Exhibit C

City of Coral Gables
Planning Department Memorandum

To: Planning and Zoning Board Members

From: Planning Department

Date: December 10, 2008

Subject: **Application No. 06-08-070-P. Mixed-Use (MXD) Site Plan Review and Vacation of Public Alleyway.** Planning and Zoning Board review of a development proposal which includes two (2) separate applications for the proposed project referred to as "DYL Merrick MXD" on property legally described as all of Block 16, Industrial Section (4601 LeJeune Road), bounded by LeJeune Road, Greco Avenue and Granello Avenue, Coral Gables, Florida, as follows:

1) Mixed use (MXD) site plan review for the proposed mixed use project.
2) Vacation of public alleyway.

On November 12, 2008, the Planning and Zoning Board continued the "DYL Merrick MXD" item to the Board's December 10, 2008 meeting. A copy of the November 20, 2008 letter submitted by the applicant regarding the continuance has been provided as an attachment to this memo.

The entire (identical) package provided to the Board for the October 8 and November 12, 2008 meetings is attached hereto. Public notification for this item was re-advertised.

Respectfully submitted,

Eric Riel, Jr.
Planning Director

Attachment: 11.20.08 letter from applicant.

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Greenberg
Traurig

Mario J. Garcia-Serra
Tel. (305) 579-0837
Fax (305) 961-5837
garcia-serram@gtlaw.com

November 20, 2008

Mr. Eric Riel, Secretary
Coral Gables Planning and Zoning Board
427 Biltmore Way
2nd Floor
Coral Gables, Florida 33134

Re: DYL / 4601 Le Jeune Road / Confirmation of Closing of Public Hearing and Deferral of Board Discussion to December 10th Meeting

Dear Mr. Riel:

As you know, Laura Russo and I represent the above referenced project which was considered for mixed use site plan approval and a proposed alley vacation at the November 12, 2008, meeting of the Coral Gables Planning and Zoning Board. This meeting was adjourned after the public hearing was closed and during the Board's discussion of the project. In order to ensure that the Board will be able to take action on these requests at its December 10th meeting, we respectfully request that you confirm the following:

- The DYL project will be the first item on the Board's December 10, 2008, agenda.
- The public hearing will not be reopened unless there is a motion to reopen the public hearing which is approved by a majority of the Board members present.
- The Board's discussion of the project will be permitted to continue. The Applicant's representatives and members of the public will only be permitted to speak during the Board's discussion in response to questions from the Board members.

This our understanding as to how the continuation of this hearing will be handled at the December 10th meeting of the Board. If you do not agree with any of these assertions, please contact me at 305-579-0837. Thank you for your attention to this matter.

Best regards,

Mario J. Garcia-Serra

cc: Elizabeth Hernandez, Esq.
Vincent Damian, Esq.
Laura Russo, Esq.

MIA 180305172v1 November 18, 2008

City of Coral Gables
Planning Department Memorandum

To: Planning and Zoning Board Members

From: Planning Department

Date: November 12, 2008

Subject: **Application No. 06-08-070-P. Mixed-Use (MXD) Site Plan Review and Vacation of Public Alleyway.** Planning and Zoning Board review of a development proposal which includes two (2) separate applications for the proposed project referred to as "DYL Merrick MXD" on property legally described as all of Block 16, Industrial Section (4601 LeJeune Road), bounded by LeJeune Road, Greco Avenue and Granello Avenue, Coral Gables, Florida, as follows:

1) Mixed use (MXD) site plan review for the proposed mixed use project.
2) Vacation of public alleyway.

On October 8, 2008, the Planning and Zoning Board continued the "DYL Merrick MXD" item to the Board's November 12, 2008 meeting. Although not required since the item was continued, a courtesy notification was mailed to all property owners within 1,500 feet informing of the continuance and this item was re-advertised.

The entire (identical) package provided to the Board for the October 8, 2008 meeting is attached hereto.

Respectfully submitted,

Eric Riel, Jr.
Planning Director

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City of Coral Gables
Planning Department Staff Report

To: Planning and Zoning Board Members

From: Planning Department

Date: October 8, 2008

Subject: **Application No. 06-08-070-P. Mixed-Use (MXD) Site Plan Review and Vacation of Public Alleyway.** Planning and Zoning Board review of a development proposal which includes two (2) separate applications for the proposed project referred to as "DYL Merrick MXD" on property legally described as all of Block 16, Industrial Section (4601 LeJeune Road), bounded by LeJeune Road, Greco Avenue and Granello Avenue, Coral Gables, Florida, as follows:

1) Mixed use (MXD) site plan review for the proposed mixed use project.
2) Vacation of public alleyway.

Recommendation

The Planning Department based upon the findings of fact contained herein recommends approval of the following two (2) requests subject to all conditions of approval listed herein for the MXD project referred to as "DYL Merrick MXD" on property legally described as all of Block 16, Industrial Section (4601 LeJeune Road), bounded by LeJeune Road, Greco Avenue and Granello Avenue, Coral Gables, Florida:

1) Mixed use (MXD) site plan review for the proposed mixed use project.
2) Vacation of public alleyway.

(Please note, this Staff report/recommendation examines and evaluates the regulatory review process of the mixed use site plan and associated vacation of alley. This report does not provide any analysis or background regarding the proposed land swap on the LeJeune Road City Parking Lot No. 31 to the proposed park at the corner of Greco and Granello Avenues. That application is a separate application required to be reviewed pursuant to the City Procurement Code and is not under the purview of the Planning and Zoning Board. The land swap issue is a City Procurement Code/Landlord issue and will be reviewed by the City Managers Office and City Commission and as a separate staff report and recommendation which will be provided under separate cover.)

Staff Recommended Conditions of Approval

In furtherance of the Comprehensive Land Use Plan (CLUP) Goals, Objectives and Policies, Zoning Code and other applicable City provisions, the recommendation for approval of the

mixed use project referred to as "DYL Merrick MXD" and vacation of a public alleyway is subject to the following conditions of approval:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following:
   a. Site plans, building elevations and building program prepared by Perkins & Will, Architects, dated 10.01.08.
   b. Landscape plans prepared by Savino & Miller Design Studio, dated 10.01.08.
   c. Traffic impact study prepared by Richard Garcia & Associates, Inc., dated 03.27.08.
   d. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated 10.01.08, sheets 1 thru 136, and proffered by the applicant's representatives as a part of the review of the application at public hearings.
2. Restrictive covenant. Within 30 days of approval of the site plan, the property owner, its successors or assigns shall submit a 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. Prior to the issuance of a building permit for the project, the property owner, its successors or assigns, shall satisfy the following conditions:
   a. Valet parking. All valet parking stations, valet stacking and vehicular circulation shall be located/accommodated entirely within the confines of the building. All valet operations including but not limited to valet parking stations, valet stacking, vehicular valet circulation, etc. shall be prohibited on the public rights-of-ways.
   b. On-street parking. Payment shall be provided by applicant, its successors or assigns according to established City requirements for the loss of thirteen (13) on-street parking spaces resulting from the project.
   c. Directional signage. A directional signage plan for on-site and off-site vehicular circulation shall be prepared and submitted by the applicant, subject to review and approval by Director of the Public Works Department.
   d. Western building signage. As proffered by applicant, no signage shall be permitted above the building's second floor facing west onto and towards LeJeune Road.
   e. Western building lighting. No exterior building lighting may illuminate above the building's second floor facing west onto and towards LeJeune Road.
   f. LeJeune Road right-of-way (ROW) encroachments. No building encroachments shall be permitted onto the LeJeune Road public ROW.
   g. Landscaping irrigation. All plant materials proposed off-site and on all levels of the building shall be irrigated. All plant material adjoining the subject property within the public ROW shall be irrigated, supplied and controlled from the ROW.
4. Prior to the issuance of the final Certificate of Occupancy (CO), the property owner, its successors or assigns shall complete the following:
   a. Public realm improvements. Install all landscaping, public realm improvements and streetscape improvements on-site and within the public ROW, including intersection improvements, street paving and resurfacing, curb/gutters and sidewalks and under-grounding of off-site public utilities as shown on sheets 31 thru 44 of 136 of the application submittal package dated 10.01.08, subject to review and approval by Directors of Public Works, Public Service and Parking Departments.
   b. Traffic calming. As proffered by the applicant, provide pedestrian crosswalks and signalization at the following street intersections:
      1) San Lorenzo Avenue and Ponce de Leon Boulevard.

2) LeJeune Road and Greco Avenue, per Florida Department of Transportation (FDOT) approval.

All costs for design, permitting and the construction of the signalized pedestrian crosswalks shall be the responsibility of the property owner, its successors or assigns, subject to review and approval of the Directors of Public Works and Public Service Departments.

c. LeJeune Road pedestrian and landscaping. Provide written documentation verifying FDOT review and approval for abandonment and conversion of the FDOT sidewalk into a planting area and permanent 10 foot pedestrian easement to allow the arcade to be used as a public covered sidewalk.

5. Public city park improvements. Approval of this site does not include the proposed public city park to be located at Greco and Granello Avenues. Improvements and site plan for the proposed park shall be subject to future City review and approval.
6. Use of public city park. Any proposed private use of the public city park shall require review and approval of the Directors of Public Works, Public Service, Parks and Recreation and Parking Departments.
7. Attainable housing. As proffered by the applicant; the applicant, its successors or assigns will contribute $100,000.00 dollars to the City of Coral Gables at the time of issuance of building permit to assist the City in its efforts to promote and/or provide attainable housing. The funds shall be deposited by the City in a separate line-item account dedicated exclusively for the City's attainable housing efforts, which may include, but is not limited to, the following: update of the existing housing study, planning, implementation, administration, management, education, advertisement, promotion, and/or development of attainable housing, in furtherance of the City's Comprehensive Land Use Plan and the State of Florida's growth management statute requirements.

The applicant has submitted an application package that includes a Statement of Use, building program / site data, site plans, building elevations, landscape plans, massing study and other miscellaneous support documents, which is provided as Attachment A.

Request

The applicant is requesting MXD site plan review and the vacation of a public alleyway, which is being submitted in conjunction with the land swap applicant involving the City's Parking Lot No 31 for a proposed public City park to be provided by the applicant on the east end of the same block.

This Staff report/recommendation examines and evaluates the regulatory review process of the mixed use site plan and associated vacation of alley. This report does not provide any analysis or background regarding the proposed land swap on the LeJeune Road City Parking Lot No. 31 to the proposed park at the corner of Greco and Granello Avenues. That application is a separate application required to be reviewed pursuant to the City Procurement Code and is not under the purview of the Planning and Zoning Board. The land swap issue is a City Procurement Code/Landlord issue and will be reviewed by the City Managers Office and City Commission and as a separate staff report and recommendation which will be provided under separate cover.

Development information:

Application	*Request*
Change of land use designation(s)	No
Comprehensive Plan text amendment	No
Change of zoning designation(s)	No
Zoning Code text amendment	No
Site plan review	Yes (MXD)
Planned Area Development	No
Subdivision Review or Tentative Plat	No
Conditional uses	No
Abandonment and vacation of non fee interests (streets and alleys)	Yes

Facts – Background and Proposed Project

The property is approximately 2.3 acres in size (98,124 sq. ft.), including the public alleyway proposed to be vacated which is approximately 0.2 acres in size (6,036 sq. ft.). The 2.3 acres does not include the approximately 0.3 acre public park area (13,564 sq. ft.). The proposed MXD project has a building height of six (6) stories/ 77'-0" facing onto LeJeune Road, and eight (8) stories/ 99'-0" for the portion of the project behind LeJeune Road facing onto Granello and Greco Avenue. One floor of below-ground parking is located under the entire building footprint. The project contains 42 multi-family residential units, 187,194 sq. ft. of commercial office space, 42,124 sq. ft. ground floor retail and restaurant uses and 1,126 structured parking spaces. A total of 1,081 on-site parking spaces are required and 1,083 on-site parking spaces are provided, not including the 34 replacement public parking spaces being provided for the loss of City Parking Lot No. 31 thereby resulting in a 2 parking space net gain. Public replacement parking, project parking and service areas are contained entirely within the building footprint, with vehicular access from Granello and Greco Avenues. No curb cuts are proposed along LeJeune Road, and points of access to the project are physically separated from the proposed public park located on the east end of the block.

The Building and Zoning Department's Preliminary Zoning Analysis findings are summarized in the below tables. The Preliminary Zoning Analysis is provided as Attachment B. That analysis indicates that the proposed project meets all applicable Zoning Code requirements for the proposed project.

City reviews and approvals:

City Reviews/Timeline	*Date Scheduled/ Reviewed/Approved**
Development Review Committee	10.26.07 and 01.25.08
Board of Architects - preliminary approval granted - architectural bonuses granted	 03.20.08 04.17.08
Board of Adjustment	N/A
Historic Preservation Board	N/A
Landscape Advisory Board	N/A
Local Planning Agency	N/A
Planning and Zoning Board	10.08.08
Street and Alley Vacation (DRC review)	06.27.08

City Reviews/Timeline	*Date Scheduled/ Reviewed/Approved**
City Commission (vacation of public alleyway ordinance - 1st reading)	10.28.08
City Commission (MXD site plan - resolution) City Commission (vacation of public alleyway ordinance - 2nd reading)	TBD

*All scheduled dates and times are subject to change without notice.

Existing property designations:

Applicable Designations	
CLUP Map Designations	"Commercial, Low-Rise Intensity" and "Industrial Use"
Zoning Map Designations	"C", Commercial and "I", Industrial
Within Central Business District	No
MXD South Industrial District	Yes
Mediterranean Architectural District (citywide)	Yes
Within Coral Gables Redevelopment Infill District (GRID) (Traffic Concurrency Exemption Area)	Yes

Surrounding uses:

Location	*Existing Land Uses*	*CLUP Designations*	*Zoning Designations*
North	1 story commercial buildings and surface parking lot.	"Commercial, Low-Rise Intensity " and "Industrial Use"	"C", Commercial and "I", Industrial
South	10 story "Gables Gateway" mixed use project.	"Industrial Use"	"I", Industrial
East	1-2 story commercial and industrial buildings.	"Industrial Use"	"I", Industrial
West	1 story commercial buildings.	"Commercial, Low-Rise Intensity"	"CL", Commercial Limited

Site plan information:

Type	*Permitted*		*Proposed*
Total site area	98,124 sq. ft. (2.3 acres)		98,124 sq. ft. (2.3 acres)
Floor area ratio (FAR)	3.5 FAR		3.35 FAR
FAR x total site area =	343,434 sq. ft.		---
Total square footage of buildings	---		328,824 sq. ft.
Building height	"C" and "I" zoning district	"MXD" provisions	6 floors/ 77'-0" and 8 floors/ 99'-0"
	6 floors/ 77'-0" and 8 floors/ 99'-0" (with Level 1 and 2 Mediterranean bonuses)	77'-0/ 100'-0" w/ no max. floors (Med architectural style required)	
Residential units	Maximum 85% of project		42 units (26.6%)
Office	---		187,194 sq. ft.
Restaurant	---		8,642 sq. ft.
Retail	---		33,482 sq. ft.

Setbacks:

Type	*Required*	*Proposed**
- Front (LeJeune Road	0 ft. for building 45 ft. in height and 10' above 45 ft.	0 ft. for building 45 ft. in height and 10' above 45 ft.
- Side street (Granello and Greco Ave.)	15'-0 ft.	0 ft.
- Side interior (public park)	0 ft.	0 ft.

** Setback relief may be awarded for MXD projects approved for Mediterranean style design bonuses.*

Parking:

Uses	*Required*	*Proposed*
Retail	170 spaces	170 spaces
Restaurant	86 spaces	86 spaces
Office	748 spaces	748 spaces
Residential units	77 spaces	77 spaces
Total on-site project parking	1,081 spaces	1,083 spaces
Required replacement of public parking (City Parking Lot No. 31)	34 spaces	34 spaces
Net parking gain / (loss)	---	2 spaces
Abutting on-street parking space(s)	41 spaces	28 spaces
Abutting on-street parking net gain/(loss)	---	(13 spaces)
Parking reduction granted via variance	---	N/A

Landscaping:

Location	*Required*	*Provided*
Landscape open space (on-site)	Must comply with ZC Section 5-1104 A 1 thru 11	To comply at permit
Landscape open space (rights-of-way)	Must meet City Streetscape Master Plan requirements	Review and approval required by Public Works and Public Service Depts.

Architectural bonuses granted by the Board of Architects:

The mixed-use project is proposed to be constructed in the Mediterranean architectural style and requested Level 1 and Level 2 bonuses. The proposed project received preliminary approval from the Board of Architects on 03.20.08 and approval of architectural bonuses on 04.17.08.

Bonus	*Permitted*	*Granted/Proposed*
FAR (sq. ft.) – Level 1 and 2 bonus	0.5 FAR (49,062 sq. ft.)	0.35 FAR (34,452 sq. ft.)
Height of building	6 floors/ 77'-0" and 8 floors/99'-0" (Med architectural style required for MXD projects)	6 floors/ 77'-0" and 8 floors/99'-0" (Med architectural style required for MXD projects)
Multi-family residential units	279,500 sq. ft. (85%)	87,573 sq. ft. (26.6 %)

Comprehensive Land Use Plan Mixed use percentages:

Uses	*Required*	*Proposed*
Commercial retail	min. 8% / max. 40%	42,124 sq. ft. (12.8 %)
Office	min. 0% / max. 85%	187,194 sq. ft. (56.9 %)
Residential	min. 0% / max. 85%	87,573 sq. ft. (26.6 %)

Planning Staff's Findings of Fact

This section of the report evaluates the application for consistency with all applicable City of Coral Gables Zoning Code and Comprehensive Land Use Plan (CLUP) requirements.

