



**City of Coral Gables
CITY COMMISSION MEETING
February 22, 2011**

ITEM TITLE:

Resolution approving encroachments into the public right-of-way for a proposed new building to be located at 2990 Ponce de Leon Boulevard (The Ponce Cat Building) subject to the requirements of the Public Works Department and all other applicable code(s). Deferred item from February 8, 2011 City Commission Meeting.

DEPARTMENT HEAD RECOMMENDATION:

Approval.

BRIEF HISTORY:

The developer of the Ponce Cat Building is requesting approval for encroachments consisting of various architectural features, including structural elements and decorative features on the exterior of the building, encroaching from 2'-6" up to a maximum of 20'-0" over the abutting rights-of-way. Other encroachments include a new streetscape with pedestrian-friendly features, decorative pavers, lighting, irrigation, shade trees and other features adjacent to The Ponce Cat Building, Coral Gables, Florida. The encroachments are more specifically described as follows:

- A 6'-4" aerial projection of the second, third and fourth floor levels of the parking garage on to Catalonia Avenue with an above grade clearance of 12'-0".
- A 50'-8" long aerial projection across the adjacent 20-foot wide alley connecting the office complex with the parking garage with a vertical clearance of 19'-6" above grade. Encroachment includes the third through the sixth floors and roof structures.
- A 2'-6" projection water feature encroachment beyond the corner radius property line at the southeast corner of the property. Encroachment height shall be no greater than 1'-6" above grade.
- A 5'-0" eyebrow projection for shade purposes at the sixth floor level roof adjacent to both Catalonia Avenue and Ponce de Leon Boulevard.
- Non-standard surface treatment and pavers for the full width of the alley between the westernmost property line and the right-of-way line of Catalonia Avenue and the full length of the sidewalk on Catalonia Avenue and Ponce de Leon Boulevard adjacent to the property.
- Shade trees, irrigation and low voltage lighting systems in the street planters on Catalonia Avenue and Ponce de Leon Boulevard adjacent to the property.

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Recommendation for the approval of the aforementioned encroachments shall be subject to the following conditions:

1. The proposed encroachments shall conform to the requirements of the Public Works Department, the Florida Building Code and all other pertinent Codes.
2. The color and texture of the sidewalk material at the Auto Plaza/Garage Entry Court area shall be approved by the Public Works Department.
3. The coefficient of friction for the proposed sidewalk shall be equal to or greater than the City's standard sidewalk under all weather conditions.
4. The final landscaping plans shall be approved by the Public Service Department or the Landscape Encroachment Review Committee.
5. The final construction plans, including sidewalk, irrigation, lighting, paving and drainage shall be approved by the Public Works Department.
6. An 8-foot minimum clear zone of sidewalk width shall be provided within the public right-of-way throughout the perimeter of the property.
7. The City of Coral Gables reserves the right to remove, add, maintain, or have the Applicant remove any of the improvements within the right-of-way at Applicant's expense.
8. The Applicant shall maintain the existing encroachments in good condition at all times and at Applicant's expense.
9. To ensure that the free flow of traffic into the parking garage does not back up into the public alley, no features to impede traffic within the parking garage shall be located closer to the garage entrance from the alley than the second floor level.
10. The Applicant shall meet with the City Attorney for the purpose of providing all the information necessary for that Office to prepare a Restrictive Covenant which shall run with the title of the property and which shall be executed by the Applicant, and which states, in addition to the above mentioned requirements, that the Applicant will provide Public Liability Insurance coverage for the encroachment in the minimum limits required by the City, and naming the City as an additional insured under the policy.
11. The copies of the Restrictive Covenant, when fully executed and filed, together with certification of required insurance, shall be presented to the Building and Zoning Department and to the Public Works Department and permits thereafter be obtained for the work from both of these Departments.
12. The Applicant shall replace, at the Applicant's expense, any portion of the encroachment affected, in the event the Public Works Department must issue a permit for a utility cut in the future in the area in which the encroachments are approved.

AGENDA ITEM NO. _____

ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

| Date | Board/Committee | Comments (if any) |
|-----------------|------------------------|--|
| January 6, 2010 | Board of Architects | Approved for Preliminary Design and Mediterranean Style Design Standards |

APPROVED BY:

| Department Director | City Attorney | City Manager |
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ATTACHMENT(S):

1. Resolution
2. Letter of request from Laura L. Russo, Esq.
3. Copy of plans with proposed improvements