

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO.

A RESOLUTION OF THE CITY COMMISSION AMENDING RESOLUTION NO. 2022-284 WHICH GRANTED SITE PLAN CONDITIONAL USE APPROVAL FOR THE MIXED-USE PROJECT REFERRED TO AS “4311 PONCE” ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 36 THROUGH 43, BLOCK 5, “INDUSTRIAL SECTION” (4311 AND 4225 PONCE DE LEON BOULEVARD), CORAL GABLES, FLORIDA, TO REPLACE THE REQUIREMENT THAT ALL OVERHEAD UTILITIES ALONG THE ADJACENT RIGHTS-OF-WAY BE UNDERGROUND WITH A CONTRIBUTION TO THE CITY TO CONSTRUCT CERTAIN PUBLIC REALM AND/OR BEAUTIFICATION IMPROVEMENTS IN THE VICINITY OF THE PROJECT.

WHEREAS, pursuant to Resolution No. 2022-284, the City Commission approved a conditional use site plan for the mixed-use project referred to as 4311 Ponce to be located at 3411 and 4225 Ponce de Leon Boulevard; and

WHEREAS, Resolution No. 2022-284 contains the following conditions:

4. Prior to issuance of the first Certificate of Occupancy or Temporary Certificate of Occupancy, Applicant shall:

b. Underground overhead utilities. Submit all necessary plans and documents and complete the undergrounding of all utilities along all public rights-of-way surrounding and adjacent project boundary, subject to review and approval by the Directors of Public Works, Landscape Services and Planning and Zoning.

WHEREAS, the Applicant has successfully coordinated with Florida Power & Light (FPL) to underground and remove the FPL lines adjacent to the project at the owner’s expense, however, other low voltage utility lines remain; and

WHEREAS, the Applicant has endeavored to work with the remaining utility companies to underground the remaining lines, but the nature of the site has caused such undergrounding to become more expensive than the Applicant had originally anticipated; and

WHEREAS, the Applicant has submitted a written request to amend Resolution No. 2022-284 to modify the conditions of approval to remove the requirement that all overhead

utilities along the public rights-of-way surrounding and adjacent to the project be underground and instead, be replaced with a \$50,000 contribution to the City to beautify and/or construct certain public realm improvements in the area; and

WHEREAS, the City Commission has reviewed and considered the request and finds that given the uniqueness of the situation, the request to amend Resolution No. 2022-284 is reasonable.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

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 Resolution upon the adoption hereof.

SECTION 2. That Resolution No. 2022-284 is amended to remove the requirement that all overhead utilities along all public rights-of-way surrounding and adjacent to the project be underground and instead be replaced with a contribution to the City to beautify and/or construct certain public realm improvements in the area; and

SECTION 3. That the City Commission authorizes the City Manager and the City Attorney to approve an amended restrictive covenant consistent with the amended conditions approved in this resolution, if necessary.

SECTION 4. That this resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2025.

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

BILLY URQUIA
CITY CLERK

CRISTINA SUAREZ
CITY ATTORNEY