

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2021-230

A RESOLUTION OF THE CITY COMMISSION AMENDING RESOLUTION NO. 2018-148 APPROVING THE MIXED USE SITE PLAN FOR THE PROJECT ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 11 THROUGH 25, BLOCK 203, CORAL GABLES RIVIERA SECTION 14 (1500 VENERA AVENUE, 1515 SAN REMO AVENUE, AND 1537 SAN REMO AVENUE), CORAL GABLES, FLORIDA TO ALLOW FOR CERTAIN OFF-SITE IMPROVEMENTS AT THE INTERSECTION OF RED ROAD, MADRUGA, AND VENERA TO BE COMPLETED BEFORE THE FINAL CERTIFICATE OF OCCUPANCY INSTEAD OF THE FIRST CERTIFICATE OF OCCUPANCY OR TEMPORARY CERTIFICATE OF OCCUPANCY.

WHEREAS, pursuant to Resolution No. 2018-148, the City Commission approved a mixed use project located at 1500 Venera Avenue at the intersection of Venera, Yumuri, and San Remo; and

WHEREAS, Resolution No. 2018-148 contained the following condition:

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

...

e. Right-of-way and public realm improvements. Install all right-of-way improvements and all landscaping, public realm and streetscape improvements identified on the Applicant's approved plans, subject to review and approval by the Directors of Public Works, Landscape Services, Planning and Zoning, and Parking. Any changes to and departures from the right-of-way and public realm improvements identified on the Applicant's approved plans and associated detail plans and specifications via the permitting process shall be subject to review and approval by Directors of Public Works, Landscape Services, Planning and Zoning, and Parking.

WHEREAS, the Applicant has submitted a written request to amend Resolution No. 218-148 to allow for the right-of-way improvements at the intersection of Red Road, Madruga, and Venera (the "Right-of-Way Improvements at Red, Madruga, and Venera") to be completed prior to the issuance of the final Certificate of Occupancy, instead of prior to the issuance of the first Certificate of Occupancy or Temporary Certificate of Use ("TCO") due to certain design challenges associated with the geometry of the three-way intersection and the use by delivery trucks to Whole Foods that need to maneuver through there (see Letter from Laura Russo, Esq. dated August 9, 2021); 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. 2018-148 is reasonable; and

WHEREAS, the City Manager authorized the issuance of the TCO pursuant to an Agreement for Issuance of TCO Prior to Completion of Certain Right-of-Way Improvements Required Pursuant to Resolution No. 2018-148 and Cash Bond Agreement which included the posting of a cash bond in the amount of \$1,000,000 and an agreement to complete the installation of the Right-of-Way Improvements at Red, Madruga, and Venera within 180 days after approval of the plans for the improvements;

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. 2018-148 is amended to allow for the Right-of-Way Improvements at Red, Madruga, and Venera to be completed prior to issuance of the final Certificate of Occupancy such that the following section 6(c) shall be added:

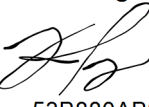
(c) Right-of-way and public realm improvements at Red Road, Madruga, and Venera to be completed prior to final certificate of occupancy. Install all right-of-way improvements and all landscaping, public realm and streetscape improvements on Red Road, Madruga, and Venera identified on the Applicant's approved plans, subject to review and approval by the Directors of Public Works, Landscape Services, Planning and Zoning, and Parking within 180 days from the date of approval of plans for the improvements, unless additional time is granted by the City Manager. Any changes to and departures from the right-of-way and public realm improvements identified on the Applicant's approved plans and associated detail plans and specifications via the permitting process shall be subject to review and approval by Directors of Public Works, Landscape Services, Planning and Zoning, and Parking.

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 immediately upon the date of its passage and adoption herein.


PASSED AND ADOPTED THIS TWENTY-FOURTH DAY OF AUGUST, A.D., 2021.
(Moved: Anderson / Seconded: Menendez)
(Yeas: Mena, Menendez, Anderson, Fors, Jr., Lago)
(Unanimous: 5-0 Vote)
(Agenda Item: F-9)

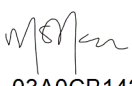
APPROVED:

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VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

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BILLY Y. URQUIA
CITY CLERK

DocuSigned by:

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MIRIAM SOLER RAMOS
CITY ATTORNEY