

City of Coral Gables
Planning Department Staff Report

TO: Honorable Local Planning Agency (LPA / Planning and Zoning Board Members

From: Planning Department

Date: May 14, 2008

Subject: **Application No. 02-07-480-P. Change of Land Use, Rezoning, Planned Area Development (PAD) Review, Site Plan Review and Conditional Use Special Location Review pursuant to Ordinance No. 1525, as amended.** Local Planning Agency (LPA) / Planning and Zoning Board review of one development proposal which includes five (5) separate applications for the proposed project referred to as "Gables Waterway", as follows:

1. Change of Land Use from "Commercial Use, Low-Rise Intensity" to "Residential Use (Multi-Family) Low Density" on Lots 1-4, Block 6, Singer Subdivision, "Residential Use (Multi-Family) Duplex Density" to "Residential Use (Multi-Family) Low Density" on Lot 5, Block 5 and Lot 5 and 5-A, Block 6, Singer Subdivision, and "Commercial, Low-Rise Intensity" for Parcel "A" (no land use currently assigned).
2. Change of Zoning from "CL", Commercial Limited ("CA", Commercial) to "MF2", Multi Family 2 District ("A-13", Apartment) on Lots 1-4, Block 6, Singer Subdivision, "MF1", Multi Family 1 Duplex District ("D-10", Duplex) to "MF2", Multi Family 2 District ("A-13", Apartment) on Lot 5, Block 5 and Lot 5 and 5-A, Block 6, Singer Subdivision and "CL", Commercial Limited ("CA", Commercial) for Parcel "A" (no zoning currently assigned).
3. PAD review pursuant to Zoning Code Article 9, "Planned Area Development", Section 9-1 thru 9-10 (entire property excluding a portion of Lot 8 and a portion of the area designated as University Waterway, Block 208, Second revised Plat of Coral Gables Riviera Section Part 14).
4. Site plan review for entire proposed project (entire property legally described below, including PAD parcel and commercial parcel located on southwest corner of South Alhambra Drive / U.S.1 intersection).
5. Conditional Use Special Location Review to allow Mediterranean architectural bonuses adjacent to "SFR", Single Family Residential ("R", Residential) and "MF1", Multi Family 1 Duplex District ("D", Duplex) zoned property.

Submitted by Amace Properties, Inc., owner, for the property located on all of Tract "K", Addition to Riviera Waterways Section, Lots 1-4, Block 5 and Lots 1-4, Block 6, Riviera Waterways Section, Lot 5, Block 5 and Lot 5 and 5-A, Block 6, Singer Subdivision, a portion of Lot 8 and a portion of the area designated as University Waterway, Block 208, Second revised Plat of Coral Gables Riviera Section Part 14, and Parcel "A" lying between Lot 1, Block 5, Riviera Waterways Section and Tract "K", Addition to Riviera Waterways Section (6100 Caballero Boulevard), Coral Gables, Florida.

Recommendation

The Planning Department based upon the complete findings of fact contained within this report recommends denial of the following five (5) applications referred to as "Gables Waterway", for the property located on all of Tract "K", Addition to Riviera Waterways Section, Lots 1-4, Block 5 and Lots 1-4, Block 6, Riviera Waterways Section, Lot 5, Block 5 and Lot 5 and 5-A, Block 6, Singer Subdivision, a portion of Lot 8 and a portion of the area designated as University Waterway, Block 208, Second revised Plat of Coral Gables Riviera Section Part 14, and Parcel "A" lying between Lot 1, Block 5, Riviera Waterways Section and Tract "K", Addition to Riviera Waterways Section (6100 Caballero Boulevard), Coral Gables, Florida, as follows:

1. Change of Land Use from "Commercial Use, Low-Rise Intensity" to "Residential Use (Multi-Family) Low Density" on Lots 1-4, Block 6, Singer Subdivision, "Residential Use (Multi-Family) Duplex Density" to "Residential Use (Multi-Family) Low Density" on Lot 5, Block 5 and Lot 5 and 5-A, Block 6, Singer Subdivision and "Commercial, Low-Rise Intensity" for Parcel "A" (no land use currently assigned).
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4. Site plan review for entire proposed project (entire property legally described below, including PAD parcel and commercial parcel located on southwest corner of South Alhambra Drive / U.S.1 intersection).
5. Conditional Use Special Location Review to allow Mediterranean architectural bonuses adjacent to "SFR", Single Family Residential ("R", Residential) and "MF1", Multi Family 1 Duplex District ("D", Duplex) zoned property.

Basis of Denial

Staff's analysis identifies inconsistencies, incompatibilities and insufficiencies which prompt Staff to not support the applications. Staff's recommendation for denial of the five (5) applications is based upon established professional planning practices and principles, and the applications' inability to satisfy the Goals, Objectives and Policies in the City's Comprehensive Land Use Plan (CLUP), the purpose and intent of the Zoning Code, and the Zoning Code. A summary of each, the regulatory authority and responsibilities, and comprehensive review is contained and presented in detail in the following sections of this report, as further articulated in the below findings of fact.