This section examines the following and provides findings of facts of each item (page number of analysis)

1. *Compliance with the Zoning Code (page 7)*
2. *Mixed Use District (MXD) Purpose and Objectives (page 7)*
3. *Site Plan Review Criteria (pages 8-10)*
4. *Street and Alleyway Vacation Requirements (pages 10-12)*
5. *City Commission Identified Issues (pages 12-14)*
6. *Traffic Study(pages 14-15)*
7. *Proposed Public City Park (page 15)*
8. *Concurrency Management (page 15)*
9. *Public School Concurrency Review (page 15)*
10. *Attainable Housing (pages 15-16)*
11. *Compliance with Comprehensive Land Use Plan Goals, Objectives and Policies (pages 16-20)*

Compliance with the Zoning Code

Section 3-406 of the Zoning Code requires that the Planning and Zoning Board "shall review the application for conditional use approval (site plan review) with a recommendation of staff. The Board shall conduct a quasi-judicial public hearing on the application and recommend to the City Commission whether they should grant the approval, grant the approval subject to specific conditions or deny the application. The Planning Department, Planning and Zoning Board and City Commission may recommend such conditions to the approval that are necessary to ensure compliance with the standards set out in Section 3-408." Section 4-201 (D) through (M) of the Zoning Code provides the requirements and performance standards with which proposed MXD projects must comply.

Mixed Use District (MXD) Purpose and Objectives

The current MXD Zoning Code provisions were adopted by Ordinance No. 2004-04 on 01.13.04 and subsequently rereviewed and readopted as a part of the comprehensive Zoning Code rewrite. The MXD was created as an overlay zoning designation that is supplemental to the underlying zoning designations and other applicable City regulations. Property owners who chose to develop under these regulations and secure site plan approval are regulated by the underlying zoning district, Zoning Code and CLUP unless superseded by the MXD provisions.

The Zoning Code's stated purpose of the MXD district is as follows:

1. *Provide the method by which tracts of land may be developed as a planned unified project rather than on a lot-by-lot basis as provided for in the City's other regulations.*
2. *Provide for residential uses at higher densities in exchange for public realm improvements.*
3. *Provide maximum design freedom by permitting property owners an opportunity to more fully utilize the physical characteristics of the site through modified development regulations and the planned mixing of uses.*
4. *Require that property within the District will be developed through a unified design providing continuity among the various elements causing a better environment.*
5. *Create a diversity of uses within walking distance, including but not limited to: residential, offices, workplaces, neighborhood commercial, and public open spaces.*
6. *By organizing appropriate building densities, public transit will be further strengthened as an alternative to the use of private vehicles.*
7. *Provide a strong emphasis on aesthetics and architectural design through the use of the regulations and the planned mixing of uses to establish identity, diversity and focus to promote a pedestrian friendly environment.*

The compliance of the applicant's plans with the MXD requirements and performance standards set out in Zoning Code Section 4-201 (D) through (M) has been evaluated and is provided in table format as Attachment C. That evaluation determined that the proposal satisfies the Code's requirements for an MXD project.

Site Plan Review Criteria

The applicant's plans have been compared to the site plan review criteria set out in Zoning Code Section 3-408 as follows:

A. *"The proposed conditional use is consistent with and furthers the goals, objectives and policies of the Comprehensive Land Use Plan and furthers the purposes of these regulations and other City ordinances and actions designed to implement the Plan."*

   Staff comments: As concluded on pages 16-20 of this report, this application is "consistent" with the CLUP's Goals, Objectives and Policies with the recommended conditions of approval and site plan provisions incorporated by the applicant which address the City objectives for encouraging mixed use development in the Industrial Section.

B. *"The available use to which the property may be put is appropriate to the property that is subject to the proposed conditional use and compatible with existing and planned uses in the area".*

   Staff comments: The subject property is located within the MXD South Industrial District which allows and is intended to encourage the development of this property as a mixed use project. The project is 56.9% commercial office use and 12.8% ground floor retail which is within the required CLUP mixed use thresholds.

C. *"The proposed conditional use does not conflict with the needs and character of the neighborhood and the City".*

   Staff comments: The subject property is surrounded on all sides by existing commercial and industrial uses. The redevelopment of this property as a MXD project fulfills the objective of

the City to attach mixed use developments to the Industrial District area and the creation of a pedestrian oriented urban environment. The dedication of a public park on the east side of the property will serve all surrounding properties.

D. *"The proposed conditional use will not adversely or unreasonably affect the use of other property in the area."*

Staff comments: The Gables Gateway mixed use project is located on the block south of the project, and the Village of Merrick Park located one-half block to the north. Both existing developments are consistent with the proposed application. This development is consistent with the underlying CLUP designation as it will not adversely or unreasonably affect the use of other adjoining, adjacent and contiguous properties in the area.

E. *"The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures".*

Staff comments: The planned redevelopment of this property as an MXD project is compatible and complies with the intent of the MXD Overlay District provisions and design criteria, and is consistent with the existing uses, scale and massing of the surrounding commercial buildings. The height of the project along LeJeune Road is low-rise commercial as required by the underlying Commercial Low-Rise land use designation. The dedication of a public park on the east side of the property will also serve all the surrounding properties.

F. *"The parcel proposed for development is adequate in size and shape to accommodate all development features."*

Staff comments: The subject property is larger than the minimum 10,000 square foot size for a MXD project within an approved MXD Overlay District, and pursuant to Building and Zoning Department Preliminary Zoning Analysis has been found to meet all Zoning Code requirements and design criteria for a proposed MXD project.

G. *"The nature of the proposed development is not detrimental to the health, safety and general welfare of the community."*

Staff comments: Commercial uses surround the subject property, and the height of the project along LeJeune Road satisfies the property's underlying Commercial Low-Rise land use designation. The proposed project is consistent with the stated goals and objectives for mixed-use redevelopment in the Industrial District area. The dedication of a public park on the east side of the property will serve all the surrounding properties.

H. *"The design of the proposed driveways, circulation patterns and parking is well defined to promote vehicular and pedestrian circulation."*

Staff comments: All vehicular parking for the project and replacement public parking and service access is within the confines of the building, and is physically separated from pedestrian circulation around the perimeter of the project. A mid block pedestrian paseo is provided to encourage and facilitate pedestrian circulation through and around the project site.

l. "The proposed conditional use satisfies the concurrency standards of Article 3, Division 13 and will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner".

Staff comments: The proposed project was reviewed by the Building and Zoning Department for concurrency, and it was found that there is adequate infrastructure including water, sewer, open space, parks and reaction facilities available to support the project.

Street and Alleyway Vacation Requirements

The Zoning Code Section 3-1204 requires Planning and Zoning Board review and recommendation on all proposed vacations, abandonment or closure of public streets and alleyways. The Board is required to consider the request as part of the site plan review and approval process, and the Board's recommendation is forwarded to the City Commission.

Zoning Code Section 3-1203 provides the standards for review for the proposed vacations, abandonment or closure of public streets and alleyways. Review and recommendation is required by both the Public Works Department and the Development Review Committee (DRC), which is forwarded to the Planning and Zoning Board. The proposed alleyway vacation was reviewed by the DRC, including the Public Works Department on 06.27.08, at which time no objections were made regarding the proposal. The standards provided in Zoning Code Section 3-1203, and the applicant's response to each standard is as follows:

The Zoning Code specifies that applications for the abandonment and vacation of public streets, alleyways and other non-fee interests may be approved provided the following is demonstrated:

A. The non-fee property interest sought to be abandoned:
1. Does not provide a benefit to the public health, safety, welfare, or convenience, in that:
a. It is not being used by the City for any of its intended purposes.

Applicant's response: "The alley is currently being used for its intended purpose; however, this will cease when the existing buildings are demolished as part of development of the block."

Staff comments: The project is designed in a manner that all activities related to the delivery of goods and services, trash pick-up, valet drop-off and vehicular circulation are maintained and conducted internal to the structure or entirely within the confines of the structure. The City's Public Works, Building and Zoning, Public Service, Parking, Fire and Police Departments as a part of the DRC review process have participated in the review of the proposed alleyway vacation. The endorsement of this proposal by the Public Works Department was primarily based on lack of need for the alleyway since it would serve only one property owner, and all services are proposed to be located within the building.

b. The Comprehensive Land Use Plan, special purpose plan, or capital improvement program does not anticipate its use; or

Applicant's response: "The Comprehensive Land Use Plan does not anticipate the use of this alley; therefore the project is not inconsistent with the City's Comprehensive Plan. There are also no special purpose plans or capital improvement programs that anticipate the alley's use in its present configuration."

Staff comments: The proposed MXD project is "consistent" with the CLUP Goals, Policies and Objectives, as identified and presented in this report. The project adds a residential component and future Public City Park to support the adjoining commercial uses, and promotes a "walkable" pedestrian environment, which are City objectives for the MXD District. The proposed project satisfies all applicable concurrency standards such as water, sewer, open space and recreational facilities. The property shall assist the City efforts in the promotion of attainable housing whereby the City can achieve its state mandated requirements for providing attainable housing.

2. *Provides some benefit to the public health, safety, welfare, or convenience, but the overall benefit anticipated to result from the abandonment outweighs the specific benefit derived from the non-fee property interest, in that:*
   a. *The vacation or abandonment will not frustrate any comprehensive plan, special purpose plan, or capital improvement program of the City;*

Applicant's response: "The vacation of the alley will not frustrate any comprehensive plan, special purpose plan, or capital improvement program of the City."

Staff comments: The project will provide capital improvements that are not budgeted and would not otherwise be constructed in the Industrial District. The property owner has proffered funds for the design and improvement of a public park, and the installation of two signalized pedestrian crosswalks. Public ROW/public realm improvements are provided on streets adjoining the property in compliance with the City's Master Landscape Plan. Additional off site improvements have been provided by the property owner which include installation of landscaping, public realm improvements, lighting, re-paving and curbing, crosswalks, drainage and undergrounding of utility lines along the right-of-way adjoining the property, as well as along both sides of Greco Avenue to Ponce de Leon Boulevard.

   b. *The vacation or abandonment will not interfere with any planning effort of the City that is underway at the time of the application but is not yet completed; and*

Applicant's response: "The vacation of this alley will not interfere with any planning effort of the City that is underway at this time but not yet completed."

Staff comments: The project adds a residential component and future Public City Park to support the adjoining commercial uses, and promotes a "walk-able" pedestrian environment, which are City objectives for the MXD District. Public ROW/public realm improvements are provided on streets adjoining the property in compliance with the City's Master Landscape Plan. The property shall assist the City efforts in the promotion of attainable housing whereby the City can achieve its state mandated requirements for providing attainable housing.

B. *The vacation or abandonment will provide a material public benefit in terms of promoting the desired development and improves the City's long-term fiscal condition and the applicant provides beneficial mitigation in the form of a proffered mitigation plan which mitigates the loss of real property, the increase in the intensity of use and/or impacts on the public health, safety and welfare including increased parking and traffic.*

Applicant's response: "The proposed site plan using and reconfiguring the vacated alley provides a material and substantial public benefit. The proposed alley vacation application promotes the desired MXD type of development by internalizing building services and creating pedestrian friendly streetscapes while mitigating the loss of the real property. The proposed application provides an internal replacement alley and paseo. The internal service way and paseo are approximately 50% more square footage than the existing alley. The applicant is also providing other substantial public realm improvements beyond the project's boundaries and perimeters, including contribution to the reconfiguration of the Greco/Granello intersection, additional design and implementation of the streetscape master plan on the north side of Greco from the east boundary of our property extended north to the Ponce Circle, implementation of planned traffic calming measures; and increased proposed park area., all of which will benefit all the residents in the area, and the City, as a whole."

Staff comments: The property owner has proffered the improvement of a public park, the installation of two signalized pedestrian crosswalks, and off site improvements which include installation of landscaping, public realm improvements, lighting, re-paving and curbing, crosswalks, drainage and under-grounding of utility lines along the right-of-way adjoining the property, as well as along both sides of Greco Avenue to Ponce de Leon Boulevard.

City Commission Identified Issues

At the City Commission's 01.08.08 meeting at which the proposed land swap required for this project was initially discussed, the Commission requested a number of issues be included as part of the procurement process and site plan review that must be addressed and included in the public hearing applications. The Commission's issues and the applicant's response to each are as follows:

1. *Include traffic calming measures.*

   Applicant's response: "DYL has agreed to re-configure the intersection of Greco and Granello Avenues at the request of Public Works that is currently a vast area of unmarked pavement without lines to assist in making turns. The reconfiguration of the intersection will provide additional area to the proposed park land. DYL is also improving the north and south sides of Greco Avenue with bump outs that help reduce traffic speed and DYL has agreed to pay a proportional share of traffic calming in this traffic district upon receipt of detailed information from Public Works."

   Staff comments: The applicant has proffered to provide a pedestrian crosswalk and signalization at the intersections of San Lorenzo Avenue and Ponce de Leon Boulevard, and at LeJeune Road and Greco Avenue, subject to review and approval by FDOT and City Staff.

2. *Determine net gain/loss of on-street parking.*

   Applicant's response: "As noted, above, this number will be provided after the Planning Director meets with the Directors of Public Works and Public Service and they determine the number of 3 parking space units between bump outs versus the 2 parking space units between bump outs that are required by the streetscape master plan."

Staff comments: As determined by the City's Parking Director, a total of 13 on-street parking spaces will be removed resulting from this proposed project. Payment is required by applicant, its successors or assigns according to established City requirements for the loss of those parking spaces.

3. *Appraisal to determine comparative value of City's parking lot on LeJeune Road with proposed park property.*

   Applicant's response: "Attached is a copy (included in Planning Department application on file) of the City and DYL's appraisals of the surface parking lot and the proposed park land. Both appraisers value the two properties at the same price per square foot. In addition to the even exchange of property, DYL is offering to pay park design costs not to exceed $300,000.00 and park implementation costs not to exceed $1,000,000.00, to provide maintenance for the park in perpetuity, to reconfigure intersection at Greco/Granello Avenues, to implement streetscape master plan on north side of Greco and carry it all the way east to the Circle and to replace City's surface parking spaces inside of the project. We estimate the costs of all of these improvements and commitments to be in the range of $3,230,000.00."

   Staff comments: This is a Procurement Code/City ownership issue, and is not a regulatory review issue, and shall be addressed as part of the land swap negotiations between the City and the property owners. Copies of the appraisals are on file and available for review with the Planning Department.

4. *Re-pavement of streets in surrounding area.*

   Applicant's response: "DYL has agreed to pave the streets surrounding the proposed project."

   Staff comments: The applicant has agreed to re-pave the public streets surrounding the project site, which has been shown and noted on the Master Site Plan submitted with the application.

5. *Examine reduction of street and public ROW widths to accommodate additional park space.*

   Applicant's response: "The Public Works Department has worked with the architects in providing guidance in the requested reconfiguration of the Greco/Granello Avenues intersection which results in approximately an additional 3000 square of park area."

   Staff comments: The applicant has reduced the street width and improved the intersection of Greco Avenue and Granello Avenue and used the additional public ROW area to expand the size of the public park space.

6. *Park should look and function as a public park and not a part of the development.*

   Applicant's response: "DYL has appeared at the Parks and Recreation Advisory Board to receive the members' input on barriers between park and project and signage to indicate that park is City owned and open to the public. When finally designed, the developer will provide the plan to the City and the Board for recommendations and approval."

Staff comments: A recommended condition of approval included with this Staff report is that the proposed improvements and site plan, and any proposed private use of the park shall be subject to future City review and approval.

7. *A proposed site plan shall be provided at the same time request to proceed with land swap is presented to the Commission.*

   Applicant's response: "DYL has submitted its proposed mixed use project site plan."

   Staff comments: A proposed site plan has been submitted by the applicant, which is the subject of the regulatory review requiring review and recommendation by the Planning and Zoning Board and consideration by the City Commission in resolution form at one public hearing.

8. *Provision of a "Master Public Realm Improvement Plan" for the area as required by Code for inclusion as a part of the MXD review process.*

   Applicant's response: "DYL is working with Public Service, Public Works and the Planning Departments in its creation of its public realm improvement plan as well as meeting with the architects of the project located to the south. DYL is doing its part to implement the City's goal that the MXD area have a cohesive and coordinated look to the public realm improvements."

   Staff comments: A Master Site Plan has been prepared by the applicant and is included with the application package (pages 31 thru 36 of 136) which provides for landscaping, public realm improvements and streetscape improvements on-site and within the public ROW, including intersection improvements, street paving and resurfacing, curb/gutters and sidewalks and under-grounding of off-site public utilities for both sides of Granello Avenue and Greco Avenue between LeJeune Road and Ponce de Leon Boulevard.

Traffic Study

The property is located in the Gables Redevelopment Infill District (GRID), which was created to encourage infill development by exempting projects from concurrency analysis for traffic capacity. The Traffic Study submitted with the application has been reviewed by the Public Works Department with regards to traffic circulation, and Public Works determined that no additional traffic improvements are required as a result of this project. The Public Works Department has recommended, and the applicant proffered to provide a pedestrian crosswalk and signalization at the intersection of San Lorenzo Avenue and Ponce de Leon Boulevard, and at LeJeune Road and Greco Avenue, subject to review and approval by FDOT and City Staff. These signalized pedestrian crosswalks have been included as recommended conditions of approval.

Traffic calming and roadway improvements were also required for the Gables Gateway project, located on the block south of this property. Traffic improvements include construction and extension of a turn lanes on Ponce, reconfigure intersection at Biltmore and Riviera Drives and install a roundabout at Blue Road and Riviera Drive. Gables Gateway is also required to provide roadway resurfacing and sidewalk reconstruction with curb and gutter along Granello Avenue and install traffic calming improvements at the intersection of Granello and Greco Avenues including reconfiguration of roadway geometry and pedestrian crosswalks. The applicant has worked with the Gables Gateway developers to coordinate roadway improvements between the

two projects.

Proposed Public City Park

The improvements proposed for the Public City Park are not included with this MXD site plan review. The site plan for the Public City Park has not been prepared and will subject to future City review.

Concurrency Management

This project has been reviewed for compliance with the Building and Zoning Department's Concurrency Management program. The Concurrency Impact Statement (CIS) issued by the Building and Zoning Department for the project indicates that there is adequate infrastructure available to support the project. The CIS is on file and available for review with the Planning Department.

Public School Concurrency Review

Pursuant to the Educational Element of the City's Comprehensive Land Use Plan, Article 3, Division 13 of the Zoning Code, and State of Florida growth management statute requirements, public school concurrency review is required prior to final Board of Architects review for all applications for development approval in order to identify and address the impacts of new residential development on the levels of service for public school facilities. For a residential development to secure a building permit, adequate school capacity must be available or scheduled to be under actual construction within three years of the final approval. If capacity is not available, the developer, school district and affected local government must work together to find a way to provide capacity before the development can proceed.

City Staff requested that, prior to this mandatory public school concurrency review, the applicant request a preliminary public school concurrency analysis from Miami-Dade County Public Schools in order to gauge the development's potential impacts to the public school system. This preliminary review is currently underway.

The review will only consider the residential portion of the mixed-use development, which at 42 units, represents a small percentage of the overall project. City staff has discussed this project with Miami-Dade County Public Schools staff, and does not anticipate any public school concurrency issues with this application.

Attainable Housing

The City is mandated by the State of Florida and South Florida Regional Planning Council to address its attainable housing needs pursuant to State statutes, regional priorities, and the City's Comprehensive Land Use Plan (CLUP). Accordingly, City staff has previously proposed and continues to strive for various attainable housing strategies to meet the City's needs, as recommended by the City of Coral Gables Affordable/Workforce Housing Study. Previous attempts have included inclusionary zoning, linkage fees, and other programs. In advance of a formal citywide program, the City is requesting that major residential and mixed use developments that undergo increases in density, changes in zoning, changes in CLUP, PAD, MXD and/or conditional use reviews, assist the City in its attainable housing efforts.

City staff has previously discussed and recommended that a 50-unit threshold be established that would exempt projects with less than 50 units from being required to set-aside a percentage of units for attainable housing. Projects containing less than 50 residential units, including the 42-unit DYL project, are instead being asked to assist the City with its attainable housing efforts in other ways, including monetary contributions.

In response to the City's request for the applicant's assistance with attainable housing, the applicant has agreed to the following, as provided in the conditions of approval:

> "Attainable Housing. As proffered by the applicant, the applicant, its successors or assigns will contribute $100,000.00 dollars to the City of Coral Gables at the time of issuance of building permit to assist the City in its efforts to promote and/or provide attainable housing. The funds shall be deposited by the City in a separate line-item account dedicated exclusively for the City's attainable housing efforts, which may include, but is not limited to, the following: update of the existing housing study, planning, implementation, administration, management, education, advertisement, promotion, and/or development of attainable housing, in furtherance of the City's Comprehensive Land Use Plan and the State of Florida's growth management statute requirements."

Compliance with Comprehensive Land Use Plan Goals, Objectives and Policies

The Planning Department has reviewed the CLUP and finds the following CLUP Goals, Objectives and Policies are applicable and the following table on pages 16-20 provides determination/findings of fact to consistency and inconsistency thereof.

Consistent CLUP Goals & Objectives and Policies are as follows:

Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency
1.	*OBJECTIVE 1-1.2: CONTROL BLIGHT AND PROMOTE REDEVELOPMENT. Efforts shall be made to control blighting influences, and redevelopment shall be encouraged in areas experiencing deterioration. This Objective shall be achieved through the implementation of the following policies.*	This proposed project will provide for the planned redevelopment of an underutilized property and continue the transformation of the Industrial District south of the Village of Merrick Park as a viable mixed use district by promoting the expressed vision of the MXD objectives, including mixed-uses, pedestrian-friendly design, and public open space and encouraging future redevelopment of other underdeveloped parcels of land.
2.	*OBJECTIVE 1-1.3: ACHIEVING COMPLIANCE WITH FUTURE LAND USE MAP AND PLAN. By the year 2010 the City shall endeavor to reduce the number of inconsistencies between the Future Land Use Map and the actual land uses from 70 to 35.*	The property is currently underdeveloped and is located between the Village of Merrick Park (north) and the mid-rise mixed use Gables Gateway project (south). The redevelopment of this site as a mixed use project fulfills the City-wide master plan for streetscape and ROW improvements in the Industrial District and is consistent with the City's objective to promote the Industrial Design District Village that includes a mix of both commercial and residential components.
3.	*POLICY 1-1.3.1: AVOID ENCROACHMENT INTO NEIGHBORHOODS BY INCOMPATIBLE USES. Residential neighborhoods should be protected from intrusion by incompatible uses that would disrupt or degrade the heath, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.*	The applicant's plans provide public ROW improvements surrounding the project site in accordance with requests made by the City Commission. Additional landscaping along LeJeune Road is provided in order to buffer the communities further west of the project. The Public Works Department has recommended and the applicant has proffered provide two (2) signalized pedestrian crosswalks in Traffic Zone 3, which has been included

Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency
		as a condition of approval.
4.	*POLICY 1-1.3.2: APPLICATION OF BUFFERING TECHNIQUES. Uses designated in the plan which cause significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic, shall provide buffering when located adjacent to or across the street from incompatible uses such as residential uses.*	The height of the project has been reduced along LeJeune Road across from the existing low-rise commercial businesses as required by the property's underlying commercial land use designation. The applicant's plans provide public ROW improvements surrounding the project site in accordance with requests made by the City Commission. Additional landscaping along LeJeune Road is provided in order to buffer the communities further west of the project.
5.	*POLICY 1-1.3.3: LIMITATIONS OF POTENTIALLY DISRUPTIVE USES. Normally disruptive uses may be permitted on sites within related districts only where proper design solutions are demonstrated and committed to in advance which will be used to integrate the uses so as to buffer any potentially incompatible elements.*	Public ROW improvements including provisions for a public park, pedestrian paseo and crosswalks and public landscaping and streetscape improvements are provided in accordance with the City's Master Landscape Plan. All replacement public parking lost as a result of this project will be located within the building's new parking garage. This proposal locates all parking and service facilities internal to the building so that they are physically separated from pedestrian circulation around the perimeter of the project.
6.	*OBJECTIVE 1-1.7: DISCOURAGE URBAN SPRAWL. Discourage the proliferation of urban sprawl by amending the land development regulations to include a regulatory framework for encouraging future infill and redevelopment within existing developed areas. In drafting the infill/redevelopment program, the City shall coordinate public and private resources necessary to initiate needed improvements and/or redevelopment within these areas.*	This development encourages infill development and redevelopment while providing needed public realm improvements for the South Industrial District area in compliance with the City's Master Landscape Plan. Where adjacent properties remain low-rise commercial buildings (across Greco Avenue to the north), the recent reduction in required minimum MXD building site area allows for the future redevelopment of those properties as mid-rise mixed use projects.
7.	*POLICY 1.1.7.1: DEVELOPMENT OF EMPLOYMENT CENTERS. Encourage effective and proper development of employment centers of high quality which offer potential for local employment in reasonably close proximity to protected residential neighborhoods.*	This mixed use development will further assist in developing this area as an employment center as it will provide for additional employment opportunities for the surrounding neighborhood by promoting mixed-uses that include commercial retail and office uses.
8.	*POLICY 1-1.7.2: DEVELOPMENT OF UNDEVELOPED LAND. Encourage development of remaining undeveloped and vacant isolated parcels of developable property through identification and staff assistance in providing information as to appropriate uses permitted by Code and proper procedures to be undertaken to obtain the proper development orders.*	This site is currently developed with low-rise commercial uses and a City surface parking lot. The proposed mixed use project would result in the planned redevelopment of the site to the property's development potential with a mid-rise commercial project with the incorporation of a residential component utilizing the available MXD provisions and a new public park.
9.	*POLICY 1-1.7.5: REDEVELOPMENT OF THE INDUSTRIAL DESIGN CENTER. By January 2000, the City shall adopt land development regulations which encourage the development of the Industrial Design Center as a mixed use village (3243).*	This project was designed in accordance with the MXD provisions and proposes a mixed use project including a residential component, which was an objective of the "village" concept.
10.	*OBJECTIVE 1-1.9: INNOVATIVE DEVELOPMENT REGULATIONS. Encourage sound innovation in development regulations which provide a continuing process to respond to community needs*	This project utilizes the Code's MXD provisions available for the development of a commercial mixed use project containing residential units that would otherwise not be permitted by the underlying land use and zoning designations. All replacement public parking lost as a result of this project will be located within the building's new parking garage.
11.	*POLICY 1-1.9.1: MIXED USE DOWNTOWN DEVELOPMENT. Encourage balanced mixed use*	This project proposes a commercial mixed use project including retail and residential components, and the

Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency
	developments in the downtown, which promote pedestrian activity and provide for specific commitments to design excellence and long term economic and cultural vitality.	provision of public realm improvements in accordance with the City's Master Landscape Plan. The dedication of a public park on the east side of the property will serve all the surrounding properties.
12.	*OBJECTIVE 1-1.13: SCENIC VISTAS. Create preserve and maintain scenic vistas in keeping with the classic tradition as embodied in the original city plan.*	The proposed project would allow for a more cohesive and efficient development pattern and promote a continuous planned streetscape along LeJeune Road, and a public park in the heart of the MXD South Industrial District.
13.	*POLICY 1-2.4.1 – INDUSTRIAL USE (Northern & Southern Industrial Section): The area depicted on map below, shall be subject to the following:* • *All uses permitted in Commercial and Industrial (M) Land Use categories shall be permitted.* • *Maximum FAR of 3.0; with architectural incentives and public realm improvements FAR of 3.5 may be permitted.* • *Maximum permitted height is six stories; with architectural incentives and public realm improvements eight stories may be permitted.* • *Properties may develop at higher intensities/densities pursuant to the Mixed Use Overlay District 3 (MXD3) as provided in Policy 1-2.17.* *Residential Uses shall only be permitted pursuant to the Mixed Use Overlay District 3 (MXD3) as provided in Policy 1*	The proposed project would result in the planned development of the underdeveloped property and a more efficient development pattern under these parameters.
14.	*POLICY 1-2.17 MIXED USE OVERLAY DISTRICT 3 (MXD3): The general intent of the MXD3 is to include a number of places to go and things to do within walking distance, including an assortment of uses including the following:* • *Residential;* • *Retail/Commercial;* • *Office;* • *Industrial; and* • *Public Open Spaces.* *Provide a strong emphasis on aesthetics and architectural design through the use of the regulations and the planned mixing of uses to establish identity, diversity and focus to promote a pedestrian environment.* *Utilization of a variety of architectural attributes and street level pedestrian amenities to create a sense of place, including the spatial relationship of buildings and the characteristics created to ensure attractive and functional pedestrian areas.* *Properties assigned the MXD3 overlay, have the option of developing their property in accordance with the underlying land use.* *No single use may comprise of more than 85% of the MXD3 floor area ratio.*	This project was designed in accordance with this policy. The proposed project promotes the expressed vision of the MXD South Industrial District, including mixed-uses, pedestrian-friendly design, and public open space.

<table>
<tr><th>Ref. No.</th><th>CLUP Goal, Objective and Policy</th><th>Basis for consistency</th></tr>
<tr><td></td><td>Land development regulations shall determine the MXD3 location and area; residential densities up to 125 units per acre; height up to a maximum of 125 feet, which includes up to a maximum of 100 feet of habitable space and up to 25 feet for rooftop architectural elements; floor area ratio up to 3.5 maximum; providing specific design criteria; and public realm improvements to promote street level pedestrian activity including, but not limited to public open space, landscaping, street lighting, right-of-way and streetscape improvements; pedestrian, transit, and bicycle access; and other regulations deemed necessary.

Mix of Uses

The proportionate mix of uses of uses shall be reviewed per development application. The following table establishes minimum and maximum thresholds based upon the FAR of the building.

<table>
<tr><th>Type of Use</th><th>Minimum % of FAR</th><th>Maximum % of FAR</th></tr>
<tr><td>Residential</td><td>0%</td><td>85%</td></tr>
<tr><td>Retail/Commercial</td><td>8%</td><td>40%</td></tr>
<tr><td>Office</td><td>0%</td><td>85%</td></tr>
<tr><td>Industrial</td><td>0%</td><td>5%</td></tr>
</table>

A MXD3 may be permitted in Commercial Low Intensity (CL), Commercial Medium Intensity (CM), Commercial High Intensity (CH) and Industrial (I) land use categories."</td><td></td></tr>
<tr><td>15.</td><td>POLICY 2-1.2.6: INFILL AND REDEVELOPMENT IN APPROPRIATE PARTS OF THE CITY. As a vibrant mature City located in rapidly growing Dade County, Coral Gables shall pursue infill and redevelopment in appropriate parts of the City, especially the GRID. This has included or shall include: (3243)

The Central Business District designation for the commercial core around Miracle Mile.
The City's sponsorship of a public-private venture for redevelopment of the Bus Terminal as a multi-use retail, office, and residential site.
The City's redevelopment of Lot 22 as an off-street parking structure with street level retail components.
The possible redevelopment of the City's equipment Yard into a mixed use village.
A possible light trolley system in the GRID area part of the City traveling approximately from the Douglas Entrance, a huge mixed use redevelopment project, to the Metrorail Station at Douglas Avenue and US 1.
Possible redevelopment incentives for the Douglas Apartment District.
</td><td>The proposed project would promote redevelopment of property within the GRID as part of a mixed-use village composed of mixed-uses, pedestrian-friendly design, and public open space.</td></tr>
</table>

Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency
	• *Maintaining the Mediterranean Design Ordinance, which awards density and height bonuses for developments in the Mediterranean Design District.*	
16.	*POLICY 2-1.7.3: CONTROLLING THROUGH TRAFFIC MOVEMENTS. The City shall discourage through traffic in neighborhoods by use of traffic management techniques, including signage, landscape design and roadway design.*	The applicant's plans provide public ROW improvements surrounding the project site in accordance with the City's Landscape Master Plan. The Public Works Department has recommended and the applicant has proffered provide two (2) signalized pedestrian crosswalks in Traffic Zone 3, which has been included as a condition of approval.
17.	*POLICY 2-1.8.1: PROVIDE ROADWAY LANDSCAPING. The City shall provide landscaping along roadways to serve as visual and sound buffers and to maintain the quality of the environment within the City.*	The proposed development provides streetscape improvements and landscaping around the perimeter of the project in accordance with the City's Master Landscape Plan.
18.	*POLICY 3-1.2.6: COMPATIBILITY OF NEW DEVELOPMENT. New development shall be compatible with adjacent established residential areas.*	The height of the project has been reduced along LeJeune Road across from the existing low-rise commercial businesses as required by the property's underlying commercial land use designation, and is similar in height, massing and mix of uses to the Gables Gateway project located to the south. The proposed project will result in the provision of streetscape and public realm improvements in accordance with the City's Master Landscape Plan. The dedication of a public park on the east side of the property will serve all the surrounding properties.
19.	*POLICY 6-1.5.5: PROVIDE BEAUTIFICATION OF PUBLIC OPEN SPACE SYSTEMS. Provide continued beautification of streets, rights-of-way and public open spaces and facilities within Coral Gables.*	The proposed project would allow for beautification of the MXD South Industrial District and provide streetscape improvements in compliance with the City's Landscape Master Plan and a new public park.
20.	*POLICY 7-1.1.6: PLAYGROUND EQUIPMENT AND OPEN SPACE PARK SITES. Identify potential sites for playground equipment and open space parks*	The proposed project would result in the City obtaining a desirable location for a new public park.
21.	*OBJECTIVE 7-1.2: PUBLIC ACCESS TO RECREATION OPPORTUNITIES. Ensure public access to recreation programs and facilities.*	The proposed development would provide the City with a desirable location for a new public park, which would provide surrounding residents with greater public access to recreation opportunities.
22.	*POLICY 7-1.3.2: ADDITIONAL PUBLIC OPEN SPACE AND NATURAL RESERVATIONS. Additional public open space and natural reservations shall be designated and where feasible, acquired by the city.*	The proposed development would provide the City with improved public right-of-ways in the MXD South Industrial District and a desirable location for a new public park.
23.	*POLICY 7-1.4.3: IMPACTS OF NEW DEVELOPMENT ON PUBLIC OPEN SPACE AND PEDESTRIAN/BICYCLE CIRCULATION. New development shall be encouraged by the City Planning and Zoning Departments to provide for public open space, and accommodate pedestrian and bicycle circulation, during the development review process.*	The proposed project would allow for a more cohesive and efficient development pattern which would provide for a new public park and enhance pedestrian/bicycle circulation. The Public Works Department has recommended and the applicant has proffered provide two (2) signalized pedestrian crosswalks in Traffic Zone 3, which has been included as a condition of approval.

Staff Comments: Staff's determination that this application is "consistent" with the CLUP's goals, objectives and policies that are identified is based upon compliance with conditions of approval recommended by Staff and site plan provisions incorporated by the applicant which address the City objectives for encouraging mixed use development in the Industrial Section, and the creation of an Industrial Design Center Village.

Summary of Findings of Fact

The findings of fact that support the approval of the application include the following:

1. The proposed MXD project is "consistent" with the CLUP Goals, Policies and Objectives, as identified and presented in this report.
2. The project satisfies the site plan review criteria and the requirements and performance standards for a proposed MXD project as specified in the Zoning Code.
3. The proposal satisfies the standards for review for the vacation of a public alleyway as specified in the Zoning Code.
4. The property owner has proffered funds for the design and improvement of a public park, and the installation of two signalized pedestrian crosswalks.
5. Public ROW/public realm improvements are provided on streets adjoining the property in compliance with the City's Master Landscape Plan.
6. Additional off site improvements have been provided by the property owner which include installation of landscaping, public realm improvements, lighting, re-paving and curbing, crosswalks, drainage and under-grounding of utility lines along the right-of-way adjoining the property, as well as along both sides of Greco Avenue to Ponce de Leon Boulevard.
7. The project adds a residential component and future Public City Park to support the adjoining commercial uses, and promotes a "walk-able" pedestrian environment, which are City objectives for the MXD District.
8. The project is designed in a manner that all activities related to the delivery of goods and services, trash pick-up, valet drop-off and vehicular circulation are maintained and conducted internal to the structure or entirely within the confines of the structure.
9. The proposed project satisfies all applicable concurrency standards such as water, sewer, open space and recreational facilities.
10. The property owner has secured Board of Architects architectural review and approval which includes granting of Mediterranean bonuses.
11. No variances are required for this project.
12. The applicant has satisfactorily addressed all comments provided by City Departments via the Development Review Committee process.
13. The property shall assist the City efforts in the promotion of attainable housing whereby the City can achieve its state mandated requirements for providing attainable housing.

