

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2022-171

A RESOLUTION OF THE CITY COMMISSION APPROVING RECEIPT OF TRANSFER OF DEVELOPMENT RIGHTS (TDRS) PURSUANT TO ZONING CODE ARTICLE 14, "PROCESS," SECTION 14-204.6, "REVIEW AND APPROVAL OF USE OF TDRS ON RECEIVER SITES," FOR THE RECEIPT AND USE OF TDRS FOR THE MIXED-USE PROJECT REFERRED TO AS "REGENCY TOWER", ON PROPERTY LEGALLY DESCRIBED AS LOTS 1-12 AND LOTS 35-46 INCLUDING THE PUBLIC ALLEYWAY LYING IN BETWEEN, BLOCK 10, CORAL GABLES CRAFTS SECTION (290, 272, 250, 244 VALENCIA AVENUE, 247, 297 ALMERIA AVENUE) CORAL GABLES, FLORIDA; INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE. (LEGAL DESCRIPTION ON FILE)

WHEREAS, an Application was submitted requesting receipt of Transfer of Development Rights (TDRs), for receipt and use for the mixed-use project referred to as "Regency Tower" on property legally described lots 1-12 and lots 35-46 including the public alleyway lying in between, Block 10, and lots 1-4, Block 15, Coral Gables Crafts Section (290, 272, 250, 244 Valencia Avenue, 247, 297 Almeria Avenue, and 2701 Salzedo Street) Coral Gables, Florida; and

WHEREAS, the Application request for receipt of Transfer of Development Rights (TDRs) is being submitted concurrently with a proposed Alley Vacation, Zoning Code Text Amendment, Planned Area Development (PAD), and Conditional Mixed-Use Site Plan; and

WHEREAS, pursuant to Zoning Code Article 14, "Process", Section 14-204.5, "Use of TDRs on receiver sites" the Application also includes a request for receiver site designation for the corner parcel outside of Central Business District (CBD) legally described as lots 1-4, Block 15, Coral Gables Craft Section (2701 Salzedo Street); and

WHEREAS, pursuant to Zoning Code Article 14, "Process", Section 14-204.6, "Review and approval of use of TDRs on receiver sites" the receipt and use of TDRs shall comply with the public hearing review requirements established in Zoning Code Section 14-203 "Conditional Uses"; and

WHEREAS, the Receiving Site is proposed to be developed as a Mixed-Use project referred to as "Regency Tower" which consists of 174 residential units on the upper levels, a 4,500 square foot restaurant on the ground level, and a parking structure with 389 parking spaces; and

WHEREAS, the utilization of TDRs in this project will permit an increase in Floor Area Ratio (FAR) from 3.5, as permitted in the underlying zoning district, to 4.375 an increase of

25% in FAR, which is within the 25% increase in FAR permitted when TDRs are utilized; and

WHEREAS, the Receiving Site is within five hundred (500) feet of local historic landmarks and Historic Preservation Board review and approval is required to determine if the proposal shall not adversely affect the historic, architectural, or aesthetic character of the property, and on February 16, 2022 the Historic Preservation Board reviewed and approved the proposed receiving site plan; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1,000) feet, a public hearing was held before the Planning and Zoning Board/Local Planning Agency of the City of Coral Gables on March 9, 2022, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the March 9, 2022, Planning and Zoning Board meeting, the Board recommended approval (vote: 5-0) of the receipt of Transfer of Development Rights (TDRs) for the mixed use project referred to as “Regency Tower” on property legally described lots 1-12 and lots 35-46 including the public alleyway lying in between, Block 10, and lots 1-4, Block 15, Coral Gables Crafts Section (290, 272, 250, 244 Valencia Avenue, 247, 297 Almeria Avenue, and 2701 Salzedo Street) Coral Gables, Florida; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand (1,000) feet, the City Commission held a public hearing on June 28, 2022 at which hearing all interested persons were afforded an opportunity to be heard and this application for change of land use was approved on First Reading;

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

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 Resolution upon adoption hereof.

SECTION 2. The Applicant’s request for requesting receipt of Transfer of Development Rights (TDRs) pursuant to Zoning Code Article 14, “Process”, Section 14-204, “Transfer of Development Rights”, Section 14-205.6, “Review and approval of use of TDRs on receiver sites”, for the receipt and use of TDRs for the mixed use project referred to as “Regency Tower” on property legally described lots 1-12 and lots 35-46 including the public alleyway lying in between, Block 10, and lots 1-4, Block 15, Coral Gables Crafts Section (290, 272, 250, 244 Valencia Avenue, 247, 297 Almeria Avenue, and 2701 Salzedo Street) Coral Gables, Florida; and

SECTION 3. 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 4. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF JUNE, A.D., 2022.
(Moved: Menendez / Seconded: Anderson)
(Yeas: Anderson, Fors, Jr., Mena, Menendez, Lago)
(Unanimous: 5-0 Vote)
(Agenda Item: F-16)

APPROVED:

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VINCE LAGO
MAYOR

ATTEST:

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BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

DocuSigned by:

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MIRIAM SOLER RAMOS
CITY ATTORNEY