

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2019-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA APPROVING THE FILING OF AN APPLICATION BY RC ACQUISITIONS LLC, PURSUANT TO THE DISPUTE RESOLUTION AGREEMENT BETWEEN THE CITY AND MUNDOMED S.A. AND SOUTH HIGH CLIFF CORP., TO RECEIVE TRANSFER OF DEVELOPMENT RIGHTS FOR THE PROPOSED MIXED USE PROJECT TO BE LOCATED AT 216 CATALONIA AVENUE, 3000 PONCE DE LEON BOULEVARD, AND 203 UNIVERSITY DRIVE.

WHEREAS, RC Acquisitions LLC (the “Applicant”) has submitted a request, attached as **Exhibit A**, for City Commission approval to file an application for receipt/use of transfer of development rights (“TDRs”) for a proposed mixed use project to be located at 216 Catalonia Avenue, 3000 Ponce de Leon Boulevard, and 203 University Drive (the “Receiving Site”); and

WHEREAS, the Applicant seeks to utilize TDRs made available pursuant to a Dispute Resolution Agreement (the “Agreement”), attached as **Exhibit B**, whereby the City agreed that owners of a property to be rezoned to a less intensive use and conveyed to the City were entitled to 50,000 square feet of TDRs which may be transferred to and utilized in either the Central Business District (“CBD”) or the North Ponce Mixed Use Corridor, but also in other Commercial and Industrial Zoned areas of the City, which do not abut and are not adjacent to either (1) South Dixie Highway or (ii) properties zoned Single Family Residential, with the filing of the TDR application being subject to the absolute discretion of the City Commission; and

WHEREAS, the Agreement further provides that the TDRs may be used to transfer density units at a ratio of 1,000 square feet being equivalent to 1 density unit; and

WHEREAS, the Applicant intends to apply to receive 40,000 square feet of TDRs available pursuant to the Agreement, but because the Receiving Site is not located in the CBD or North Ponce Mixed Use Corridor, the filing of the TDR application requires Commission approval; and

WHEREAS, the Applicant contemplates the TDR application will be requested only for purposes of intensity, they may ultimately request to convert certain portion of the TDRs to density units; and

WHEREAS, the City Commission has reviewed and considered the Applicant’s request and finds, without making any determination as to whether the TDR application will be ultimately approved, that it is appropriate for the Applicant to proceed with the TDR process set forth in Article 3, Division 10 of the Zoning Code by filing the TDR application.

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

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

SECTION 2. That the City Commission does hereby approve the filing of the TDR application by the Applicant, to proceed with the process set forth in Article 3, Division 10 of the Zoning Code, for the receipt of TDRs at the Receiving Site, but reserves its full authority and discretion with respect to its review and consideration of the TDR application and makes no representation as to whether the TDR application will be ultimately approved. If TDRs are approved at the Receiving Site, the resulting square feet (or units of density) of TDRs will be determined pursuant to the application process in accordance with Article 3, Division 10 of the Zoning Code.

SECTION 3. That the provisions of the Zoning Code, the Comprehensive Plan, and any other applicable regulations must be considered in the City's review of the TDR application and that this Resolution does not constitute a development order or permit, does not convey any development rights or describe the specific type, intensity or for of development that may be approved for the Receiving Site.

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

PASSED AND ADOPTED THIS ___ DAY OF AUGUST, 2019

APPROVED:

RAÚL VALDÉS-FAULI
MAYOR

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

BILLY Y. URQUIA
CITY CLERK

MIRIAM SOLER RAMOS
CITY ATTORNEY