

**CITY OF CORAL GABLES**

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION SETTING FORTH CONDITIONS FOR ENCROACHMENTS INTO, ONTO, UNDER AND OVER THE PUBLIC RIGHT-OF-WAY ALONG SAN LORENZO AVENUE, ALTARA AVENUE AND AURORA STREET CONSISTING OF: PORTE-COCHERE AT THE DROP OFF AREA, PLANTERS, BIKE RACKS, CANVAS AND PUBLIC LIGHTING ALONG ALLEY, WALL SCONCES, LIGHTING IN THE RIGHT-OF-WAY, OVERHANG STRUCTURE TOP OF ELEVATION SHAFT, FIRE FIGHTER TEST HEAD AT ALLEY AND SIAMESE CONNECTIONS AT AURORA STREET AND SAN LORENZO, ADJACENT TO THE PROPOSED “MERRICK PARK HOTEL” LOCATED AT 4241 AURORA STREET, CORAL GABLES, FLORIDA.

**WHEREAS**, Mrs. Laura Russo, on behalf of Hersha Hospitality, Developer of the Merrick Park Hotel, has requested permission to encroach into the right-of-way adjacent to 4241 Aurora Street, Coral Gables, Florida; and

**WHEREAS**, the proposed encroachment consists of a porte-cochere at the drop off area, planters, ,bike racks, canvas and public lighting along alley, wall sconces, lighting in the right-of-way, overhang structure top of elevation shaft, fire fighter test head at alley and Siamese connections at aurora street and san Lorenzo avenue, adjacent to the proposed “Merrick park hotel” located at 4241 aurora street; and

**WHEREAS**, the proposed encroachments were reviewed and recommended by the City’s Planning and Zoning Board on May 10, 2017; and

**WHEREAS**, the proposed encroachments are included in the Site Plan approved by the City Commission on July 11, 2017 by Resolution Number **2017-157**; and

**WHEREAS**, the proposed encroachments are included in the “The Merrick Park Hotel” project’s plans for 4241 Aurora Street approved by the Board of Architects on September 13, 2018.

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

**SECTION 1.** The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption.

**SECTION 2.** That a request for encroachment, consisting of a porte-cochere at the drop off area, planters, ,bike racks, canvas and public lighting along alley, wall sconces, overhang structure top of elevation shaft, fire fighter test head at alley and Siamese connections at Aurora street and san Lorenzo Avenue, adjacent to the proposed “Merrick park hotel” located at 4241 aurora street, in connection with “The Merrick Park Hotel” project, as approved at the September 13, 2018 by the Board of Architects’ meeting, adjacent to 4241 Aurora Street, legally described as Lots 12 through 22, Block 6, of “ Revised Plat of Coral Gables Industrial Section” according to the plat thereof, as recorded in Plat Book 28, at Page 22, of the public records of Miami-Dade County, Florida, shall be and is hereby approved, subject to the following requirements:

- a. The proposed encroachments shall conform to the Florida Building Code and all pertinent Codes;
- b. The City of Coral Gables reserves the right to remove, add, maintain, or have the Owner remove any of the improvements within the right-of-way, at Owner’s expense;
- c. The Owner shall maintain the proposed encroachments in good condition at all times, at Owner’s expense;
- d. In the event the Public Works Department must issue a permit for a utility cut in the future, affecting the area in which the encroachments are approved, the Owner shall replace any portion of the approved encroachment, at Owner’s expense;
- e. The Owner shall meet with the City Attorney’s office for the purpose of providing all the information necessary for the office to prepare a Restrictive Covenant to be executed by the Owner, which runs with the title of the property, and which states, in addition to the above mentioned requirements, that the Owner will provide Public Liability Insurance coverage for the encroachment in the minimum limits required by the City, and naming the City as an additional insured under the policy;
- f. The copies of the Restrictive Covenant, when fully executed and filed, together with certification of required insurance, shall be presented to the Development Services and Public Works Departments and permits thereafter be obtained for the work from both of these Departments.

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

PASSED AND ADOPTED THIRTEENTH DAY OF NOVEMBER, A. D., 2018.

APPROVED:

ATTEST:

RAUL VALDES - FAULI  
MAYOR

WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS  
CITY ATTORNEY