Please refer to pages 12 to 31 for the comprehensive findings of fact:

Inconsistent CLUP Goals, Objectives and Policies, the purpose and intent of the Zoning Code and Zoning Code. Staff's evaluation of the applications to determine consistency and inconsistency with the CLUP Goals, Objectives and Policies provided with this report identified CLUP objectives and policies, the purpose and intent of the Zoning Code, and the Zoning Code that this proposal is in conflict with. Those determined to be inconsistent include transitional use,

transitional massing, project size and density, parking, traffic, project phasing, marine facility operations, and attainable housing. The following itemizes and summarizes the inconsistencies and incompatibility issues identified by the evaluation of the CLUP Goals, Objectives and Policies:

1. *Incompatible transitional uses.* The project does not provide an adequate transition of uses. A primary and fundamental planning principle is to transition between uses so that the intensity of uses is gradually and effectively reduced as development approaches less intense uses, such as single-family neighborhoods. The project does not allow for an effective transition between uses along Caballero Boulevard, and is not consistent with professional planning practices of requiring a transitional land use between the existing single-family residential use and proposed multi-family residential use. The existing land use pattern (current land use and zoning designations) fulfills that objective and provides the transitional duplex use between the existing single-family residential use and multi-family residential use (see pages 14-17).
2. *Incompatible transitional massing.* The project does not provide an adequate transition of massing. A primary and fundamental planning principle is to provide transition of building bulk and massing of a proposed structure with reference to height, setbacks and open space so that the massing is gradually and effectively reduced as development approaches less intense uses, such as single-family neighborhoods. The proposed project does not provide adequate transition in height and scale from U.S.1 back to the existing single-family and duplex uses. The five (5) story height of the residential building across from Jaycee Park, and the proposed reduction of both the required front and rear setback of the project's multi-family residential structures would impact adjoining properties and single-family residences located across the University Waterway Canal (see pages 14-17).
3. *Excessive project size and density.* The project's size and density are inconsistent with the scale and character of the surrounding neighborhood. The applicant's mitigation measures proposed with this project do not support the award of requested site development bonuses as provided for by the Code's PAD and Mediterranean architectural design provisions. The proposed project with the award of development bonuses -- including both front and rear setback relief, building height and additional residential units -- results in increased project size, the loss of open space and existing mature tree canopy, and insufficient transition and buffering between the existing and proposed uses, which are not consistent with the scale and character of the surrounding neighborhood. The project would also likely encourage further redevelopment of a larger, denser, and more intense character, resulting in a significant alteration of the existing scale and character of the neighborhood. The Preliminary Zoning Analysis prepared by the Building and Zoning Department indicates the 20% on-site landscape open space required for a PAD has not been met and the applicant requires credit for off-site landscaping (see pages 17-20).
4. *Off-site parking encroachment.* Parking generated by the project will encroach into the surrounding neighborhood if left unmanaged. No overflow parking management plan, including short term meters, residential parking permits, directional signage and enforcement measures is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. It has not been resolved whether there is an internal vehicular connection between the underground parking areas that would allow and encourage on-site vehicular circulation (see pages 20-23).

5. *Traffic.* Traffic generated by the project will negatively impact the surrounding neighborhood if not fully mitigated. It is the conclusion of the City's traffic consultant that additional traffic improvements are necessary to mitigate the impact of the project. Based upon the CLUP objective requiring the protection of residential neighborhoods and controlling through traffic, it is Staff's opinion that this application does not provide sufficient mitigation of traffic to ensure surrounding properties and residential neighborhoods are not negatively impacted (see pages 23-25).
6. *Project phasing and interim parking facilities.* The project is proposed to be developed in various phases, which if left unplanned and/or unchecked, could result in significant interim and long term impacts to the surrounding neighborhood. There are no assurances provided that the project fulfills the PAD objectives and purpose stated in Zoning Code Section 9-1 if the project is not built-out and all proposed phases constructed. The project is proposed to be constructed in five (5) separate phases, with the commercial component constructed first (Phases 1, 2 and 3) and the residential component constructed second (Phases 4 and 5). The applicant has not provided specific timeframes for the phasing of the project as required per Zoning Code Section 9-1. A projected timeline is necessary for each phase of the project and for the build-out of the entire project. Phase 1 of the project calls for the construction of an interim surface parking lot on South Alhambra Drive adjacent to the existing duplex residence and across the canal from existing single-family residences. That interim surface parking lot would remain until construction of the final phase of the project (Phase 5). No proposed use of the parking lot (hours of operation, restricted access, users, construction material storage, etc.) or plan has been submitted providing details indicating vehicular entrances, paving surface/curbing, landscaping, lighting, security, and pedestrian circulation (see pages 25-28).
7. *Marine facilities operation plan.* The project will likely result in the increased use of an existing marina situated along an ecologically sensitive canal habitat, which, if left unmanaged, could negatively impact the canal and surrounding single-family residential neighborhood. No operational plan was provided for the renovation and use of the existing twenty-five (25) boat berths that are proposed to be assigned to owners of residential units within the project. The marina is located at the end of a canal utilized primarily by the existing single-family residential neighborhood through which the canal courses, and serves as an environmentally sensitive manatee habitat. The application does not sufficiently identify and address the servicing of vessels at the marina, including fueling, fire suppression, public safety, hours of operation for fueling and provisioning, whether these services will be provided from landside or from vessels, designated parking and service spaces with access to marina, and a hazardous materials mitigation plan if fueling or vessel maintenance is proposed to be allowed at the marina (see pages 28-30).
8. *Attainable housing is not addressed.* The project does not provide any attainable housing. The provision of attainable housing within the City is a State and regional mandate, and as such is being pursued in accordance with the goals and objectives of the City of Coral Gables Workforce / Affordable Housing Study (April 2006), which includes the promotion of inclusionary zoning or other methodologies to secure housing. Planning Staff has the ability, in advance of a formal citywide program, to require major residential developments receiving increases in density, changes in zoning, changes in CLUP, PAD, MXD and/or conditional use reviews or "discretionary reviews," to dedicate

a portion of their units to attainable housing. The applicant has not addressed or included attainable housing units within the proposed development (see page 31).

The applications are attached to this report.

Request

The property is under single ownership and includes two parcels of land separated by a public right-of-way (South Alhambra Circle). Both parcels of land are proposed to be developed as a single, unified project. The largest parcel, which represents the majority of the property, is a proposed PAD project consisting of multi-family residential and commercial office uses. The second "out parcel" is significantly smaller and is proposed to be developed "as-of-right" as commercial office use only. The two parcels are proposed to share required parking (with the PAD parcel providing required remote parking for the commercial office building parcel), and are proposed to be physically connected by a pedestrian walkway over South Alhambra Drive. Zoning Code provisions require that all land contained in any proposed PAD project be "a contiguous and unified" parcel. Therefore, while the entire project is subject to site plan review, the "out parcel" on which the commercial office building is proposed must be reviewed in terms of Zoning Code compliance separately from the proposed PAD parcel.

The entire project was submitted to and received Board of Architects preliminary approval prior to the adoption of the new Zoning Code on 01.09.07. According to Section 1-108, "Transitional Rules" of the new Zoning Code, the Zoning Code regulations (referenced as the Archived Zoning Code) in effect when the Gables Waterway application was filed shall govern the review of the proposed amendments. Therefore, the Preliminary Zoning Analysis prepared by the Building and Zoning Department for the proposed changes to the approved site plan utilized the provisions of the previous "Archived" Zoning Code which were in effect when the application was filed.

Planning and Zoning Board / City Commission Review Responsibilities

The proposed change of zoning designation and PAD site plan requires review and recommendation by the Planning and Zoning Board and consideration and adoption in ordinance form by the City Commission (two public hearings). The proposed conditional use special location review requires Planning and Zoning Board recommendation and adoption in resolution form by the Commission (one public hearing). Zoning Code Section 25-5(f) states that "the Planning and Zoning Board in considering an application for a change of zoning may recommend to the City Commission that any ordinance passed and adopted in connection with the rezoning shall provide that the proposed building shall be in accordance with the plans submitted with the rezoning application or subsequently revised during the hearings" (see page 12). The regulatory authority and responsibilities for review and recommendation of proposed PAD site plans are contained in Zoning Code Section 9-5 (c) (see page 12), and Zoning Code Section 28-6(a) provides the regulatory authority and responsibilities for review and recommendation for Conditional Use Special Location Review for the award of Mediterranean architectural bonuses (see pages 13-14).

Changes in land use require review and recommendation by the Local Planning Agency (Planning and Zoning Board) and consideration and adoption in ordinance form by the City Commission (two public hearings). This proposal is considered a "small scale" amendment according to the thresholds established by the Department of Community Affairs (DCA). Therefore, no state required impact analysis is necessary and DCA review between the

Commission's 1st and 2nd readings is not required. The City Commission, however, can choose to transmit the amendment to DCA with a request that it be considered as a standard (i.e., large scale) amendment, which would then allow for review by various state and regional agencies between 1st and 2nd readings. Zoning Code Section 25-5(a) requires that before adoption of any amendment to the Comprehensive Plan, the Planning and Zoning Board shall provide a recommendation after holding a public hearing at which the proposed amendment is presented. Staff's comprehensive evaluation of the CLUP Goals, Objectives and Policies is provided on pages 14-31.

Proposed Project - Facts and Background

Application	Request
Change of land use	Yes - see attached applications
Comprehensive Plan text amendment	No
Change of zoning	Yes - see attached applications
Zoning Code text amendment	No
Site plan review	Yes – entire project consisting of proposed PAD and commercial office building
Mixed use site plan review	No
Planned Area Development	Yes
Subdivision Review or Tentative Plat	No
Conditional uses (special location review for Mediterranean bonuses)	Yes- subject property adjoins "SFR" and MF1" zoned properties.

City Reviews

City Reviews/Timeline	Date Scheduled/ Reviewed/Approved*
Development Review Committee	11.28.05 and 12.09.05
Board of Architects (preliminary approval)	12.21.06 and 12.20.07
Board of Architects (granting Mediterranean bonuses)	01.17.08
Board of Adjustment	N/A
Historic Preservation Board	N/A
Local Planning Agency	05.14.08
Planning and Zoning Board	05.14.08
Street and Alley Vacation Committee	N/A
Public rights-of-way encroachment	N/A
City Commission, 1 st reading	TBD
City Commission, 2 nd reading	TBD

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

Existing Property Designations

Applicable Designations	
CLUP Map Designation	"Commercial Use, Low-Rise Intensity", "Residential Use (Multi-Family) Low Density" and "Residential Use (Multi-Family) Duplex Density"
Zoning Map Designation	"CL", Commercial Limited ("CA", Commercial), "MF2", Multi Family 2 District ("A-13", Apartment) and "MF2", Multi Family 1 Duplex

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	District ("D-10", Duplex)
Within Central Business District	No
Mixed Use District ("C", Commercial only)	No
Mediterranean Architectural District (citywide)	Yes
Within Coral Gables Redevelopment Infill District (GRID) (Traffic Concurrency Exemption Zone)	Yes

Surrounding Uses

Location	Existing Land Uses	CLUP Designations	Zoning Designations
North	Metro-Rail ROW and University of Miami	"University Use"	"UMCAD", University of Miami Campus Area Development
South	2 story residence and 2 story duplex	"Residential Use (Single-Family) Low Density" and "Residential Use (Multi-Family) Duplex Density"	"SFR", Single Family Residential and "MF1", Multi Family 1 Duplex District
East	1-2 story single-family residences, 2-3 story Holiday Inn hotel and Jaycee Park	"Residential Use (Single-Family) Low Density", "Commercial Use Low-Rise Intensity" and "Parks and Recreational Use"	"SFR", Single Family Residential, "C", Commercial and "S", Special Use
West	4 story apartment buildings	"Residential Use (Multi-Family) Low Density"	"MF2", Multi Family 2 District

Site plan analysis:

Type	Date Completed
Concurrency Impact Statement (CIS)	05.07.08
Preliminary Zoning Analysis	03.25.08
Traffic Study review (traffic consultant's final review and recommendation memo)	03.20.08

The information provided in the following tables is taken from the Preliminary Zoning Analysis prepared by the Building and Zoning Department. Two separate analysis were prepared by the Building and Zoning Department, one for the proposed PAD parcel and one for the Commercial Building parcel. The Preliminary Zoning Analysis for the PAD parcel is provided as Attachment A, and the Commercial Building parcel is provided as Attachment B:

Site plan information (source: Preliminary Zoning Analysis prepared by the Building and Zoning Department dated 04.11.08 and 04.18.08):

Type	Permitted	Proposed
Total site area	---	208,381 sq. ft. (4.78 acres)
PAD site area	---	200,341 sq. ft. (4.60 acres)
Commercial Building site area		8,040 sq. ft. (0.18 acres)
PAD Floor area ratio (FAR)	2.5 FAR	1.3 FAR
PAD building sq. ft.	500,852 sq. ft.	251,303 sq. ft.
Commercial Building FAR	3.5 FAR*	3.5 FAR
Commercial Building sq. ft.	28,140 sq. ft.	28,140 sq. ft.
Total building sq. ft.	528,992 sq. ft.	279,443 sq. ft.
PAD Building heights	Varies between 6 floors/ 72'-0" and 3.5 stories/ 45'-0"	Varies between 5 floors/ 65'-11" and 2 stories/ 34'-0"

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Type	Permitted	Proposed
		(72'-3" to top of roof towers and 91'-7" to top of clock tower)
Commercial Building height	5 floors/ 72' -0"	5 floors/ 72'-0" (90'-0" to top of rotunda)
Multi-family residential		184,718 sq. ft.
Office	---	89,513 sq. ft.
Restaurant	---	0 sq. ft.
Retail	---	0 sq. ft.
Other (amenities)		5,212 sq. ft.

* 3.0 FAR for commercial projects with additional 0.5 FAR architectural bonus for qualifying projects.

Setbacks:

Type	Required	Proposed
Setbacks:		
- Front	Varies between 17-25 ft.	0-10 ft.*
- Side (interior)	Varies between 10-20 ft.	10-20 ft.
- Rear (waterway)	35 ft.	0-6 ft.*

* Setback relief can be awarded for approved PAD projects, and projects qualifying for Mediterranean style bonuses.

Parking:

Uses	Required	Proposed
Residential	205 spaces	205 spaces
Restaurant	N/A	N/A
Retail	N/A	N/A
Total Office	298 spaces (includes 218 PAD and 80 Commercial Building spaces)	298 spaces (includes 218 PAD and 80 Commercial Bldg' spaces)
Total on site parking	503 spaces	518 spaces
Additional on-site parking (or deficit)	---	15 spaces
Total on-street parking	51 existing spaces	57 spaces
Additional on-street parking (or deficit)	---	6 spaces

* Required parking reductions (variance) can be awarded for approved PAD projects.

Landscaping:

Location	Required	Provided
Landscape open space (on-site) PAD parcel	40,070 sq. ft.	39,398 sq. ft.
Landscape open space (on-site) Commercial Building parcel	402 sq. ft.	0 sq. ft.
Total landscape open space (on-site)	40,472 sq. ft.	39,398 sq. ft.
Additional on-site landscape open space (or deficit)	---	(-1,074 sq. ft.)
Additional landscape open space provided off-site	---	1,074 sq. ft.

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Architectural bonuses:

PAD parcel

Bonus	Permitted as-of-right	Allowed with bonuses	Proposed
FAR	2.5 FAR	3.0 FAR	1.3 FAR
Residential units	81 units	99 units	95 units
Height (floors/sq. ft.)			
- CLUP Low-rise	4 floors/ 45'-0"	6 floors/ 72'-0"	5 floors/ 65'-11"
- Adjacent to R and D	3 floors/ 45'-0"	3.5 floors/ 45'-0"	3 floors/ 45'-0"
Setbacks:			
- Front (A use)	20'-0" & 25'-0"	0'	10'-0"
- Front (C use)	17'-0"	0'	0'
- Front (U.S.1)	20'-0"	0'	4'-8"
- Side street	N/A	N/A	N/A
- Side interior	20'-0"	0'	20'-0"
- Rear	N/A	N/A	N/A
- Rear waterway	35'-0"	0'	0' (C use) & 6'-0" (A use)

Source: Preliminary Zoning Analysis prepared by the Building and Zoning Department dated 04.11.08 and 04.18.08

Commercial Building parcel

Bonus	Permitted as-of-right	Allowed with bonuses	Proposed
FAR	3.0 FAR	3.5 FAR	3.5 FAR
Residential units	N/A	N/A	N/A
Height (floors/sq. ft.)	3 floors/ 72'-0"	5 floors/ 72'-0"	5 floors/ 72'-0"
Setbacks:			
- Front (U.S.1)	15'-0"	0'	0'
- Front (S. Alhambra)	15'-0"	0'	0'
- Side street	N/A	N/A	N/A
- Side interior	10'-0"	0'	12'-0"
- Rear	N/A	N/A	N/A
- Rear waterway	N/A	N/A	N/A

Source: Preliminary Zoning Analysis prepared by the Building and Zoning Department dated 04.11.08 and 04.18.08

Discussion

Property's Development History and Existing Uses

The entire property is 208,381 sq. ft in size, which is approximately 4.78 acres and consists of two separate parcels. The PAD parcel is 200,341 sq. ft. (approximately 4.60 acres), and the Commercial Building parcel is 8,040 square feet (approximately 0.2 acres) in size. The existing uses on the property include a variety of separate structures and uses, including 1-3 story commercial buildings, 2 story apartment buildings and surface parking lots. All existing structures on the property are proposed to be ultimately demolished to allow the construction of the proposed project. Tract A of the subject property, which faces onto U.S.1, is a small linear parcel that ties together the two portions of the subject property located on either side of the canal. This property currently has no land use and zoning designation. Tract A is currently used as a driveway between South Alhambra circle and Caballero Boulevard with a covered pedestrian walkway adjacent to the canal.

There have been a number of past Ordinances and Resolutions adopted by the City concerning

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various platted lots within the subject property, which have been summarized by the applicant and are on file and available for review with the Planning Department. Maps showing and comparing both the existing and proposed land use and zoning designations currently being requested by the applicant are provided in the attached application package.

Comparison of Allowed/Existing and Proposed Development

The following analysis provides a comparison of the amount of development permitted to be constructed on the property as a Planned Area Development (PAD) with the proposed land use and zoning changes verse the property's existing land use and zoning designations. The information provided in the following table is taken from the Preliminary Zoning Analysis prepared by the Building and Zoning Department (see Attachments A and B):

Category	Currently allowed as-of-right	Proposed PAD and commercial building	Change
Multi-family residential units	22 units	95 multi-family units (99 units permitted w/ architectural bonuses)	+ 73 multi-family units
Commercial development	188,590 sq. ft.	89,513 sq. ft.	-99,077 sq. ft.
Total development (sq. ft/FAR)	279,186 sq. ft./ 1.3 FAR	279,443 sq. ft./1.3 FAR (up to 528,992 sq. ft. permitted w/ architectural bonuses)	+ 257 sq. ft. (proposal permits up to +249,806 sq. ft.)

Source: Preliminary Zoning Analysis prepared by the Building and Zoning Department dated 04.11.08 and 04.18.08

Staff comments: Both the permitted and proposed development on the property increases as a result of the change in land use and zoning. The PAD provisions allow for the reduction in both front and rear setbacks. The resulting proposed project's size, massing and loss of open space is not consistent in character with the adjoining residential, single-family neighborhood and does not provide adequate transition between the existing and proposed uses.

Required Code Variations and Setback Relief

The Planning and Zoning Board can recommend variations from the requirements of the Zoning Code with the PAD recommendation. Deviations from the requirements of the Code are permitted with the intent of providing "quality development on tracts and /or parcels of land through the use of flexible guidelines which allow the integration of a variety of land uses and densities in one development" (Zoning Code Section 9-1). The Preliminary Zoning Analysis indicates that the proposed project requires the following variations and/or relief from Zoning Code requirements for landscaping and setbacks:

Category	Required	Provided	Variance
On-site landscaping	40,070 sq. ft. (20% of site)	39,398 sq. ft.	-672 sq. ft.
Setbacks*: Front Rear (waterway)	17-25 ft. 35 ft.	0-10 ft. 0-6 ft.	varies varies

* Setback relief can be awarded for approved PAD projects, and projects qualifying for Mediterranean style bonuses.

Staff comments: The applicant is requesting a reduction in both front and rear setbacks and credit for off-site landscaping to meet on-site requirements, resulting in additional project massing and loss of open space. The mitigation measures proposed by the applicant in

exchange for the requested relief from the Code's requirements are insufficient.

Traffic Study

The Public Works Department and outside traffic consultant have reviewed the traffic study submitted with the application prepared by Traf Tech Engineering, Inc., dated January 2008 and subsequent revisions. It is the conclusion of the City's traffic consultant that the project would result in adverse impacts to the surrounding neighborhood, and that additional traffic improvements are required to mitigate the impacts of the project, if the project is approved.

City Department and DRC Review

This proposal was reviewed by City Staff at a Development Review Committee (DRC) meeting on 11.28.05 (Level 1) and 12.09.05 (Level 2). The application was also distributed to the Public Works, Public Service, Police and Fire Departments on 06.29.07 for detailed review and comments. The following comments were received from those Departments that have not been satisfactorily resolved:

1. Public Works Department:

- a. Canal ROW. A building is proposed across the canal ROW along US1. There are several large pipes that connect the canal on either side of US1 that run through this section of the canal ROW. Those pipes are not shown in the proposal and an underground connection between the two underground parking garages on each side of the project as indicated. There is also insufficient information to evaluate the impact of the proposed building on the pipes.

2. Public Service Department:

- a. Right of way landscape design. In general, the right of way landscape design is not sufficiently developed for detailed review. The configuration of the tree planting areas and drainage, structural soil and root barriers need to be addressed.
- b. U.S.1 landscaping. No indication of approval by FDOT of the landscaping proposed on U.S.1 right of way is provided. The proposed sidewalk along U.S.1 was not required in previous comments, and pushes the proposed landscaping towards the curb line. The City prefers elimination of sidewalk so that plant material (primarily the palms) can be moved away from travel lanes. The developer needs to provide a plan which has, at least in concept, been approved by FDOT.

Staff comments: Proposed landscaping and streetscape improvements within the public ROW are subject to review and approval by the Directors of Public Works and Public Service Departments. Review and approval of proposed landscaping along U.S.1 is required by FDOT.

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 applicant's project indicates that there is adequate infrastructure available to support the project. A copy of the CIS is on file with the Planning Department and available upon request.

Public Schools

The School Board of Miami-Dade County has reviewed the proposed application, and found that the project's impacts to nearby public schools would be adequately mitigated by the required

impact fees, and therefore would not necessitate further mitigation. A copy of the School Board's 01.30.07 letter is on file with the Planning Department and available upon request.

Findings of Facts

This section evaluates the application for consistency with the Zoning Code and Comprehensive Land Use Plan (CLUP). This evaluation provides findings of fact and suggests potential remedies for compliance, as applicable.

Compliance with the Zoning Code

Zoning Code Section 25-5(f) states that "the Planning and Zoning Board in considering an application for a change of zoning may recommend to the City Commission that any ordinance passed and adopted in connection with the rezoning shall provide that the proposed building shall be in accordance with the plans submitted with the rezoning application or subsequently revised during the hearings, provided, however, that the plans submitted for the building permit shall comply with the Zoning Code, South Florida Building Code and all other applicable codes and regulations and the issuance or granting of a permit for the construction of a building on the property shall not be construed as permitting construction in violation of such regulations."

Staff comments: The Planning Department is recommending denial of this application. The proposed plans submitted by the applicant, along with any potential mitigation and/or conditions of approval, would regulate the development of the subject property if this application is ultimately approved.

Zoning Code Article 9 governing PADs (see Attachment C) requires that conclusions and findings of fact be provided for any proposed PAD which shall set forth particularly in what respects the proposal would or would not be in the public interest, to include the following:

Section 9-5(c)

1. *In what respects the proposed plan is or is not consistent with the stated purpose and intent of the Planned Area Development regulations.*
2. *The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.*
3. *The extent to which the proposed plan meets the requirements and standards of the Planned Area Development regulations.*
4. *The physical design of the proposed Planned Area Development and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, provide for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.*
5. *The compatibility of the proposed Planned Area Development with the adjacent properties and neighborhood.*
6. *The desirability of the proposed Planned Area Development to physical development of the entire community.*
7. *The conformity of the proposed Planned Area Development with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan."*

Staff comments: The conclusions and findings of fact presented in this Staff report for addressing the criteria identified in Section 9-5(c) indicate that this proposal is not in the public interest as defined by Section 9-5(c). As documented in this report, the proposed project's

density, size, area and massing is not compatible with the physical development of the adjacent residential neighborhood, and there remain outstanding inconsistencies and insufficiencies that need to be resolved before the desirability of this project to the development of the entire community can be assured. Staff's evaluation of the applications to determine consistency and inconsistency with the CLUP Goals, Objectives and Policies provided with this report identified CLUP objectives and policies that this proposal is in conflict with. Those objectives and policies determined to be inconsistent include transitional use, transitional massing, project size and density, parking, traffic and traffic calming improvements, project phasing, marine operations, and attainable housing. Therefore, this proposal does not satisfy the stated purpose and intent of the PAD regulations as specified in Zoning Code Section 9-1, as follows:

- "(a) Encourage enhancement and preservation of lands which are unique or of outstanding scenic, environmental, cultural and historical significance.*
- (b) Provide an alternative for more efficient use and, resulting in smaller networks of utilities, safer networks of streets, promoting greater opportunities for public and private open space, and resulting in lower construction and maintenance costs.*
- (c) Encourage harmonious and coordinated development of the site, considering the natural features, community facilities, pedestrian and vehicular circulation in conformance with the thoroughfare plan, and land use relationship with surrounding properties and the general neighborhood.*
- (d) Require the application of professional planning and design techniques to achieve overall coordinated development eliminating the negative impacts of unplanned and piecemeal developments likely to result from rigid adherence to the standards found elsewhere in this Code."*

Zoning Code Section 28-6(a) provides the criterion that must be satisfied for approval of Conditional Use Special Location Review requests for the award of Mediterranean architectural bonuses, as follows:

- "(a) Special location site plan review. Properties assigned A ,C, and M Use districts which are contiguous to R and D Use districts or contiguous to public rights-of-way or waterways, which are contiguous to an R and D Use district, shall comply with the following provisions to secure bonuses:*
- 3. Review criterion. Applications considered pursuant to these regulations must demonstrate that they have satisfied all of the below listed criterion. The Planning Department shall evaluate the application with reference to each of the below criteria and provide a recommendation to the Planning and Zoning Board and City Commission. The Planning Department, Planning and Zoning Board and City Commission shall make specific findings of fact that all of the below listed criterion are satisfied. The criterion is as follows:*
 - a. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.*
 - b. The physical design of the site plan and the manner in which said design does or does not make adequate provision for public services, parking, provide adequate control over vehicular traffic, provide for and protect designated public open space areas, and further the amenities of light and air, recreation and visual enjoyment.*
 - c. The compatibility of the proposed building with reference to building height, bulk, and mass with the contiguous and adjacent properties.*
 - d. The conformity of the proposed site plan with the Goals, Objectives and Policies of the Comprehensive Land Use Plan (CLUP).*
 - e. That the site plan and associated improvements provides public realm improvements, public open space, and pedestrian amenities for the public benefit.*

f. *Those actions, designs, construction or other solutions of the site plan if not literally in accord with these special regulations, satisfy public purposes and provide a public benefit to at least an equivalent degree."*

Staff comments: All criterion identified in Section 28-6(a) for the proposed project are not satisfied in the opinion of Staff. As documented in this report, the proposed project's density, size, area and massing is not compatible with the physical development of the adjacent residential neighborhood, and there remain outstanding inconsistencies and insufficiencies that need to be resolved before the desirability of this project to the development of the entire community can be assured. Staff's evaluation of the applications to determine consistency and inconsistency with the CLUP Goals, Objectives and Policies provided with this report identified CLUP objectives and policies that this proposal is in conflict with. Those objectives and policies determined to be inconsistent include transitional use, transitional massing, project size and density, parking, traffic and traffic calming improvements, project phasing, marine operations, and attainable housing.

Compliance with CLUP Goals, Objectives and Policies

Review of the CLUP finds the following CLUP Goals, Objectives and Policies are applicable and the following tabled information provides findings of fact to determine consistency or inconsistency thereof.

Inconsistent CLUP Goals & Objectives and Policies:

The applicant has submitted a tabled summary of CLUP Goals, Objectives and Policies that based upon their findings indicates the project satisfies and is consistent with the CLUP. The Planning Department is not in agreement with all the conclusions provided in the applicant's analysis, and provides the following tabled summary of inconsistent CLUP Goals, Objectives and Policies and the Department's suggested potential remedies.

1. Transitional Uses and Massing.

Inconsistent CLUP Goals, Objectives and Policies are as follows:

Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
1a.	POLICY 1-1.3.1: AVOID ENCROACHMENT INTO NEIGHBORHOODS BY INCOMPATIBLE USES. <i>Residential neighborhoods should be protected from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.</i>	The project results in the encroachment of incompatible uses into the surrounding single-family neighborhood that disrupt and degrade the health, safety, tranquility, aesthetics, and welfare of the neighborhood. - The project does not allow for an effective transition between uses along Caballero Boulevard, and is not consistent with professional planning practices of requiring a transitional land use between the existing single-family residential use and proposed multi-family residential use. - The proposed project does not provide adequate transition in height and scale from U.S. 1 back to the existing single-family and duplex uses. The five (5) story height of the residential building across from the Jaycee Park, and the proposed reduction of both the required front and rear setback of the project's	- Provide for appropriate transitional land use between existing single family residential use and proposed multi-family residential use by retaining duplex use. - Provide additional transition for portions of project adjacent or across the canal from existing residential properties (reduction in height and massing), including 34' maximum height within 100' of adjoining residential properties, 35' minimum rear setback for all multi-family residential buildings, and 50' minimum side setback and additional landscape buffer

