vote: 6-0) with conditions; and

WHEREAS, the City Commission held a public hearing on January 22, 2013 at which hearing all interested persons were afforded an opportunity to be heard and this application for the site plan, including the encroachment of landscaping, was approved on first reading (vote: 5-0) subject to the conditions provided herein; and

WHEREAS, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request for site plan review as required by the Zoning Code, and including careful consideration of written and oral comments by members of the public;

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 proposed two (2) story community center to replace the existing one (1) story facility for exclusive use by Snapper Creek Lakes residents and marina members and the encroachment of landscaping and other associated improvements into the Old Cutler Road public right-of-way on Tract "A", Snapper Creek Lakes Subdivision (11190 Snapper Creek Road), Coral Gables, Florida shall be and is hereby approved with the following conditions:

1. Application/supporting documentation. Construction of the proposed project shall be in substantial conformance with all of the following:
   a. Applicant's Plan Submittal Package dated 01.03.13 date stamped and received by the Planning Division on 01.03.13.
   b. All representations proffered by the Applicant's representatives as a part of the review of the Application at all Public Hearings.
2. Restrictive covenant. Within thirty (30) days of City Commission approval of the Applications, the Applicant, property owner(s), its successors or assigns shall submit a Draft 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. Perimeter buffering/landscape improvements.
   a. Within sixty (60) days of issuance of the Certificate of Occupancy for the new Community Center, all landscaping identified on the approved landscape plan shall be installed. The Applicant shall be responsible for securing all applicable, federal, state and county reviews and approvals for the installation of the landscaping within the Old Cutler Road right-of-way.
   b. Changes to and departures from the approved Site Plan and Landscape Plan and associated detail plans, specifications, and changes necessary via the permitting process shall be subject to review and approval by Public Works Director, Public Service Director and City Planner.

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 ordinance 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 Ordinance shall become effective within ten (10) days following the date of its passage and adoption herein

PASSED AND ADOPTED THIS FIFTH DAY OF FEBRUARY, A.D., 2013.
(Moved: Kerdyk / Seconded: Anderson)
(Yeas: Anderson, Kerdyk, Quesada, Cabrera, Cason)
(Unanimous: 5-0 Vote)
(Agenda Item: E-3)

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY