

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA AMENDING ORDINANCE NO. 2022-14, AS AMENDED, WHICH APPROVED A PLANNED AREA DEVELOPMENT FOR THE PROPERTY LEGALLY DESCRIBED AS LOTS 5 THROUGH 27, BLOCK 28, CORAL GABLES CRAFTS SECTION (340, 330, 322, 314, 310, 300 CATALONIA AVENUE, 301, 309, 317, 323, 325, 333, 341 MALAGA AVENUE), CORAL GABLES, FLORIDA, TO ALLOW FOR COMPLETION OF THE PUBLIC PARK FOLLOWING ISSUANCE OF A CERTIFICATE OF OCCUPANCY, SUBJECT TO POSTING OF A PERFORMANCE BOND FOR SUCH WORK, AND TO REQUIRE THAT THE PUBLIC PARK BE DEDICATED TO THE CITY, WITH THE DEED FOR THE PUBLIC PARK TO BE EXECUTED AND HELD IN ESCROW WITH THE CITY.

WHEREAS, pursuant to Ordinance No. 2022-14 and Resolution No. 2022-81, the City approved a mixed-use project, including required conditions of approval, for the “Alexan Crafts” project located at 330 Catalonia Avenue (the “Project”), including public park enhancements; and

WHEREAS, Section 10 of the Conditions of Approval attached as Attachment “A” to Ordinance No. 2022-14, provides in relevant part that prior to issuance of the first certificate of occupancy or temporary certificate of occupancy, certain conditions must be satisfied, including undergrounding of certain public utilities, right of way improvements, and construction of public park enhancements; and

WHEREAS, the Developer obtained a building permit from the City, under permit number PAFF-22-09-0068, and associated sub-permits, for, among other things, utility work, right-of-way improvements, streetlight installation, construction of bump outs along portions of Catalonia Avenue and Malaga Avenue fronting the Project, completion of improvements related to the 6,805 +/- SF public open space required for the Project (the “Public Park”) and final pavement restoration work along the south side of University Drive; and

WHEREAS, pursuant to Ordinance No. 2025-40, the City Commission previously amended Ordinance No. 2022-14 to allow certain remaining work associated with the Project to be completed after issuance of a temporary certificate of occupancy, subject to the terms of a performance bond; and

WHEREAS, as more fully set forth in the Performance Bond Agreement previously approved pursuant to Ordinance No. 2025-40, the Developer submitted a performance bond to allow for the issuance of the temporary certificate of occupancy, while ensuring the construction and completion of the remaining work as described therein; and

WHEREAS, the Developer has completed all off-site improvements previously authorized to be completed after issuance of the temporary certificate of occupancy, and the only remaining authorized work is the Public Park, which is nearing completion and will be dedicated to the City; and

WHEREAS, the Developer has retained a contractor that is actively performing the Public Park work under Permit No. PAFF-26-04-1066, and the Public Park will be fully completed within one hundred twenty (120) days following issuance of the certificate of occupancy for the Project, subject to such reasonable extensions as may be granted by the City Manager for good cause shown;; and

WHEREAS, the City has approved issuance of the certificate of occupancy for the mixed-use building, subject to the completion and dedication of the Public Park, with the existing performance bond, as amended, remaining in place to secure such completion and dedication; and

WHEREAS, the City seeks to further amend Ordinance No. 2022-14, as amended, to allow the certificate of occupancy for the Project to be issued, including that the existing performance bond, as amended, remain in full force and effect until the Public Park is completed and that the Public Park be dedicated to the City; and

WHEREAS, the City Commission finds that the existing performance bond, as amended, for the Public Park, together with the Developer's execution and escrowing of the deed to the City for the Public Park, provides sufficient assurance that the Public Park will be timely completed and dedicated to the City; and

WHEREAS, the City Commission finds that amending Ordinance No. 2022-14, as amended, to reflect the terms and conditions under which the certificate of occupancy may issue, including the continuation of the existing Performance Bond, as amended, and the execution and escrowing of the deed for the Public Park with the City, is in the best interest of the City and consistent with the prior approvals for the Project.

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

SECTION 1. That the foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption the hereof.

SECTION 2. That the City Commission acknowledges that the existing performance bond submitted pursuant to Ordinance No. 2025-40, and subsequently amended, shall remain in full force and effect to secure completion of the Public Park and authorizes the City Manager to accept the executed deed for the Public Park, to be held in escrow by the City until completion of the Public Park, as evidenced by the issuance of final inspection approvals under Permit No. PAFF-26-04-1066 and all related sub-permits, at which time the deed may be accepted for dedication to the City.

SECTION 3. That Ordinance No. 2025-40 is hereby further amended to allow the Public Park to be completed within 120 days after issuance of a certificate of occupancy for the mixed-use building, subject to such reasonable extensions as may be granted by the City Manager for good cause shown and subject to a performance bond submitted to ensure completion of the Public Park work, and to provide that the Public Park shall be conveyed to the City, with the deed for the Public Park to be executed and held in escrow with the City as described herein. All other provisions of Ordinance No. 2022-14, as amended, remain unchanged and in full force and effect.

SECTION 4. That the City Commission authorizes the City Manager and the City Attorney to approve and execute any documents necessary to effectuate the escrow of the deed and the amended conditions approved by this Ordinance.

SECTION 5. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 6. If any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, then said holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. That this Ordinance shall become effective immediately upon its passage and adoption herein.

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

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

BILLY URQUIA
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

CRISTINA M. SUÁREZ
CITY ATTORNEY