Public Notification/Comments

A petition was received by the City Clerk's Office on 07.01.08 in opposition to the project and vacation of public alleyway. A copy of that petition and signatures are provided as Attachment D.

The following has been completed to solicit input and provide notice of the application:

Type	Explanation
Neighborhood meeting completed	Completed 09.04.08
Courtesy notification of all property owners within 1,500 feet of the MXD Industrial Section District	Completed 09.16.08 and 10.09.08
Newspaper ad published	Completed 09.18.08
Posted property	Completed 09.18.08
Posted agenda on City web page/City Hall	Completed 10.03.08
Posted staff report on City web page	Completed 10.03.08

The listing of property owners who returned the notification/comment form, including the date received, property owner's name, address, object/no objection/no comment and verbatim comments is provided as Attachment E.

Respectfully submitted,

Eric Riel, Jr.
Planning Director

Attachments:

A. Applicant's submittal package.
B. 03.11.07 Building and Zoning Department Preliminary Zoning Analysis.
C. Planning Department MXD Compliance Table.
D. Petition and signatures received by City Attorney's Office on 07.01.08.
E. Synopsis of comments received from property owners within 1,500 feet.

N:\P Z B\Projects\DYL Merrick MXD\Staff reports\10 08 08 Staff report.doc

Attachment B

CITY OF CORAL GABLES

MXD use Review Sheet – all mix use project require commission approval
(Requires conditional use approval for mix use building)

Project Name: DYL Merrick Mix Use Project

Project address: 4601 Le Juene Road
(Greco and Granello side streets)

Project Architect: Cohen – Perkins and Will
Phone: 305 – 569-1333

Fax: 305 – 569-1334

BOA preliminary approval:
BOA Final approval:
MED bonus approval: Table 1: Table 2: Table 3:

DRC level 1:
DRC level 2: January 2008

Review Date: November 10, 2007/revised February 26, 2008/revised 3-11-07
Dulce Conde 305-740-6948

CODE SECTION	***REQUIRED***	***PROVIDED***
	Legal Description	Lots 1-12, Blk. 16, Revised Plat of Coral Gables Industrial Section PB 28 /PG 20 Tract A,B,C, Blk. 16, Revised Plat of Coral Gables Industrial Section PB 43/PG 50 Alley lying between lots 1-12 / Blk 16 Revised Plat of Coral Gables Industrial Section PB 28 /PG 20 Lengthy legal refer to survey "E"
	Zoning	"C" - Lots 1-12 – Blk 16 "I" – Tract A,B,C – Blk 16
	Comprehensive Land Use Plan	Commercial - Low Rise Intensity 4 stories / 3.0 FAR – Lot 1-12 – Blk 16 Industrial – Tract A,B,C – Blk 16
	Total Site area	98,124 sq. ft. **(DOES NOT INCLUDE PARK AREA OF 13,564 SQ. FT.)**
Section 4-63 and	Site specific standard do not apply if MXD is approved	Commercial – 6 stories / 72'-0" all Blk 16 Manufacturing – 3 stories / 45'-0" – Tract

Section 4-201 A-7-e-3	Section 4-201 A-7-e-3	A,B,C
	Off Site Parking	Yes (within the MXD district) N/A
	Distance from Principle Site	N/A
	Off Site Area	N/A
	Off Site Zoning	N/A
	Off Site Land Use	N/A
	Total of Site Areas	N/A
	Overlay Districts	Mediterranean , MXD
4-201-D-1 4-201-D-2 4-201-D-3	Minimum MXD site area 20,000 sq. ft. MXD district or MXD buildings. Minimum site area for an MXD project/building with North and South Industrial MXD as defined in the zoning map 10,000 sq. ft. and 100' frontage	Proposed: 98,124 sq. ft.
4-201-D-4	Lot Coverage	No minimum / No maximum
4-201-D-5	Minimum mixed use 8% of building or entire ground floor which ever is greater.	8% of building (FAR only) = 26,305 sq. ft. Ground floor = 51,202 sq. ft. Area of permitted ground floor uses = 42,124 sq. ft.
CLUP	Minimum /Maximum in overlay district only Residential 0% - 85% Retail/Commercial 8% - 40% Office 0% - 85% Industrial 0% - 5%	 87,573/328,824 = 26.6% 42,124/328,824 = 12.8% 187,194/328,824 = 56.9% 0 %
4-201-D-6	Mediterranean Architecture ***(Overlay district only)***	Mandatory for overlay districts only ***Must get stamp and signature approval from City Architect and Board of Architects for table 1, table 2 and table 3***

4-201-E-1	Bridges over right of way ***(Overlay district only)***	Permitted if both side have same ownership. Only in an overlay district N/A
4-201-E-2	Balcony and awning encroachment	Subject to applicable regulations
4-201-E-3	Permitted FAR	98,124 x 3.0 = 294,372 sq. ft.
	Med. Bonus FAR Max .05 / ***Must comply with table 1 – table 2 and table 3 of MED bonus – Must get stamp and signature approval from City Architect and Board of Architects***	98,124 x .05 = 49,062 sq. ft. ***Applying for table 1 , 2 and 3***
	Total Permitted FAR If full MED bonus are obtained	343,434 sq. ft.
	Proposed FAR	328,824 sq. ft.
	Proposed area of ground floor uses.	Building 42,124 sq. ft. Retail
4-201-E-4	Permitted No. of Floors	No minimum or maximum for MXD – ***CLUP governs stories (6 stories)with MED***
4-201-E-5	Floor to floor height	As per the FBC
4-201-E-6	Permitted Height	Industrial up to 100'-0" CLD up to 75'-0" Manufacturing 45'-0" Commercial up to 100'-0" ***CLUP governs height / 77'-0" with MED-commercial-low rise***
CLUP	Land Use Height	Commercial - Low Rise Intensity - 50'-0" / 77'-0" with MED Industrial – no height stated ***This height governs***
CLUP	Land Use No. of Stories	Commercial - Low Rise Intensity - 4 stories or 6 stories with MED Industrial – no stories stated ***This height governs***
	Proposed Height	77'-0" top of 6th floor up to (110 feet from

		Lejuene) 99'-0" remainder of site
	Proposed No. of Stories	6 stories in commercial zoning 8 stories in industrial zoning
4-201-E-7	Height of Arch Element Permitted CLD up to 15'0"- N/A Commercial and Industrial up to 25'-0" Manufacturing up to 10'-0" - N/A	Below allowable height of 25'-0"
4-201-E-8	Height adjoining residential ***(Overlay district only)***	45'-0" for 100'-0"feet of the adjacent right of way line + 10'-0" for arch elements / N/A
4-201-E-9	Number of building per site	No minimum or maximum required
4-201-E-10	Retail street frontage Minimum 50% of frontage on front street	Required 319 x .50 = 159 ln. ft. (Le Juene.) Proposed = 293ln. ft.
4-201-E-11	Retail or public street frontage Minimum 40% of frontage on side street	Required 873 x .40 = 349 ln. ft. (Greco and Granello)Proposed = 530 ln. ft.
4-201-E-12	Retail frontage on alleys	None required
4-201-E-13	Density Permitted 125 units per acre 2.2 acres x 125 = 281 units	98124/43560 = 2.25 acres x 125 = 281 units ***Total units 42***
4-201-E-14	**Setbacks**	
	Required	Proposed
	Front (LeJuene)	
	0'-0" for a building up to 45'-0" in height above 45'-0" high 10'-0" ***(setback relief required)***	0'-0" - Must step back 10'-0" after 3rd floor or 45'-0" whichever is less for setback relief **N/A MED bonus table for setback reduction overrides**
	Side Street (Granello and Greco)	
	15'-0" ***(setback relief required)***	0'-0" - Must step back 10'-0" after 3rd floor or 45'-0" whichever is less for setback relief **N/A MED bonus table for setback reduction overrides**

	Interior side 0'-0"	0'-0" - Must step back 10'-0" after 3rd floor or 45'-0" whichever is less for setback relief **N/A MED bonus table for setback reduction overrides**
	Rear Alley 0'-0"	0'-0" - Must step back 10'-0" after 3rd floor or 45'-0" whichever is less for setback relief **N/A MED bonus table for setback reduction overrides**
4-201-E-15	Setback relief requested	Yes
4-201-E-15	Amount of building in required setback area	16,076 sq. ft.
4-201-E-15	Required open space (50%) (16,076 x 50%=8,038) Minimum required area (500 sq. ft) 13'-0" min. height of arcade	12,072 sq. ft provided
4-201-E-15	Setback relief / Vertical Building Stepback Required ***10'-0" after 3 stories or 45'-0" whichever is less on all facades***	Must step back 10'-0" after 3rd floor or 45'-0" whichever is less for setback relief **N/A MED bonus table for setback reduction overrides**
4-201-E-16	Setback adjoining residential uses All property abutting a residential land use or district shall be 15'-0". No reductions may be requested	N/A
4-201-E-17	Street frontage - No minimum or maximum in the overlay district / 100' for industrial north-south overlay	N/A
4-201-F-1	Maximum linear length of arcade or loggia ***(required for overlay district only)*** 80% of the length of the building or as per approved site plan (building = 1285 lf x 80% = 1028 lf	Proposed length of arcade or loggia 1217 lf – ***(required for overlay district only)***
4-201-F-2	Architectural Relief Elements on all sides of the Building	***To be determined by BOA and city architect***
4-201-F-3	All support services located within the building	Yes

4-201-F-4	Facade breaks at 100 foot intervals	***To be determined by BOA and city architect***
4-201-F-5	Decorative street lighting provided (max 35'-0" in height)	Show on plans ***(to be approved by Public Works and Public Services)***
4-201-F-6	Building lighting	***Requires Planning, Planning and zoning board and Commission approval – indicate if this is being used***
4-201-F-7	Landscape lighting	Is encouraged
4-201-F-8	Storage - Prohibited outside the building	No outside storage provided
4-201-F-9	Overhead doors - Shall not face residential	N/A
4-201-F-10	Paver treatment included at driveway entrances, crosswalks and (sidewalks a minimum of 25 % of the paved surface)	***To be determined and approved by public works and public services***
4-201-F-11	Parking Garage - Shall include exterior architectural treatment compatible with building	***To be determined by BOA and city architect***
4-201-F-12	Pedestrian access orientation - Main entrance oriented towards front property line	Main entrance on Le Juene
4-201-F-13	Required pedestrian amenities (All elements must be provided)	
	Benches	***2 shown***
	Information Kiosks	***1 shown – needs to be on property not in the park***
	Lighting	***To be approved by public works***
	Bike racks	***2 shown- needs to be on property not in the park***
	Refuse Containers	***2 shown- needs to be on property not in the park***
	Sidewalk pavement treatment	***shown***
	Statuary	***1 shown***
	Street crosswalk paver treatment	***1 shown- needs to be on property not in the park***
	Wall mounted fountains	***3 shown***
	Water fountains / water features	***4 shown***

4-201-F-14	Pedestrian design features at street level only Display windows Landscaping Architectural building design features	***To be determined by BOA and city architect***
4-201-F-15	Pedestrian pass through for each 250 feet of building frontage. (le Juene) 10'0" minimum 20'0" combined	***189 / 250 = 1 required / 2 provided please label a minimum of 10'***
4-201-F-16	Porte cochere on front property line (prohibited)	N/A
4-201-F-17	Roof top screening	Yes
4-201-G-1	Landscape improvements in right of way as per Article 5 Division 11 , sec 5-1104 and sec 5-1105 A and C C districts – 10% min 10'-0" wide 75% may be paved with pervious material 28 large shade trees per acre and 224 shrubs per acre 1 palm or medium shade tree in the alley for every 35'-0" (25% may be palms) and 1 shrub per every 3 linear feet of alley	C districts – 10% min 10'-0" wide 75% may be paved with pervious material 28 large shade trees per acre and 224 shrubs per acre 1 palm or medium shade tree in the alley for every 35'-0" (25% may be palms) and 1 shrub per every 3 linear feet of alley ***Must be approved by Public Works and Public Services***
	Right of way planting requirements if no City Streetscape Master Plan ***One tree per 35 feet of right of way frontage. (319/35 = 9*** ***1 shrub per 1 lf of right of way frontage = 319***	***Must be approved by Public Works and Public Services***
	Median planting must comply with 5-1105-A-4 - Is a median possible?	Is a median possible? ***Must be determined and approved by Public Works and Public Services***
	General Landscaping requirements to comply with Section 5-1104 A 1 thru 11	To comply at permit
MED	MXD landscape requirement – 10% of	23,312 sq. ft.

BONUS Table 1	site = 98,124 x 10% = 9,812	
4-201-H-1	Bicycle storage 1 ten foot rack per 250 parking spaces Required: 5	5 provided – all must be within project property not in the park
4-201-H-2	Boats and trailer shall be parked with an enclosed garage	N/A
4-201-H-3	A 6" curbing required on all streets abutting the project?	Provide at permit
4-201-H-4 5-1409-D 5-1402-B	Loading spaces / non residential floor area (238,396) Less than 100,000 sq ft – 0 100,000 – 199,999 – 1 200,000 – 299,999 – 2 300,000 – 399,999 – 3 Each additional 100,000 – add 1 10 x 25 x 14 high 2 required	2 provided – no dimensions provided make sure to comply with required back up space for parallel parking as per section 5-1402-A-4
4-201-H-5 5-1409-B-1	Parking	
	1/250 sq. ft. Office (187,194) ***250 is only for overlay district***	748 spaces
	1/250 sq. ft. retail 33,482 retail + 9078 BOH = 42,560 / 250 = 170.2 spaces	170.2 spaces
	1/100 sq. ft. restaurant - 1 / 100 sq. ft (8642 sq. ft.)	86.4
4-201-H-9 5-1409-B-1	Residential units Eff, 1 bed, 2 bed x 1.75(36) = 63 3 bed or more x 2.25(6) = 13.5 Overnight accommodations – 1 space + 1 space per sleeping room N/A	63 13.5
	Total Required Parking 748 + 170.2 + 86.4 + 63+ 13.5 = 1081.1	Total Parking provided 1126 spaces
	Surplus / Deficit	45 spaces
4-201-H-6	On street parking	***Must be determined and approved by Public***

		Works and Public Services
4-201-H-7	Parking garages No ground floor parking is allowed fronting a primary street	***N/A***
4-201-H-8	Parking space may be assigned	N/A
4-201-H-10	Surface parking Prohibited on front primary streets	N/A
4-201-H-11	Valet parking **(required for overlay district only)** Valet drop off must be on site. In overlay districts tandem and stacking prohibited	2 tandem provided
4-201-I-1	Trash room location A/C Fully enclosed and lockable	In the building - Must be approved by waste management
4-201-J-1	Signs As per Article 5 Division 19	Under separate permit
4-201-K-1	Alley and street vacation	***Must be determined and approved by Public Works- provide documentation***
4-201-K-2	Driveways – Access must be from a side street or alley	***Greco and Granello – side streets***
4-201-K-3	Sidewalks Min. 4'-0" Connect to one another/ separated from vehicular traffic	Not identified on plans- ***Must be determined and approved by Public Works and Public Services***
4-201-L-1	Underground utilities All utilities must be installed underground as per Articlem5, Division 22	***Must be determined and approved by Public Works and Public Services***
4-201-L-2	Above ground utilities Must be screened and comply with	***Must be determined and approved by Public Works and Public Services***

	Division 5, Article 11 and 18	
4-201-M-1	Configuration of land Parcel shall be contiguous	Complies
4-201-M-2	Easement – City may request them as a condition for approval	N/A
4-201-M-3	Encroachment into public right of way	***Must be determined and approved by Public Works and Public Services***
4-201-M-4	Live work units	N/A
4-201-M-5	Public Realm improvements Only required in an overlay district **(required for overlay district only)**	***To be determined by planning, public service and public works***
	Notes	
		1. Commercial requirements 4-302 – FOR REFERENCE ONLY • FAR 3.0 • Minimum parcel less than 45'-0" high 2500 sq. ft • Minimum parcel over 45'-0" high 200 street frontage and 20,000 sq. ft. • Minimum parcel dimension 25w x 100d • Setback • Front 15'-0" or less 0'-0" above 15'-0" 10'-0" at cornice line/parking pedestal or 40'-0" • Interior Side 45'-0" or less 0'-0" above 45'-0" – 15'-0" + 1' for each 3' above 45'-0" • Side street -15'-0" • Rear – alley 0'-0" no alley 10'-0" • Canal 35'-0" • Height – as per comp land use plan or site specific • Height within 100'-0" of SFR or MF1 3 stories 45'-0" • Mix use – 8% commercial • Parking - office 1/ 300 – retail 1/250 /
		1. Industrial requirements 4-303 • Residential not a permitted use

		• FAR 3.0 • Minimum parcel less than 45'-0" high 2500 sq. ft Minimum parcel over 45'-0" high 200 street frontage and 20,000 sq. ft. • Minimum parcel dimension 25w x 100d Setback • Front 15'-0" or less 0'-0" above 15'-0" 10'-0" at cornice line/parking pedestal or 40'-0" • Interior Side 0'-0" • Side street -15'-0" • Rear – alley 0'-0" no alley 10'-0" • Height – Manufacturing 45'-0" / other use 72'-0" • Height within 100'-0" of SFR or MF1 3 stories 45'-0" • Balconies cantilever 6'-0" • Parking - office 1/ 300 – retail 1/250 – restaurant 12 / 1000
		2. Further review required 3. MED bonus to determined by City Architect and Board of Architects - MXD must satisfy all of table 1 and 8 out of 12 on table 2/ C must satisfy all of table 1 and 8 out of 12 on table
		4. Parking to be 1'-0" away from walls 5. Dimension all parking stalls, aisles, radius and driveways 6. Only planter facing street will count in landscape requirement. Provide landscaping plans.
		7. Provide materials on all elevations and sections 8. Further review required

Planning Department MXD Compliance Table
Zoning Code Section 4-201 D Thru M
Application No. 06-08-070-P, "DYL Merrick MXD"

Table 1.

Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
D. Performance standards.						
1.		✓	Minimum site area for an MXD District.	Twenty-thousand (20,000) square feet.	N/A	Designation of an MXD District is not proposed.
2.	✓		Minimum site area for an MXD project/building.	Twenty-thousand (20,000) square feet.	N/A	Requirement only applies to projects that are not located in a designated MXD District.
3.	✓		Minimum site area for an MXD project/building within North and South Industrial MXDs as defined on the Official Zoning Map.	Greater than forty-five (45) feet in height shall provide a minimum of one-hundred (100) feet of primary street frontage and a minimum site area of ten-thousand (10,000) square feet.	Complies	Project is located in the South Industrial MXD, and has approximately 300 feet of street frontage along LeJeune Road and a site area of 98,124 square feet.
4.	✓	✓	Lot coverage.	No minimum or maximum.	Complies	
5.	✓	✓	Mixed use percentages.	Provide a minimum of eight (8%) percent of the total square footage of the building square footage (not including parking garage square footage) or the entire ground floor, whichever is greater, of permitted ground floor uses. Remaining portions of the building may be uses permitted in the underlying zoning designations as modified by these regulations.	Complies	Entire ground floor, representing 12.8% of entire project is provided.
6.		✓	Mediterranean architecture.	Mandatory for MXD overlay districts only.	Complies	Approved by Board of Architects on 04.17.08.
E. Building regulations.						

Attachment C

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
1.		✓	Encroachments of bridges over rights-of way.	Bridges traversing a public right-of-way are permitted, however, only if properties on both sides are under same ownership.	N/A	No bridges are proposed.
2.	✓	✓	Encroachments for balconies, awnings, etc.	Subject to applicable regulations.	Complies	Shall be subject to all required regulations.
3.		✓	Floor area ratio.	Up to 3.5 with Mediterranean architecture.	Complies	3.35 FAR is proposed.
4.	✓	✓	Floors.	No minimum or maximum required.	Complies	
5.	✓	✓	Floor-to-floor height.	The minimum floor-to-floor height shall be permitted as regulated per the Building Code.	Complies	Shall be required to comply at time of final zoning analysis.
6.		✓	Height.	The permitted heights for habitable space for the following underlying zoning designations shall be as follows: • Up to a maximum of one hundred (100) feet in an Industrial District. • Underlying Commercial Limited District. Up to a maximum of seventy five (75) feet. • Manufacturing uses shall be limited to forty-five (45) feet. Commercial District up to a maximum of one hundred (100) feet.	Complies	Proposed height of 77'-0" along LeJeune Road (Commercial zoning) and 99'-0" building height for remainder of property (Industrial zoning).
7.	✓	✓	Heights of architectural elements, etc.	The permitted height of architectural elements, spires, bell towers, elevator housings or similar non-habitable structures for the following underlying zoning designations shall be as follows: • Commercial Limited District: up to a maximum of fifteen (15) feet. • Industrial and Commercial Districts: up to a maximum of twenty-five (25) feet. Manufacturing uses shall be limited to ten (10) feet.	Complies	Below allowable height of 25'-0".
8.		✓	Height adjoining residential uses.	Properties which are adjacent to residential district designations shall be limited to a maximum height	N/A	Property is not adjacent to residential zoning district.

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
				(habitable space) of forty-five (45) feet within one hundred (100) feet of the adjacent right-of-way line. Ten (10) additional feet are permitted for roof top architectural elements, etc. above the habitable height.		
9.	✓	✓	Number of buildings per site.	No minimum or maximum required.	Complies	Only one building proposed.
10.	✓	✓	Retail frontage on streets.	Minimum of fifty (50%) percent of the linear street frontage shall include retail use frontage.	Complies	159 linear feet required and 293 linear feet provided.
11	✓	✓	Retail frontage on side streets.	Minimum of forty (40%) percent of the linear street frontage shall include retail use frontage or public realm land area (i.e. plazas, courtyards open space, etc.).	Complies	349 linear feet required and 530 linear feet provided.
12	✓	✓	Retail frontage on alleys.	No minimum or maximum required.	Complies	
13.		✓	Residential density.	Up to a maximum of one hundred and twenty-five (125) units per acre.	Complies	42 multi-family residential units proposed, which is 19 units per acre.
14.	✓	✓	Setbacks (buildings).	Front: Up to forty-five (45) feet in height: None. If over forty-five (45) feet in height: Ten (10) feet Side: Interior side: None. Side street: Fifteen (15) feet. Rear: Abutting a dedicated alley or street: None. Not abutting dedicated alley or street: Ten (10) feet. Balconies: Cantilevered open balconies may project into the required setback areas a maximum of six (6) feet. Applicants and property owners desiring to develop pursuant to these regulations may not seek a variance for relief or reduction in building setbacks. Reductions are only permitted subject to the below listed regulations.	Complies	See Preliminary Zoning Analysis.
15.	✓	✓	Setback reductions.	Reduction in setbacks. Setbacks may be reduced subject to the following standards:	N/A	See Preliminary Zoning Analysis.

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
				Minimum percentage of open space. A minimum of fifty (50%) percent of the total ground floor square footage received from the setback reduction is provided as publicly accessible street level open space and landscape area on the private property. The open space is subject to the following: • Types of open space. Types of open space shall be in the form of courtyards, plazas, arcades/loggias, pedestrian pass-throughs and open atriums adjacent/contiguous to the adjacent rights-of-way. • Minimum area. Minimum square footage of allowable open space (i.e., plazas) shall be five hundred (500) square feet. • Include both hard and softscape landscape improvements and pedestrian amenities. • Vertical volume. As a minimum include a vertical volume of space equal from street level to the first floor height or a minimum of thirteen (13) feet. Additional height may be recommended. • Restaurant seating. This area may be used for outdoor restaurant seating subject to approval as provided for in these regulations. Vertical building stepbacks. A vertical stepback of a minimum of ten (10) feet shall be provided above the height of three (3) floors or forty-five (45) feet (whichever is less) on all façades. Additional stepbacks may be requested to further reduce the potential impacts of the building bulk and mass.		
16.		✓	Setbacks adjoining residential uses.	Residential districts. All property lines abutting a residential land use or district shall be a minimum of	N/A	Property does not abut a residential zoning district.

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
				fifteen (15) feet. No reductions in setbacks may be requested or granted.		
17.		✓	Street/lot frontage.	No minimum or maximum.	N/A	Not applying for MXD District.
F. Design regulations.						
1.		✓	Arcades and/or loggias.	Arcades, loggias or covered areas may accommodate up to eighty (80%) percent of the entire linear length of the building based upon the site plan review criteria listed herein. Encroachment of the entire length or one hundred (100%) percent may be requested subject to review and approval at the time of site plan consideration. Limitations of encroachments on corners of buildings may be required to control view corridors and ground floor building bulk and massing.	Complies	1,028 linear feet required and 1,217 linear feet provided..
2.	✓	✓	Architectural relief and elements.	Architectural relief and elements (i.e., windows, cornice lines, etc.) shall be provided on all sides of buildings and include similar architectural features as to those provided on the front façade. No blank walls shall be permitted unless required pursuant to applicable Fire and Life Safety Code requirements.	Complies	Proposal was reviewed by the City Architect and preliminarily approved by the Board of Architects on 03.20.08.
3.	✓	✓	Building support services.	All mechanical, electrical and other associated support service areas shall be located entirely within the structure.	Complies	
4.	✓	✓	Facades.	Facades in excess of one hundred and fifty (150) feet in length, shall incorporate design features with the use of, but not limited to the following items: (a) Breaks, stepbacks or variations in bulk/massing at a minimum of one hundred (100) foot intervals. (b) Use of architectural relief and elements.	Complies	Proposal was reviewed by the City Architect and preliminarily approved by the Board of Architects on 03.20.08.
5.	✓	✓	Lighting (street).	Decorative street lighting shall be provided and located on all streets/rights-of-way subject to the	Complies	Review and approval required by Public Works and Public Service Departments.

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
				following: • Light fixtures/poles up to thirty-five (35) feet in height. • Subject to all other applicable City code provisions.		
6.	✓	✓	Lighting (building).	External illumination and lighting of buildings shall require Planning Department and Planning and Zoning Board review and recommendation with approval of the City Commission.	Complies	Proposed lighting standards shown on site plans.
7.	✓	✓	Lighting (landscaping).	Lighting in the form of uplighting of landscaping is encouraged.	Complies	Provision is not a requirement.
8.	✓	✓	Outdoor storage.	The storage of materials, goods, merchandise, and equipment for the purpose of display and/or sales outside the confines of any buildings or structures is prohibited.	Complies	Shall be required to comply with this provision through Code Enforcement.
9.	✓	✓	Overhead doors.	Overhead doors shall not face or be directed towards residential properties and/or adjacent rights-of-way abutting residentially zoned properties.	N/A	All service areas contained within building. Property is not abutting any residential zoning district.
10.	✓	✓	Paver treatments.	Paver treatments shall be included in the following locations: • Driveway entrances. • Crosswalks. • Sidewalks. Minimum of twenty-five (25%) percent of paving surface.	Complies	Paver treatments are proposed. Need to be reviewed and approved by Public works and Public Service Departments.
11.	✓	✓	Parking garages.	Parking garages shall include exterior architectural treatments compatible with buildings or structures which occupy the same development and/or street.	Complies	Proposal was reviewed by the City Architect and preliminarily approved by the Board of Architects on 03.20.08.
12.	✓	✓	Pedestrian access orientation.	All buildings, except accessory buildings, shall have their main pedestrian entrance or entrances oriented towards the front property line.	Complies	Shown on proposed site plans.
13.	✓	✓	Pedestrian amenities.	Pedestrian amenities shall be provided on both private property and/or public open spaces including but not limited to the following: • Benches.	Complies	See Preliminary Zoning Analysis.

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
				• Information kiosks. • Lighting. • Bike racks. • Refuse containers. • Sidewalk pavement treatments. • Statuary. • Street crosswalk paver treatments. • Wall mounted fountains. • Water fountains and other similar water features. All pedestrian amenities shall be permanently secured to the ground surface. Above amenities shall be consistent in design and form with the applicable City Public Realm Design Manual.		
14.	✓	✓	Pedestrian design features for building frontages (street level only).	On any front property line or primary street, where an adjoining pedestrian sidewalk is located, the following design features shall be included: • Display windows or retail display area; • Landscaping; and/or, • Architectural building design features. The intent is to create pedestrian and shopper interest, preclude inappropriate or inharmonious design, preclude blank walls of building faces, and prohibit windows from being permanently obstructed.	Complies	Shown on proposed site plans.
15.	✓	✓	Pedestrian pass-throughs/ paseo.	Pedestrian pass-throughs shall be provided for each two hundred and fifty (250) linear feet or fraction thereof of building frontage provided on the primary street. The pass through shall be subject to the following: • Minimum of ten (10) feet in width. • Include pedestrian amenities as defined herein.	Complies	One pass-through is required and two are provided.

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
				In lieu of providing one (1) pass through of ten (10) feet every two hundred and fifty (250) feet of building frontage, two (2) pass-throughs can be combined to provide one (1), twenty (20) foot wide pass-through.		
16.	✓	✓	Porte-cocheres.	Porte-cocheres are prohibited on front property line or primary street.	Complies	None proposed.
17.	✓	✓	Rooftop screening.	All mechanical, electrical, cellular antennas and other similar roof top building support services shall be entirely screened from public view subject to applicable requirements of these regulations.	Complies	Shown on proposed site plans.
G. Landscaping.						
1.	✓	✓	Landscape open space.	Landscape open space requirements are satisfied pursuant to the rights-of-way planting requirements listed in Article 5, Division 11.	Complies	Shall be required to comply at time of final zoning analysis.
H. Parking/vehicle storage.						
1.	✓	✓	Bicycle storage.	To encourage the use of bicycles, etc., a minimum of one (1) ten (10) foot bicycle rack for each two hundred and fifty (250) parking spaces or fraction thereof shall be provided. The location shall be convenient to users and shall be subject to review as a part of the site plan review.	Complies	Shown on proposed site plans.
2.	✓	✓	Boats, trailers, etc.	Boats and recreational vehicles, or similar accessory vehicles. These vehicles shall be parked and/or stored within an enclosed garage, area or structure.	N/A	None proposed.
3.	✓	✓	Curbing.	Raised curbing. Six (6) inch raised curbing shall be provided on all streets abutting this use. Curb cuts and ramps for handicapped access shall also be provided at all street intersections and points of pedestrian	Complies	Shown on proposed site plans.

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
				crossing.		
4.	✓	✓	Loading/ unloading areas.	Off-street loading standards and requirements shall conform to the requirements as set forth in Article 5, Division 14. All loading/unloading areas and/or facilities shall be within fully enclosed areas with overhead doors. Overhead doors shall remain closed when not in use and after hours.	Complies	All service and loading facilities are contained within the building.
5.		✓	Nonresidential uses.	Off-street parking requirements shall be calculated utilizing a blended parking of one (1) space per two hundred and fifty (250) gross square feet. Restaurants shall require one (1) space per one hundred (100) gross square feet.	Complies	See Preliminary Zoning Analysis.
6.	✓	✓	On-street parking.	On-street parking must be provided on both sides of the street on all primary streets, unless encroachments for arcades/loggias are requested. Evaluation as to the amount of on-street parking provided shall be evaluated on a case-by-case basis. On-street parking shall not be included as satisfying the required parking requirements. On-street parking is encouraged on alleys. Removal of on-street parking shall be subject to compensation to the City based upon established City provisions.	Complies	On-street parking provided along both Granello and Greco Avenues. No existing or proposed on-street parking is located along LeJeune Road.
7.	✓	✓	Parking garages.	Ground floor parking that is located and fronting on a primary street is prohibited. Ground floor parking is permitted on secondary streets and shall be fully enclosed within the structure and shall be surrounded by retail uses. Ground floor parking is permitted on	Complies	No ground floor parking is proposed.

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
				alley frontages. Parking facilities shall accommodate pedestrian access to all adjacent street(s) and alleys.		
8.	✓	✓	Parking space limitations.	Restricting and/or assignment of off-street parking spaces for individual tenant or users with the use of signage, pavement markings, etc., are permitted.	Complies	Designation of 34 public parking spaces (replacement) and 256 parking spaces for retail and restaurant customers is recommended.
9.	✓	✓	Residential uses.	Off-street parking requirements shall conform to the requirements as set forth in Article 5, Division 14.	Complies	See Preliminary Zoning Analysis.
10.	✓	✓	Surface parking areas.	Surface parking lots and/or similar vehicle use areas are prohibited to front on primary streets.	N/A	None proposed.
11.		✓	Valet parking areas.	If valet parking is desired, the valet parking drop-off areas shall be provided on private property. Tandem and/or stacking of parking are prohibited.	Complies	2 tandem parking spaces are proposed, but are not required parking spaces. Code Enforcement shall be required to assure all valet parking occurs on private property.
I. Sanitation and service areas.						
1.	✓	✓	General.	In accordance with Article 5, Division 17	Complies	Shall be required to comply.
J. Signs.						
1.	✓	✓	General.	In accordance with Article 5, Division 19.	Complies	Shall be required to comply.
K. Streets and alleys.						
1.	✓	✓	Streets and alleys.	Property owner(s) may request the vacation and/or abandonment of a public right-of-way subject to the criteria and procedure in Article 3, Division 12.	N/A	Vacation of a public alleyway is proposed by the applicant, and was submitted with the MXD site plan review application.
2.	✓	✓	Driveways.	Vehicular access to parking garages shall be from a	Complies	All vehicular access to building is from

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
				side street or alley. Vehicular egress/ingress, including but not limited to driveways, service drives, drive-throughs, etc., may be permitted from a primary street and shall be evaluated as part of site plan review based upon the project design in relation to existing surrounding circulation. Valet access points are exempt from these provisions. Vehicular entrances for drive-through facilities, garage entrances, service bays and loading/unloading facilities should be consolidated into one (1) curb cut to reduce the amount of vehicular penetration into pedestrian sidewalks and adjoining rights-of-way.		side streets (Granello and Greco Avenues).
3.	✓	✓	Sidewalks.	Pedestrian pathways and/or sidewalks shall connect to one another to form a continuous pedestrian network from parking garage entrances, parking areas, primary and secondary pedestrian entrances, etc. Wherever possible pathways shall be separated from vehicular traffic. Sidewalks shall be located on both sides of all streets with a minimum of four (4) foot unobstructed clear area. The clear area shall be unobstructed by utility poles, fire hydrants, benches, trash receptacles, newspaper stands, light poles, planter boxes, telephone booths or other similar temporary or permanent structures (traffic signage shall be exempt from the above regulations). Sidewalks at points of street intersections or pedestrian crossing shall be sloped in such a manner as to accommodate handicapped access with the use of two (2) curb cuts and/or ramps at each street	Complies	Shown on proposed site plans.

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
				intersection.		
L. Utilities.						
1.	✓	✓	Underground utilities.	All utilities shall be installed underground in accordance with the provisions of Article 5, Division 22.		
2.	✓	✓	Above ground utilities.	Above ground, façade, roof, mechanical and electrical facilities shall be appropriately screened to entirely hide the facility in accordance with the provisions of Article 5, Divisions 11 and 18. Screening materials may include landscaping, walls, fencing, etc., to achieve one hundred (100%) percent opacity. Approval of type of screening shall be determined at time of site plan review.	Complies	Proposed utilities to be contained within the building.
M. Miscellaneous						
1.	✓	✓	Configuration of land.	The parcel proposed for development shall be a contiguous unified parcel with sufficient width and depth to accommodate the proposed uses. Public rights-of-way or other public lands shall not be considered as a separation.	Complies	Entire property is contiguous unified parcel.
2.	✓	✓	Easements.	The City may, as a condition of approval, require that suitable areas for easements be set aside, dedicated and/or improved for the installation of public utilities and purposes which include, but shall not be limited to water, gas, telephone, electric power, sewer, drainage, public access, ingress, egress, open space, recreation and other public purposes which may be deemed necessary by the City Commission.	Complies	Land swap by applicant proposes to provide public park for existing City Parking Lot No. 31 and vacation of existing public alleyway.
3.	✓	✓	Encroachments into public rights-	Any encroachments, construction and penetration into the rights-of-way shall be subject to the following:	N/A	None proposed.

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
			of-way.	• The property owners shall be responsible for all maintenance of all encroachments and/or property of all surrounding public rights-of-way, including but not limited to the following: landscaping (hard and softscape); benches; trash receptacles; irrigation; kiosks; plazas; open spaces; recreational facilities; private streets, etc. subject to all the provisions for which the development was approved as may be amended. • The property owners shall be responsible for liability insurance, local taxes, and the maintenance of the encroachment and/or property.		
4.	✓	✓	Live work units.	• Live work units shall satisfy all applicable building code and fire and life safety code requirements at time of completion. • Each live work unit, including the garage (if applicable), shall be separated by walls from other live work units or other uses in the building, and shall have the ability to construct separate entrances to each use in the future. • The nonresidential space of a live work unit may be expanded to include the nonresidential space of an abutting live work unit if the applicant meets all applicable building codes. • Changes in use to allow for nonresidential uses shall be required to pay impact and water fees, meet the applicable building codes, and the parking requirements. • Operation of live work unit. o Prior to the issuance of an Occupational License for a nonresidential use, the applicant shall apply for a change in use permit if the unit was	N/A	None proposed.

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
				previously designated as a live work unit as part of a development approval. ○ Deliveries for nonresidential uses in the live work unit shall be limited to the hours of 8:00 AM to 8:00 PM. ○ Live work units shall not be used for storage of flammable liquids, or toxic hazardous materials which means any and all materials, substances, waste or chemicals classified under applicable governmental laws, rules or regulations as hazardous or toxic substances, materials, waste or chemicals.		
5.		✓	Public realm improvements.	Responsibility. All property owner(s) that desire to develop pursuant to these regulations shall be required to fund, install, and maintain all public realm improvements required herein on private property as well as those required from the property boundary to the centerline of all contiguous public rights-of-way. A property owner may also provide public realm improvements up to the property line on the far side of rights-of-way abutting his/her property. These improvements as identified in the "Master Streetscape Plan" and "Underground Facilities Master Plan" include, but are not limited, to the following: landscaping; paving; signage; street furniture; public right-of-way improvements; and undergrounding of all utilities. Any other abutting property owner who subsequently develops property abutting an improved public realm area pursuant to these provisions shall reimburse the property owner who funded the improvements the pro rata share attributable to his property based on street	Complies	Applicant proffers to provide public realm improvements as required as shown on proposed site plans.

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
				or alley frontage along with the amount of interest permitted by this provision. Per annum simple interest as established and authorized by Section 687.01, Florida Statutes will accrue from the date of full payment for all improvements. Property owners who develop property abutting already improved public realm areas shall restore the public realm areas to their condition prior to the commencement of construction. The costs of such restoration shall not affect the total amount of reimbursement which another abutting property owner may be entitled to under this section. Administration of improvements. Prior to issuance of a building permit for construction, the property owner(s) shall provide surety equating to one hundred (100%) percent of the costs for completion of all improvements. The monies shall be deposited into a "Mixed Use District Public Realm Improvements Fund" (hereinafter referred to as the "Fund") and disbursed by the City according to this section. The pro rata share of each property owner's contribution to the fund shall be based on its street frontage measured in linear feet or other means of equitable distribution. Per annum simple interest as established and authorized by Section 687.01, Florida Statutes will accrue from the date of full payment for all improvements. The City shall also collect an administrative fee as authorized by Florida Statutes for the administration and implementation of the Fund. Invoices submitted by the developer to the City in connection with the public realm improvements shall be paid by the City from the Fund. The City's Public Works Department shall monitor construction and disperse the		

Table 1.						
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*	*Compliance Determination*	*Comments*
				monies from the Fund based upon completion of work and in compliance with the Master Streetscape Plan and Underground Facilities Master Plan. Underground utility provisions. Underground utilities shall be installed pursuant to an Underground Facilities Master Plan which will be prepared by the Public Works Department in cooperation with the Planning Department. The necessary support facilities for the installation of all underground utility facilities, including but not limited to utility vaults and transformers shall be located on private property. Property owners will receive an FAR credit equivalent to the amount of space occupied by the necessary utility facility. Easements. The property owners shall provide easements to all applicable utility companies for the installation and maintenance of underground utilities. Alternative funding mechanism. A Special Taxing District or Special Assessment District may be created pursuant to Florida Statutes to fund the installation and maintenance of underground utilities and all public realm improvements.		
6.	✓	✓	Transfer of density and floor area ratio within the site plan.	The density and floor area ratio may be transferred throughout the contiguous unified parcel.	Complies	

N:\P Z B\Projects\DYL Merrick MXD\MXD Compliance Table 09.10.08.doc

Attachment D

CITY OF CORAL GABLES

2008 SEP -4 AM 10:10

CITY OF CORAL GABLES

-MEMORANDUM-

COPY

TO: ED WELLER
DIRECTOR
BUILDING AND ZONING DEPT.

DATE: JULY 2, 2008

FROM: WALTER J. FOEMAN
CITY CLERK

SUBJECT: PETITION SUBMITTAL:
D.Y.L. MERRICK PARK
MIXED USE DEVELOPMENT

This office is in receipt of a petition in connection with the above referenced issue, said attached document which was filed by Ms. Shirley Maroon with this office on July 1, 2008, 2:15. However, the Office of the City Clerk is not the copy of record (original). The Department of Building and Zoning is the copy of record. Section 119.02, F.S. provides a definitional reference as to who is the custodian, specifically stating: "Custodian designated: Custodian means, "the elected or appointed state, county, or municipal officer charged with the responsibility of maintaining the office having public records, or his or her designee." City of Coral Gables department directors are responsible for records in their respective departments (pursuant to Ordinance Number 0-2003-31), and the department director is considered "Custodian of those records." Furthermore, Rule IB-24 of the Florida Administrative Code provides the following definition: "Custodian means, "the elected or appointed state, county, district, or municipal officer charged with the responsibility of maintaining the office having public records, or his or her designee". City of Coral Gables department directors are responsible for records in their respective departments (pursuant to Ordinance No. 2003-31), and the department director is considered "Custodian of those records."

Therefore in closing, I am forwarding to you the original petition for appropriate handling of same.

WJF/sd

cc: Maria Jimenez, Assistant City Manager
Martha Salazar Blanco, Zoning Official
John Abbott, Code Compliance Specialist

Shirley Maroon
608 Cadagua Aveune
Coral Gables, Florida 33146
(305)661-4306

July 8, 2008

Dear Liz Hernandez,

Roxcy Bolton has informed me of the conversation she had with you, on Monday, July 7, stating that you will turn over my 300 signature to the city Clerk, Mr. Foeman.

I appreciate your concern in this matter. Thank you very much.

Sincerely,

Shirley Maroon

Shirley Maroon

DRC Meeting

June 27, 2008

Reference: Consideration of request for vacation of alley, Block 16, Industrial Section, Coral Gables Florida.

I, Shirley Maroon, am submitting 300 signatures, from citizens of Coral Gables, who are against DYL Merrick Park Project and vacation of Alley Way and Giving away of public land.

Sincerely,

Shirley Maroon

2008 JUL -1 PM 2:15
OFFICE OF THE CITY CLERK
CITY OF CORAL GABLES

PETITION

We the undersigned citizens of Coral Gables, object to the D.Y.L. Merrick Park mix use development of a 6 to 8 story rental apartment complex and retail stores, located at 4601 Le Juene Road in Coral Gables, for the following reasons: Public land giveaway, vacating of right of way of alley, massive height structure, infrastructure, water and sewers, traffic encroachment on our neighborhood, over crowding of our schools, raising property taxes and insurance and adversely diminishing and effecting the quality of life in our neighborhoods.

	Name	Address
1	JOHN DIECE	413 CADAGUA AVE
2	Judith Castro	433 Cadagua Ave.
3	Castellos (come back)	437 Cadagua ave
4	[illegible]	412 ALMINAR AVE.
5	Kenneth Y. Carr	412 ALMINAR AVENUE
6	Ariel Naranjo	418 Almirar Avenue
7	JOHN NARANJO	418 ALMINAR AVENUE.
8	Christian Ehrenhaft	3601 Toledo St CG
9	Jim Hartnett	510 marmore Ave. C.G.
10	Alex Moreira	3191 Coral Way
11	Nick Barbeite	2600 Douglas Rd.
12	Eunice Garriz	537 Blue Rd. C Gables
13	Domingo Garriz	537 Blue Rd CG
14	Belinda Fernandez	4910 Suarez St.
15	Beatriz Villa	4920 Suarez St
16	Jose Luis Villa	4920 Suarez St
17	Eduardo R Perez	4930 Biltmore Drive
18	Esperanza C Perez	4930 B. Hmore Drive
19	DAVID EDWARDS	4910 BILTMORE DRIVE
20	Ana Menendez	4900 Biltmore Drive

PETITION

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	Name	Address
1	Rafael de los Reyes	501 Cadagua Ave. 33146
2	Martha L Albertus	529 Cadagua Ave. 33146
3	Enrique Albertus	529 Cadagua Ave. 33146
4	Scott & Sonia Blumenthal	615 Vilabella Ave 33146
5	Sonia Blumenthal	615 Vilabella Ave 3314
6	Olga Pandelle	529 Altara Ave. CG 3314
7		625 Vilabella Ave 33146
8		625 Vilabella Ave 33146
9		532 Altara Ave 3314
10		532 Altara Ave. 331
11	Norman R Bauer	525 ALTARA AVE 33146
12	Deborah Bauer	525 ALTARA Ave 33146
13		52 CORTONA AVE 33146
14		515 ALTARA AVE. 33146.
15	Rosanna Fiske	526 San Antonio Ave 3314
16	Tim Fiske	526 San Antonio Ave 3314
17	JC Antorcha	4943 Riviera Drive, 66, Fl, 3314
18	Annelle Antorcha	4943 Riviera Dr. CGy
19	Carmen G. Fajardo	4945 Riviera Dr. C Gables, Fl. 33146
20	Paul Fajardo	4945 Riviera Dr C Gables 33146

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	Name	Address
1	JOHN DIECK	413 CADAGUA AVE.
2	Judith Castro	433 Cadagua Ave.
3	Castellos (come back)	437 Cadagua ave
4	[illegible]	412 ALMINAR AVE. (Penny's Kennel)
5	Kenneth L. Carr	412 ALMINAR Avenue
6	Ariel Naranjo	418 Almiñar Avenue
7	JOHN NARANJO	418 ALMIÑAR AVENUE.
8	Regina Rinaldi	513 San Esteban Av.
9	Philip Rinaldi	" " " "
10	Maria E. Paredes	629 Velarde Ave.
11	Emma Perez	533 San Esteban ave.
12	Victor Alonso	533 San Esteban Av
13	Neida Deza	544 San Esteban Av
14	David Deza	544 San Esteban Av
15	Kim Usiak	540 San Esteban Avenue
16	Charlotte Wolfe	541 San Esteban Ave
17	Greg Gyllenhaal	4307 Segovia St
18	Beverly Gyllenhaal	4307 Segovia C
19	Anders Gyllenhaal	4307 Segovia CG
20	BETTINA HARRIMAN	439 CALIGULA AVE.

PETITION

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	Name	Address
1	M Laguna daito	2665 SW 37 Ave. #1605. M. 33
2		541 San Lorenzo Ave CG 331
3	Rafael Garcia	525 San Lorenzo Ave 331
4	Ana Bertoldi	525 San Lorenzo Ave 33
5		519 San Lorenzo Ave 33
6		510 San Lorenzo Ave 33146
7		570 San Lorenzo Ave.
8		600 Jeronimo Drive
9		600 Jeronimo Drive
10	Barrin Tawil	500 Jeronimo Drive
11	Ibrahim Tawil	500 Jeronimo Drive
12	JOHN HARRIMAN	439 CALIGULA AVE.
13	BEATRIZ HARRIMAN	439 CALIGULA AVE.
14	A. Ferreira	516 San Lorenzo
15	Maria L. Palacios	5035 Oduña Dr
16		807 S. Alhambra Cir.
17		634 San Lorenzo CG
18		634 San Lorenzo CG
19		541 San Esteban Ave CG
20		501 Cadiz Ave, 33146

PETITION

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	Name	Address
1	Luisa Maroon	608 Cadagua Avenue Coral Gables FL 33146
2	Shirley Marvon	608 Cadagua Ave. Coral Gables 3.
3	Elizabeth Rebecca Conner	539 Cadagua Ave. Coral Gables,
4	Jane Reynolds,	539 Cadagua Ave., Coral Gables 331
5	Janice M. Smith	539 Cadagua Ave, Coral Gables 33
6	Roxy Bolton	124 Codina Ave. C.G.
7	Linda Ornstein	609 Cadagua, C Gables
8	David Ornstein	609 Cadagua C. Gables
9	Ina Berliner	609 Cadagua C Gables
10	Chip GIORGI	725 Vilabella Av. C. Gables
11	Stefano BENVENUTI	725 Vilabella Av. Coral Gables
12	Antonio R Perez Maria	620 Alhambra C. G.
13	ALEC THYRRE	600 ALMINAR AVE CG 33146
14	LAURIN THYRRE	600 ALMINAR AVE CG 33146
15	Gigi Espinosa	544 Alminar Ave CG 33146
16	Leslie Reyes-Espinosa	544 Alminar Ave CG 33146
17	Judith BALDS	530 ALMINAR AV. C.G. FL 3314
18	JORGE LINARES	530 ALMINAR AV. C.G. FL 3314,
19	REY VELAZQUEZ	529 ALMINAR AVE, C.G 33146
20	KATHY VELAZQUEZ	529 Alminar Ave CG

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	Name	Address
1	THOMAS W. LOGUE	735 BLUE Rd, CORAL GABLES FL 33146
2	Carolyn Durham	4800 Ronda St. Coral Gables, FL 331
3	Jorge Iorrai	4852 Ronda St. Coral Gable 331
4	JORGE VILLAMIL	4900 RONDA ST. CORAL GABLES 33
5	BETTY CORDON	4850 BILTMORE DR. CORAL GABLES 33
6	Alex Sevilla	4851 Biltmore Dr Coral Gables 33
7	Jose Del Castillo	4841 Biltmore Dr. Coral Gables 33
8	JUAN M. MARTINEZ	4801 Biltmore Dr. Coral Gables 33146
9	Margarita Rose	544 Cadagua Ave Coral Gables, FL 33146
10		4949 Riviera Dr. Coral Gables, FL 33146
11		4800 San Amaro Dr. Coral Gables, FL 33146
12	Maria Gomez	4951 Riviera Dr. C Gables, FL 33146
13	Jeff Doyle	4947 Riviera DR. Coral Gables 331
14	Jorge Albeiro	529 Cadagua Avenue, Coral Gables
15	Linda M. Gonzalez	103 Cadena Ave
16	Martha Gonzalez	103 Cadena Ave
17	Elsa M. Llanes	3170 Le Juene
18		363 Aragon Ave #5
19	Maxine Mitchell	363 Aragon Ave #5
20	Brenda [illegible]	600 Cadagua Ave #5 Coral Gab

PETITION

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	Name	Address
1	Sandra Chafen	4607 Riviera Dr
2	Justo Garcia	529 Altara Ave.
3	Gisela López Mata	535 Catalonia Ave.
4	[illegible]	430 Loretto Ave.
5	Gus Mevenkamp	4900 Biltmore Dr.
6	Simon RIVE	424 Vilabella Ave. C.G. 33134
7	Yamilce Diaz	431 Vilabella Ave.
8	Joseph Zahralban	431 Vilabella Ave.
9	Emilio Iglesias	607 Jeronimo Dr. Coral Gables 331
10	MARIA IGLESIAS	607 JERONIMO Dr. CORAL Gables 33.
11	JULIO E. CASO	4310 RIVIERA DR. CORAL GABLES, FL. 3
12	Harriet Green	4300 Riviera Dr.
13	THOMAS J. ASUSTA	4110 Riviera Drive
14	Lisbet Asusta	4110 Riviera Drive
15	Pavel A. Perez	4100 Riviera Drive. 33146
16	Olga M. Llorio	4100 Riviera Drive 33146
17	Judy Alfonso	515 San Antonio Ave 33146
18	Alex Torres	512 San Antonio Ave 33146
19	Lourdes Torres	512 San Antonio Ave 33146
20	Orlando Soto	529 San Antonio Ave 33146

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	Name	Address	
1	ROBERT FERNANDEZ	620 Blue Rd.	
2	Melina FERNANDEZ	620 Blue Rd.	
3	Cristina de Mauro	601 Alminar Ave.	
4	GLORIA GROSS	436 Alminar Ave	
5	Eduardo Gross	436 Alminar Ave	
6	Maraima Gutierrez	419 Vilabella ave	
7	Joseph Zahralban	931 Vilabella Ave	
8	SANDRA AUSTIN	441 VILABELLA AVE	
9	DOUGLAS AUSTIN	441 VILABELLA AVE	
10	MARIA J GARCIA	4601 Riviera Drive	
11	Maribel Ochoa	500 Vilabella Ave	
12	Margaret Aguilera	514 Vilabella Ave.	
13	Pedro Rodriguez	514 Vilabella Ave.	
14	Shannon Savage	522 Vilabella Avenue	
15	Paul Savage	522 Vilabella Avenue	
16	Julie Ruso	521 Vilabella Ave	
17	Carlos & Isabel Gonzalez	525 Vilabella Ave	
18	Isabel R. Gonzalez	525 Vilabella Ave.	
19	H Botran	545 Vilabella Ave	
20	Vincent Chen	517 Alminar GG 33146	

PETITION

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	Name	Address
1	Robert Rourk	604 Cadagua Ave 33146
2	Tom Backmeyer	606 Cadagua Ave 33146
3	Ayela Poggio	540 Cadagua Ave 33146
4		540 Cadagua Ave 33146
5	[illegible] Weber	530 Cadagua Ave 33146
6	Cherly Mendez	4805 Riviera Dr. 33146
7	Robert Sindelar	470 Blue Rd. 33146
8	Carlos F Garcia	443 Blue Rd - 33146
9	Chris Arriaga	433 Blue Rd 33146
10	John O'Connell	413 Blue Rd 33146
11	Howard [illegible]	411 Blue Rd 33146
12	[illegible]	430 Loretto Ave
13	John Deere	4810 Riviera Dr 33146
14	[illegible]	537 Blue Rd 33146
15	[illegible]	543 Blue Rd 33146
16	[illegible]	604 Cadagua Avenue
17	[illegible]	440 Loretto Ave.
18	Marie Wurth	471 Loretto Ave
19	[illegible]	619 Cadagua C. Gables
20	[illegible]	619 Cadagua C. Gables

PETITION

We the undersigned citizens of Coral Gables, object to the D.Y.L. Merrick Park mix use development of a 6 to 8 story rental apartment complex and retail stores, located at 4601 Le Juene Road in Coral Gables, for the following reasons: Public land giveaway, vacating of right of way of alley, massive height structure, infrastructure, water and sewers, traffic encroachment on our neighborhood, over crowding of our schools, raising property taxes and insurance and adversely diminishing and effecting the quality of life in our neighborhoods.

	Name	Address
1	Steven P. Befera	700 Jerrimo Drive
2	Mayra Joli	700 Jerrimo Drive
3	Zoraida Arisso	433 Blue Rd. C.G.
4	Chris Arisso	433 Blue Rd G.G.
5	Marcelo Arisso	433 Blue Rd C.G.
6	Robert J. Fabian	501 Loretto C.G
7	Eugenio Martinez Jr	505 loretto Ave C.G
8	Eugenio Martinez Sr.	4920 Biltmore dr. C.G.
9	[redacted]	[redacted]
10	Mrs. Martinez	505 Loretta Ave. G.G.
11	Olga Altonaga	527 Loretto Ave C.G.
12	Patricia Altonaga	1425 Messina Ave C.G.
13	George Mencia	914 Alfonso Ave
14	Cecilia Altonaga	914 alfonso Ave
15	GIOVANNI CARRÉ	544 LORETO Ave
16	ERNEST TURNER	544 LORETO AVE
17	Kevin Schumacher	525 Loretto AVE
18	Robyn Schumacher	525 Loretto AVE
19	ANNE LEE	519 LORETTO AVE. C.G.
20	SUSANA LAWRENCE	4927 RIVIERA D.R. C.G
21	ROSITA LENNY	4927 RIVIERA DR. CG

PETITION

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	Name	Address
1	[illegible]	523 Cadagua Ave
2	[illegible]	510 Almirar Ave
3	[illegible]	510 Almirar Ave
4	Lulisa Wolf	515 Almirar Ave
5	Brian Wolf	515 Almirar Ave
6	Carl Wolf	515 Almirar Ave
7	[illegible]	6014 Blue Road
8	I NICHOLS	601 BLUE ROAD
9	Jessica Stone	425 CADAGUA AVE, CORAL GABLES, 331
10	Beth Stone	425 Cadagua Ave., Coral Gables, 331
11	Zoe Hanono	600 Vilabella Ave, 33146 33146
12	Salvador Hanono	600 Vilabella Ave, 33146
13	Gino Hanono	600 Vilabella Ave, 33146
14	Pablo Hanono	600 Vilabella Ave, 33146
15	Kimball Woodbury	501 VILABELLA AVE
16	LAURI BUTLER	501 VILABELL AVE
17	Alexis Ehrenhaft	3601 Toledo St CG.
18	Bruce Ehrenhaft	3601 Toledo St CG.
19	Christian Ehrenhaft	3601 Toledo St. C.G.
20	Jackie Bellah	120 Madeira Ave C.G.

PETITION

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	Name	Address
1	Juan V. Garcia	421 Cadagua Ave.
2	Concepcion Koukouvinis	421 Cadagua Ave
3	Elizabeth Stone	425 Cadagua Ave
4	Roberto Soria	428 CADAGUA AVE
5	Garrido Jorge	412 CAdagua Ave
6	Alberto Gonzalez	41 CAdagua Ave
7	Alberto Gonzalez	17 CAdagua Ave
8	[illegible] (Sonia Valle)	429 CADAGUA Ave.
9	Jeffery Rubero	428 Cadagua AVE
10	Kristi Tempening	428 Cadagua Ave
11	Felipe Lubino	428 Cadagua Ave
12	[illegible] Burnett	428 Cadagua Ave
13	[illegible]	438 Cadagua — With Guadalupe
14	[illegible]	441 CADAGUA
15	Patti Gray	441 Cadagua Ave
16	Ana C Cardoso	422 Cadagua Ave
17	Rodolfo	422 Cadagua Ave.
18	[illegible]	429 Cadagua Ave
19	Cristina Valle	429 Cadagua ave
20	[illegible]	416 CADAGUA Ave
21	Ximena Delgado	416 Cadagua Ave.

PETITION

We the undersigned citizens of Coral Gables, object to the D.Y.L. Merrick Park mix use development of a 6 to 8 story rental apartment complex and retail stores, located at 4601 Le Juene Road in Coral Gables, for the following reasons: Public land giveaway, vacating of right of way of alley, massive height structure, infrastructure, water and sewers, traffic encroachment on our neighborhood, over crowding of our schools, raising property taxes and insurance and adversely diminishing and effecting the quality of life in our neighborhoods.

	Name	Address
1	David C. Albert	614 Alminar Avenue, Coral Gables,
2	Genevieve Harris Block	600 Blue Road Coral Gables,
3	Wayne B Block	600 Blue Rd Coral Gables, FL
4	Ada Ocampo	515 Jeronimo Dr. Coral Gables
5	Savie Ocampo	515 Jeronimo Dr Coral Gables
6	Maria E. DeVera	520 Jeronimo Dr. Coral Gables
7	Arturo DeVera	520 Jeronimo Dr. Coral Gables
8	Helen Perez	49 N RIVIERA DR. " " "
9	Herb Brenner	251 San Sebastian " " "
10	Stephen T. Morris	251 San Sebastian Av " " "
11	Susan & Rudy Bell	254 San Sebastian Ave C.G. FL
12	Madelyn Castello	226 San Sebastian Ave, C. Gables
13	Erica Nelson	216 Santander Ave C Gables, 331
14	Deborah Sanders	218 Santander Ave C Gables 331
15	Helen Espinosa	264 santander Ave. C. Gables 33
16	Carlos East	280 Santander Ave
17	Francesca Cruz	280 Santander ave.
18	[illegible]	338 Alminar Ave C.G.
19	Frederick Martin	608 Cadagua CG 3314
20	Jean Laraty	460 Biltmore Way CG 3313

PETITION

We the undersigned citizens of Coral Gables, object to the D.Y.L. Merrick Park mix use development of a 6 to 8 story rental apartment complex and retail stores, located at 4601 Le Juene Road in Coral Gables, for the following reasons: Public land giveaway, vacating of right of way of alley, massive height structure, infrastructure, water and sewers, traffic encroachment on our neighborhood, over crowding of our schools, raising property taxes and insurance and adversely diminishing and effecting the quality of life in our neighborhoods.

	Name	Address
1	Alfredo Jimenez	461 Loretto AVE Coral Gables Fl 33146
2	Carmen R. Jimenez	461 Loretto AVE Coral Gables Fl 33146
3	~~Leslie~~ C. Todd	443 Loretto Ave Coral Gables, FL 3314
4	Patricia Collazo	438 Loretto Ave 3314
5	Enriquez Mys	446 Loretto Ave 3314
6	Stella Crismanich	446 Loretto Ave 3314
7	Gino Rotoli	453 Loretto Ave 3314
8	Leonor Lopez	460 Loretto Ave 3314
9	Charo Cruz	460 Loretto Ave
10	Ada Lopez	460 Loretto Ave
11	Patti May	4911 Riviera Dr. Coral Gables 3314
12	Sonya Rouviere	4025 University Dr Coral Gables
13	Dr. F.P. Rouviere	4025 University Dr. C.G. 3314
14	Annie Corrales	425 Biltmore Way Coral Gables
15	Bonnie Harrison	545 San Antonio Ave Coral Gables
16	Gigi Slepian	431 Alhambra Cir. 33134 C.G.
17	Mia Kennedy	603 Adagua Ave
18	Susan Corrigan	921 Ortega Ave Coral Gables 33
19	Nancy Lafaja	1125 Venetia Ave Coral Gables 331
20	Judy Dunham	2665 SW 37 Ave Coral Gables FL 33

PETITION

We the undersigned citizens of Coral Gables, object to the D.Y.L. Merrick Park mix use development of a 6 to 8 story rental apartment complex and retail stores, located at 4601 Le Juene Road in Coral Gables, for the following reasons: Public land giveaway, vacating of right of way of alley, massive height structure, infrastructure, water and sewers, traffic encroachment on our neighborhood, over crowding of our schools, raising property taxes and insurance and adversely diminishing and effecting the quality of life in our neighborhoods.

	Name	Address
1	MARIA SEELIGS	536 SAN LORENZO, CORAL GABLES,
2	Wm. SEELIG WMS	536 SAN LORENZO, CORAL GABLES
3	Jaime Tajardo	4945 Riviera Dr. C.Gables, FL 33146
4	Cristina tajardo	4945 Riviera Dr CG 33146
5	W. Batista	4910 Ronda St. C.G. 3314
6	Kay Villar	439 Loretto Ave. C.G. 33
7	[illegible] Menendez	4900 Biltmore Dr 33146
8	[illegible] Bustot	4840 Biltmore Drive 33146
9	Adriana Bustot	4840 Biltmore Dr. 33146
10	Ana Clara Borges	800 Blue Rd CG. 33146
11	Mar Gosalbez	755 Blue Rd C.G. 33146
12	Rafael Gosalbez	755 Blue Rd C.G 33146
13	Miguel Gosalbez	755 Blue Rd C.G. 33146
14	Elsie Sanchez	745 Blue Rd. C.G 33146
15	[illegible]	745 Blue Rd GG 33146
16	[illegible]	745 Blue Rd CG 33146
17	[illegible]	720 Madeira Ave 33134.
18	[illegible]	439 Loretta Ave
19	[illegible]	4910 Biltmore Dr.
20	[illegible]	603 Cadagua Ave 33146

City of Coral Gables - Planning Department
DYL project at 4601 LeJeune
Letters Received from Property Owners
November 6, 2008

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
1.	10/22/08	Suzanne A. Dockerty D & O, LLC 4208-10 and 4212 Ponce de Leon Boulevard Coral Gables, FL 33146		X		To Whom It May Concern: My husband and I are the owners of D & O, LLC, which owns the properties located at 4208-10 and 4212 Ponce de Leon Boulevard. **We support** this Application and are **in favor** of the City approving the Application. We believe this Project will have a **beneficial and positive impact** in the Merrick Park area. Thank you. Very truly yours, Suzanne A. Dockerty
2.	10/13/08	Marcelo & Ilona Bendix 4725 Riviera Drive Coral Gables, FL 33145	X			We object to give away the public alley and the land swap to developers to build a 10-story building in our nice and quiet neighborhood.
3.	**Comments below were received as of October 8, 2008.**					
4.	10/07/08	Nicolas Acquavella nacquavella@acquayal:com	X			LeJeune has traffic problems at 5 pm – more offices around will increase considerable this problem.
5.	10/03/08	Rosann and David Whitten 548 Vilabella Avenue Coral Gables, FL 33146	X			Ten stories is too tall for our neighborhood. Giving away city land without further discussion is wrong.
6.	09/30/08	Shirley Maroon 603 Cadagua Avenue Coral Gables, FL 33146	X			I adamantly object to this project & the vacation of alleyway which belongs to the citizens of Coral Gables & is a vital component to the area. See attached letter & article from the Miami Herald neighbors newspaper dated 9-21-08

Attachment E

City of Coral Gables - Planning Department
DYL project at 4601 LeJeune
Letters Received from Property Owners
November 6, 2008

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
						Kudos to the Commission 2008 SEP 30 AM 9:56 Kudos should be given to the City of Coral Gables Commission for a recent ruling against a proposed 10 story high rise building in a residential neighborhood (see: "Commission Blocks Office High Rise, September 11, 2008, Miami Herald Neighbors Section). According to an article in the Miami Herald Neighbors Section on September 11, 2008 entitled "Commission Blocks Office High Rise", a ten story proposed high rise building was voted down unanimously, because the Commission feared the project would encroach on the residential neighborhood and become a precedent for other properties along Le Jeune Road. Special thanks should be given to Commissioner Maria Anderson, who lives just 2 blocks from the said proposed project, as Anderson feared that such a project would have a drastic negative effect on her neighborhood. However, this is not the only neighborhood in Coral Gables being endangered by such over development. In our neighborhood, there is a project called DYL Merrick Park, located at 4601 Le Jeune Road, which is seeking approval of a 10 story mix use development, which includes, residential, offices, retail stores and a massive parking garage. To date, I, along with several of my neighbors, have successfully collected 300 signatures on a petition objecting to this proposed project in our neighborhood. Our objections, include, but are not limited to: (1) a public land give away of a public parking lot and parking meters, amounting to about 100 parking spaces; and (2) the vacating of right away of alley (300 feet) which belongs to the citizens of Coral Gables. This proposed project will create a massive height structure, which will adversely impact the infrastructure, water and sewer, and traffic in the surrounding neighborhoods. Additionally, this proposed project will add to the overcrowding in our schools; the raising of property taxes and insurance, and adversely diminish and affect the overall quality of life in our neighborhoods. It should be noted that this proposed project came along by way of a zoning change from industrial low rise to high rise MXD3 mix use overlay and a land use change from commercial to residential. This proposed project, as well as many other high rise projects proposed for this particular area, need to be approved, each on its own merit by the commission. In addition, in April the commission approved a 10 story rental apartment complex with 270 units including affordable housing and a massive parking garage adjacent to the D.Y.L. project called Gables Gateway. For every action there is a reaction, and my reaction in the matter at hand is simply to ***protect my neighborhood.*** I, along with my concerned neighbors, hope that the Commission will use the same wisdom and fortitude which it has used in the past in other neighborhoods, when voting on the proposed project in my neighborhood. Sincerely, Shirley Maroon Resident of Coral Gables

City of Coral Gables - Planning Department
DYL project at 4601 LeJeune
Letters Received from Property Owners
November 6, 2008

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)

Kudos should be given to the city of Coral Gables Commission for a recent ruling against a proposed 10-story, high-rise building in a residential neighborhood (Commission Rocks Office High Rise Sept.11).

According to an article in the Miami Herald Neighbors, a 10-story building was voted down unanimously because the City Commission feared the project would encroach on the residential neighborhood and become a precedent for other properties along Le Jeune Road. Special thanks should be given to Commissioner Maria Anderson, who lives just two blocks from the proposed project, and feared that such a project would have a drastic negative effect on her neighborhood.

However, this is not the only neighborhood in Coral Gables being endangered by such overdevelopment. In our neighborhood, there is a project called DYL Merrick Park, located at 4601 Le Jeune Rd., which is seeking approval of a 10-story, mixed-use development which includes, residential, offices, retail stores and a massive parking garage.

To date, I, along with several of my neighbors, have successfully collected 500 signatures on a petition objecting to this proposed project in our neighborhood.

Our objections, include, but are not limited to: (1) a the vocating of right of way of 100 parking spaces; and (2) motors, amounting to about public land driveway of a alley (900 feet) which belongs to the citizens of Coral Gables.

(The proposed project will create a massive height structure, which will adversely impact the infrastructure, water and sewer, and traffic in the surrounding neighborhoods. Additionally, this proposed project will add to school overcrowding; the raising of property taxes and insurance; and adversely diminish and affect the overall quality of life in our neighborhoods.

This proposed project came along by way of a zon-

ing change from industrial low rise to high rise MXD3 mixed-use overlay and a land use change from commercial to residential. This proposed project, as well as many other high-rise projects proposed for this particular area, need to be approved, each on its own merit by the commission.

In addition, in April the commission approved a 10-story rental apartment complex with 270 units including affordable housing and a massive parking garage adjacent to the DYL project (called Gables Gateway).

For every action there is a reaction, and my reaction is the matter at hand is simply to protect my neighborhood. I, along with my concerned colleagues, hope the Commission will use the same wisdom and fortitude it has used in the past in other neighborhoods when voting on the proposed project in my neighborhood.

SHIRLEY MAROON
CORAL GABLES

Miami Herald Ready?
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(CGC#010159)
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SOAPBOX

DYL project a threat to Gables' character.

SEND US YOUR OPINION

To submit your letter for print, e-mail letter-to-the-editor@miamiherald.com or write: Miami Herald, Letters to the Editor, 3511 NW 91st Ave., Suite 200, Miami, FL 33156.

• A few rules: We will not publish personal attacks. Your note must address a specific CGAL ordinance, be less than 350 words, and signed with full name, city and phone number. We also reserve the right to edit for length and also to exclude any comments that may be libelous.

Miami Herald 11/6/08 8:29 AM

Letter in Support
Merrick Park — DYL
Planning Dept. 11/6/08

City of Coral Gables - Planning Department
DYL project at 4601 LeJeune
Letters Received from Property Owners
November 6, 2008

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
7.	09/30/08	John and Anel Naranjo 418 Alminar Avenue Coral Gables, FL 33146				See attached My name is John Naranjo and I live at 418 Alminar Avenue, Coral Gables, Florida. I have lived at this address for the past 12 years. I attended the September 4th meeting that was held at the Youth Center to hear the architect and developer's plans and specific details about the proposed building. I was open to learn what was intended for the site, which really needs improvement due to the existing business mix and poor street condition. Unfortunately, what I learned from the meeting was that the proposed scale of the building is oversized for the location. The neighboring homes and businesses are one story in height and this proposed building (facing LeJeune) would be six stories high and based on zoning requirements, a taller section of the building is set back. Another specific objection is the lack of architectural detail that the architect is promoting. During the presentation, the architect emphasized the local Coral Gables Old Spanish architectural details in the building he was using as examples. Unfortunately, the proposed building design looks more like a parking building with applied Old Spanish details. The architecture and details on the building look forced on, as if to address that they are following and adding details in an effort to get the city planning and zoning tax or zoning points. The architect and developer also indicated that the new building would still have the alleyway, but wider in size. The building and site show only a service type road inside the building to access all their back business. An alley way is called an alley when it's an open space that provided access between two or more building.
8.	09/26/08	Armando & Ada Acevedo 4311 Anderson Road Coral Gables, FL 33146	X			- This type of project will damage the quality of life in neighborhood. - Negative impact with traffic in the area. - Vacation of the public alleyway infringes the rights of these motorists that cannot make a left turn onto Greco Avenue from LeJeune Road and utilize the alleyway to reach Greco Avenue.
9.	09/24/08	Steven Schiff 4105 Laguna Street 9955 N. Kendall Drive Suite 205 Miami, FL 33176		X		
10.	09/24/08	Lisa Maroon 608 Cadagua Avenue Coral Gables, FL 33146	X			Dear Commissioners, I feel this proposed project is absolutely wrong for this area. It is totally not necessary to put a 10 story, high density, mixed use residential complex in a commercially zoned low density area. There is no precedent for this in this area. This proposed project will be an extreme burden to our neighborhood. –Please see attached-

City of Coral Gables - Planning Department
DYL project at 4601 LeJeune
Letters Received from Property Owners
November 6, 2008

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
						I am against this project for the following reasons: public land giveaway, vacating of right of way of alley, massive height structure, infrastructure, water & sewers, traffic encroachment on our neighborhood, over crowding of our schools, raising property taxes and insurance and adversely diminishing and effecting the quality of life in our neighborhoods. I ask this commission to please look on this issue in a human standpoint, as if you lived just blocks away from this project, & not from the developers point of view, who create these unnecessary massive buildings and are not subject to live in the inconvenience of the over development. There are 300 people who have signed a petition opposing this project. These are the residents in my neighborhood who will be directly effected. As you may already know, there are many other developments, just like this one, already built, and most are currently vacant. We do not need any more of these in our neighborhood. Commissioners, I urge you to please vote this project down. You are in a position to represent the residents of coral Gables, and the residents are speaking - Please hear us, this project is not in the best interest of our neighborhood. Respectfully, Luisa Maroon - Resident of Coral Gables 608 Cadagua Avenue.
11.	09/24/08	John Nordt, MD Spine Center of Miami 4720 LeJeune Road Coral Gables, FL 33146		X		
12.	09/24/08	Ada Marshall 235 Jefferson Drive Coral Gables, FL 33133		X		
13.	09/19/08	Andres Pou Professional Management & Investment Corp.		X		

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
		425 Alminar Avenue Coral Gables, FL 33145				
14.	09/19/08	Arthur Cullen HavanaHarrys@aol.com				**From:** HavanaHarrys@aol.com [mailto:HavanaHarrys@aol.com] **Sent:** Thursday, September 18, 2008 10:46 PM **To:** Slesnick, Donald **Subject:** DYL Project Dear Mayor and Commission members, I have lived in Coral Gables for almost twenty years and have owned Havana Harry's Restaurant for the past sixteen years. My wife Nieves and I have lived the American dream, beginning in a small startup restaurant on Giralda Avenue and growing it into a large 250 seat restaurant on LeJeune Road. Our restaurant is an institution here in the Gables and is known throughout Miami, the United States, and internationally. My wife has been recognized and photographed for the Miami Herald and national publications such as Travel and Leisure, Bon Appetit, and Hispanic Business Magazine. I have been most fortunate to not only work along side my wife in our family business but to serve in law enforcement for more than twenty-five years and retire from federal service five years ago. We are raising three children, our youngest we adopted in China three years ago. Now our business is not only threatened but we face most certainly its closing if the proposed land swap for the public parking lot on LeJeune Road is approved. At our urging the developers representatives met with my wife and I in February of this year. While the made some minor revisions to their plans they never followed through and met with us again. In fact they never informed us as they promised as to public meetings they held with the city or the community. We were left to read about it in the newspaper. It appears they want to ignore the paramount issue as to the replacement or compensation of the public parking lot spots during the 2 to 3 years of construction. Our business will not survive next year if that parking lot is obliterated. The certain restrictions and inconvenience the construction will bring to the remaining on-street spots will only quicken our demise. The parking lot has existed for the businesses in this area for more than 40 years. While I am open minded to development it should not occur at the expense of any business. Its not only morally wrong its not the American way. That lot and

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
						the surrounding on-street parking provide 60% of our customer parking and we signed a new lease extension last year, unbeknown to us that the lot may be given away to a developer. In all my years living in Coral Gables I never heard of such an arrangement, especially the idea that a large developer can come in and close a long-standing family business. I would like to meet with you either collectively or individually to discuss this issue. I can be reached by e-mail or at 786-367-7488. Sincerely, Arthur Cullen
15.	07/07/08	Jaime Fajardo crispetica@yahoo.com	X			**From:** Jaime Fajardo [mailto:crispetica@yahoo.com] **Sent:** Tuesday, June 24, 2008 12:48 PM **To:** Slesnick, Donald; wkerdick@citybeautiful.net; Anderson, Maria; Cabrera, Ralph; Withers, Wayne; Brown, David **Subject:** Vacation of alley, block 16. industrial section Hi, we, citizens of Coral Gables, object to the D.Y.I. Merrick park mix use development of a 10 story rental apartment complex and retail stores, located at 4601 Le Juene road and nehigboring Gables Gateway Project, for the following reasons: Public land giveaway, vacating of right of way of alley, massive height structure, infraestructure, water and sewers, traffic encroachement and increase on our neighborhood, overcrowding in ouir schools, raising property taxes and insurance. we are deeply concerned. The fajardos.
16.	07/07/08	Monica Pelella 4941 Riviera Drive Coral Gables, FL 33146	X			From: Monica Pelella [mailto:mpelella_office@bellsouth.net] Sent: Thursday, June 26, 2008 9:37 AM To: Slesnick, Donald Cc: Garcia, Olga M. Subject: Request for Vacation of Alley, Block 16, Industrial Section, Coral Gables, FL Mr. Mayor: I have resided in the City of Coral Gables for the past 50 years. My parents moved to the Gables from Beacon, New York when I was six years of age. My mother (age 84) still owns a home in Coral Gables. I have seen tremendous change in the

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
						City since the 1950s, and not all of it has been for the better. Commercial development, particularly in the downtown area, has led to traffic congestion and a loss of green space. The buildings are simply too tall and too dense. Residential development has run amuck as well. There are too many big houses sitting on small lots. No one has a yard anymore and cars are parked everywhere in residential areas, including on the swale. I live very near the proposed D.Y.L. Merrick Park mixed use development and neighboring Gables Gateway Project and **object** to these proposed projects for the following reasons: public land giveaway, vacating of right of way of alley, massive height structure, infrastructure, water and sewer, traffic encroachment on our neighborhood, over-crowding of our schools, raising property taxes and insurance, and, most importantly, diminishing and effecting the already compromised quality of life in our neighborhoods. I strongly urge you and the Commissioners to **deny** the developers' Request for Vacation of Alley, Block 16, Industrial Section, Coral Gables, FL. Sincerely, Monica Pelella 4941 Riviera Drive Coral Gables, FL 33146
17.	07/07/08	Ximena Delgado 416 Cadagua Ave.	X			From: Ximena Delgado [mailto:xdrmail@yahoo.com] Sent: Friday, July 04, 2008 7:37 PM To: Slesnick, Donald; Kerdyk, William; Anderson, Maria; Cabrera, Ralph; Withers, Wayne; Brown, David Subject: concerned resident, DYL Merrick Park building project Dears Mayor Slesnick, Vice Mayor Kerdyk, Commissioners Anderson, Cabrera, and Withers, and City Manager Brown, I'm a Coral Gables resident, who is living within 1500 feet of a building project, and frankly I have various concerns regarding the same. The project in question is the DYL Merrick Park mix use development (4601 Le Jeune Road). Not only am I against the vacation of a public alley, being it public land, but also my concerns are that this projected 10 story building will bring along a series of problems that will significantly deteriorate the quality of life of the neighbors both on this side of US-1, as well as those to the east. And also, it will negatively impact both property values and taxes. I consider that this project will cause serious traffic problems, worsened

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DYL project at 4601 LeJeune
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						by the fact that there is another building project next door to it, the Gables Gateway Project. This section cannot hold the increase in traffic that a new 10 story apartment building will bring, let alone two of them. I fear that public opinion for the Gables Gateway Project was unfortunately not requested as should have been, but I sincerely hope that it will be taken into consideration in regards to the DYL Merrick Park project. I agree that some development in that area would be beneficial, nevertheless, attempting to "squeeze in" two 10 story buildings in an area that cannot support them, and with considerable negative impact to tax paying residents, is not the type of development needed. I believe in one that will bring benefits to residents, developers, and the City. I hope that my opinion, as well as that of other concerned residents, will be taken into consideration. Regards, Ximena Delgado 416 Cadagua Ave.
18.	6/27/2008	Gail Goetsch and Mariano Aragon ggoetsch@bellsouth.net 434 Loretto Avenue Coral Gables, FL 33146 305 663-5747	X			-----Original Message----- From: Susan Cone [mailto:momscone@mac.com] Sent: Wednesday, June 25, 2008 1:53 PM To: donslesnik@citybeautiful.net; Kerdyk, William; Anderson, Maria; Cabrera, Ralph; Withers, Wayne; Brown, David Subject: 4601 Le Jeune Road June 25, 2008 Dear Honorable Mayor Slesnick, Vice Mayor Kerdyk, Commissioners Anderson, Cabrera, and Withers, and Mr. David Brown: I am writing to you today to voice my concern over the projected development at 4601 Le Jeune Road (D.Y.I. Merrick Park mix use development). My husband and I have owned our home at 434 Loretto Avenue, about 2 blocks away from the proposed development, for almost 10 years. We are concerned about how this 10 story complex is going to impact our daily life, including increased traffic, and also long term issues like overcrowed schools, and taxes. But what most troubles me about this proposed development is the sheer size of it. A 10 story building will stick out terribly and no matter how many Mediterranean details it has, it will be completely out of place in our neighborhood.

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						As I live on an alley, I am also very concerned about the vacating of the alley, and giving away public land. I understand that we cannot stop development in the Gables, nor do we want to. But it needs to be done responsibly, with the citizen's interest first and foremost in consideration. Although the building would be on a big street, it is directly across from a wonderful, quiet neighborhood and I urge you not to forget that. We cannot attend the hearing on Friday, because we are currently out of state on vacation. Please do not forget about the citizens that you were elected to represent. Thank you for your time, Gail Goetsch and Mariano Aragon ggoetsch@bellsouth.net 434 Loretto Avenue Coral Gables, FL 33146 305 663-5747
19.	6/26/2008	Monica Pelella 4941 Riviera Drive Coral Gables, FL 33146	X			From: Monica Pelella [mailto:mpelella_office@bellsouth.net] Sent: Thursday, June 26, 2008 9:25 AM To: Slesnick, Donald Cc: Cuzan, Lourdes; Kerdyk, William; Anderson, Maria; Cabrera, Ralph; Withers, Wayne; Brown, David Subject: Request for Vacation of Alley, Block 16, Industrial Section, Coral Gables, FL Mr. Mayor: I have resided in the City of Coral Gables for the past 50 years. My parents moved to the Gables from Beacon, New York when I was six years of age. My mother (age 84) still owns a home in Coral Gables. I have seen tremendous change in the City since the 1950s, and not all of it has been for the better. Commercial development, particularly in the downtown area, has led to traffic congestion and a loss of green space. The buildings are simply too tall and too dense. Residential development has run amuck as well. There are too many big houses sitting on

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						small lots. No one has a yard anymore and cars are parked everywhere in residential areas, including on the swale. I live very near the proposed D.Y.L. Merrick Park mixed use development and neighboring Gables Gateway Project and object to these proposed projects for the following reasons: public land giveaway, vacating of right of way of alley, massive height structure, infrastructure, water and sewer, traffic encroachment on our neighborhood, over-crowding of our schools, raising property taxes and insurance, and, most importantly, diminishing and effecting the already compromised quality of life in our neighborhoods. I strongly urge you and the Commissioners to deny the developers' Request for Vacation of Alley, Block 16, Industrial Section, Coral Gables, FL. Sincerely, Monica Pelella 4941 Riviera Drive Coral Gables, FL 33146
20.	06/23/08	Correspondence from Eric Riel, Planning Director				From: Riel, Eric Sent: Monday, June 23, 2008 11:09 AM To: Slesnick, Donald; 'David Ornstein'; 'restone2@aol.com'; 'Lisa Maroon' Cc: Jimenez, Maria A.; Lubin, Dona; Carlson, Walter; Betancourt, Javier; Menendez, Jill; Brown, David; Pierra, Cynthia Subject: RE: FW: Objection to Proposed D.Y.L. Project at 4601 Le Jeune. 06.23.2008 Mr. Mayor and Other Interested Parties: The Planning Department last week received the DYL application for mixed use site plan for the properties located on LeJuene Road. The Department in conjunction with other City departments (i.e. Public Service, Public Works, Parking, Fire, Police, Building and Zoning, etc) are reviewing the application for application sufficiency. After the application is determined to be sufficient, City staff will review and provide City comments. After comments are responded by the applicant, satisfying the City Zoning Code requirements, the application will be scheduled for Planning and Zoning Board and City Commission review.

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						Prior to the scheduling the application for PZB review, the applicant is required to conduct a neighborhood meeting and the applicant is required to send out a notice to properties within 1500 feet of the site. Likewise, the City Planning Department will be providing a City notice (again within 1500 feet of the site) of the upcoming PZB and CC hearings well in advance of the meetings. In addition all agendas, staff reports, board minutes are posted on the City web page in advance of the meetings, click on this link http://www.coralgables.com/CGWeb/dep_planning_and_Zoning_board_meetings.htm Mr. Javier Betancourt, Principal Planner has spoke to Ms Maroon on several occasions including a conference call with the City Managers Office on issues regarding the upcoming consideration of the DYL application. I have attached copies of faxes/information that has been forwarded to Ms Maroon which includes the mixed use provisions of the zoning code, affordable housing provisions and other various information. This information should assist those copied of this email with background information regarding the issues noted in the below email. Planning Staff including Mr. Betancourt, Mr. Walter Carlson, Assistant Planning Director or I would be happy to discuss any issues over the phone or meet in advance of the upcoming public hearings. Interested parties can contact us at 305.460.5211. Again, please find attached various background information on the issues mentioned below. Thank you. Eric Riel, Jr. Planning Director City of Coral Gables, Florida 305.460.5211 http://www.coralgables.com/CGWeb/planning.htm To assist the Planning Department's customers and provide efficient and cost effective service while promoting" Green" initiatives, the Department encourages

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						the use of video and/or audio conferencing for meetings and appointments with Department personnel. The video call-in conferencing address is "planningvc.coralgables.com." Please contact the Department at planning@coralgables.com in advance to schedule meetings. This e-mail is from the Planning Department of the City of Coral Gables, Florida and is intended solely for the use of the individual(s) to whom it is addressed. If you believe you received this e-mail in error, please notify the sender immediately, delete the e-mail from your computer and do not copy or disclose it to anyone else. The State of Florida has a very broad public records laws. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure. --- From: Slesnick, Donald Sent: Monday, June 23, 2008 12:38 AM To: David Ornstein; Riel, Eric; Carlson, Walter; Brown, David Cc: Jimenez, Maria A.; Lubin, Dona; Lisa Maroon Subject: RE: FW: Objection to Proposed D.Y.L. Project at 4601 Le Jeune. Dear David, Eric & Wally: Could we please set up an informational meeting for the neighbors who live to the west of the D.Y.L. proposed project – in order to explain some of the issues which are not accurately reflected in the objections we have received. This would not be a meeting to "convince" anyone to support or oppose but to clarify issues such as (1) affordable/workforce housing; (2) height ("as of right" vs. mixed use or Mediterranean) – and the mixed use zoning as to whether we have previously adopted it for this area; (3) the vacation or realignment of the alley, and (4) other matters that may be of interest. I am not interested in convincing the neighbors one way or the other – just want the debate to be on the true facts. I see this as a meeting between planning staff and several of the neighborhood spokespersons such as Dr. Ornstein and the Maroon family. Thanks, Don ---

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						From: David Ornstein [mailto:david.ornstein@gmail.com] Sent: Sunday, June 22, 2008 11:47 PM To: Slesnick, Donald Subject: Re: FW: Objection to Proposed D.Y.L. Project at 4601 Le Jeune. Hi Don - Thanks for this follow-up. You did respond, basically saying that you understood my position, felt that some of my bullet-points might have been created without adequate/accurate information and offering to meet to discuss it further. I was very grateful for your prompt response. Today's letter (the copy of your note to a neighbor) is more informative. It leads me to want to get more information about the project. I am still worried about the sheer volume of the two buildings and the impact of a large number of concentrated units on the surrounding neighborhoods. The meeting you mentioned is an excellent idea. I shall pass along our communication to a neighbor who has taken the initiative to try to enlighten the neighborhood about what's happening. I would hope to attend and actively participate a meeting, but will leave scheduling to you and those of my neighbors who already have "mud on their boots." Best wishes, David On Sun, Jun 22, 2008 at 5:23 PM, Slesnick, Donald <donslesnick@coralgables.com> wrote: David – I just re-read your e-mail and looked for a copy of my response, but did not find it (although I think I replied). It was during a thunder storm and maybe it was lost in cyberspace. I had received one other note from one of your neighbors to whom I responded with the following message. I thought that I would share it with you. Thank you for your input on the D.Y.L. project. I certainly understand your general concern with development in the area. However, some of the items that you complain of are not really factual. I would be glad to have a meeting set up between the neighborhood and a representative of the Planning Department to fully explain the proposal, not to defend it, but to explain the facts – then you can base

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						your objection or support on real information. Two things that I will say up front are: (1) there are very few empty "rentals" in Coral Gables - there may be a slow real estate market for sales, but rentals are quite popular; and, (2) if there is "affordable/workforce" priced units in the building, they will account for no more than 15% of the total. Further, these units are not for "underprivileged" persons (although, God knows that they need housing) – these are for working families (e.g.: police officers, firefighters, nurses, teachers, etc.) and are priced based on the median Coral Gables income level. Regards, Don Slesnick