

ITEM TITLE:

Ordinance on First Reading.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA AMENDING ORDINANCE NO. 2022-14 WHICH APPROVED **PLANNED** Α 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 CERTAIN WORK TO BE COMPLETED AFTER THE **ISSUANCE** OF **TEMPORARY CERTIFICATE** OF Α OCCUPANCY SUBJECT TO THE **TERMS** OF Α PERFORMANCE BOND

BRIEF HISTORY:

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 the undergrounding of certain public utilities.

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.

Developer has obtained a building permit from the City, under permit number PAFF-22-09-0068, and associated sub-permits, for, among other things, (1) utility work, including undergrounding; (2) right-of-way and bike lane improvements along Salzedo Avenue; (3) streetlight installation; (4) construction of bump out along portions of Catalonia & Malaga fronting the project; (5) completion of the improvements related to a 6,805 +/- SF public open space that will be dedicated to the City; and (6) final pavement restoration work along the south side of University Blvd. (the "Remaining Work"). In accordance with the permitting process and approved Ordinance and Resolution, the Developer is completing outstanding work that has been delayed by circumstances beyond its control.

The costs of the Remaining Work has been calculated to be One Million Twenty Seven Thousand Seven Hundred Twenty Two and 15/100 Dollars (\$1,027,722.15). The Developer has retained a contractor that is actively performing the park and right-of-way improvements associated with the Remaining Work, and has made a payment to Florida Power & Light (FPL) for the completion of related utility

work, but while most of the Remaining Work will be completed within sixty (60) days, the Remaining Work will be fully completed within one hundred fifty (150) days.

Developer seeks to apply to the City for a temporary certificate of occupancy for the Project and, as more fully set forth in the Performance Bond Agreement attached hereto as Exhibit A, the Developer has agreed to post 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.

ATTACHMENT(S):

Ordinance

Performance Bond

FINANCIAL INFORMATION:

| No. | Amount | Account No. | Source of Funds |
|-----------------|--------|-------------|-----------------|
| 1. | N/A | N/A | N/A |
| Fiscal Impact:. | | | |