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Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
		<p>multi-family residential structures, would impact adjoining properties and single-family residences located across the University Waterway Canal.</p> <ul style="list-style-type: none"> - The award of site development bonuses required for this project, including both front and rear setback relief, building height and additional residential units, results in increased project size, the loss of open space and insufficient transition and buffering between the existing and proposed uses which are not consistent with the scale and character of the surrounding neighborhood. - The project would also likely encourage further redevelopment of a larger, denser, and more intense character, resulting in a significant alteration of the existing scale and character of the neighborhood. 	<p>between project and adjacent properties.</p> <ul style="list-style-type: none"> - Remove proposed overhead pedestrian bridge and provide improved at-grade pedestrian crosswalk. - Reduce height of multi-story residential building facing JC Park to 3 stories / 45'-0". - Reduce height of proposed clock tower to maximum height of 72'-0".
1b.	<p>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.</p>	<p>The project does not adequately buffer the surrounding neighborhood from the impacts of its incompatible uses and massing.</p> <ul style="list-style-type: none"> - The award of site development bonuses required for this project, including both front and rear setback relief, building height and additional residential units, results in increased project size, the loss of open space and insufficient transition and buffering between the existing and proposed uses which are not consistent with the scale and character of the surrounding neighborhood. - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. 	<ul style="list-style-type: none"> - Identify proposed permitted and prohibited commercial uses within project to include all permitted "CA", Commercial uses listed in Zoning Code, and including a management plan for commercial business operations, service, deliveries and security . - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project. - Submit a phasing plan for proffered streetscape and public realm improvements and the proposed marina facility. - Provide infrastructure improvement plan, construction parking and traffic management plan for each phase of project.
1c.	<p>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.</p>	<p>The project results in the encroachment of incompatible and disruptive uses into the surrounding single-family neighborhood that are not adequately buffered.</p> <ul style="list-style-type: none"> - The award of site development bonuses required for this project, including both front and rear setback relief, building height and additional residential units, results in increased project size, the loss of open space and insufficient transition and buffering between the existing and proposed uses which are not consistent with the scale and character of the surrounding neighborhood. - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - It has not been resolved whether there is an 	<ul style="list-style-type: none"> - Identify proposed permitted and prohibited commercial uses within project to include all permitted "CA", Commercial uses listed in Zoning Code, and including a management plan for commercial business operations, service, deliveries and security . - Provide detailed plans and sections for proposed underground vehicle connection between underground parking areas, including number, width and direction of vehicle lanes, height (clearance) of vehicle lanes and location of existing

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Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
		<p>internal vehicular connection between the underground parking areas that would allow and encourage on-site vehicular circulation - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood.</p> <ul style="list-style-type: none"> - The project would also likely encourage further redevelopment of a larger, denser, and more intense character, resulting in a significant alteration of the existing scale and character of the neighborhood. 	<p>canal culverts.</p> <ul style="list-style-type: none"> - Provide an overflow parking management plan to include short term metered parking, residential parking permits, directional signage and enforcement measures.
1d.	<p>OBJECTIVE 1-1.11: RESIDENTIAL DEVELOPMENT PATTERN. <i>Maintain a pattern of overall low density residential use with limited medium, and high density residential uses in selected areas to preserve the low intensity character of the residential neighborhoods.</i></p>	<p>The project's excessive density and massing is incompatible with the low intensity character of the surrounding neighborhood.</p> <ul style="list-style-type: none"> - The project does not allow for an effective transition between uses along Caballero Boulevard, and is not consistent with professional planning practices of requiring a transitional land use between the existing single-family residential use and proposed multi-family residential use. - The proposed project does not provide adequate transition in height and scale from U.S. 1 back to the existing single-family and duplex uses. The five (5) story height of the residential building across from the Jaycee Park, and the proposed reduction of both the required front and rear setback of the project's multi-family residential structures, would impact adjoining properties and single-family residences located across the University Waterway Canal. - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. - The project would also likely encourage further redevelopment of a larger, denser, and more intense character, resulting in a significant alteration of the existing scale and character of the neighborhood. 	<ul style="list-style-type: none"> - Provide for appropriate transitional land use between existing single family residential use and proposed multi-family residential use by retaining duplex use. - Provide additional transition for portions of project adjacent or across the canal from existing residential properties (reduction in height and massing), including 34' maximum height within 100' of adjoining residential properties, 35' minimum rear setback for all multi-family residential buildings, and 50' minimum side setback and additional landscape buffer between project and adjacent properties. - Provide an overflow parking management plan to include short term metered parking, residential parking permits, directional signage and enforcement measures.
1e.	<p>POLICY 3-1.2.6: COMPATIBILITY OF NEW DEVELOPMENT. <i>New development shall be compatible with adjacent established residential areas.</i></p>	<p>The project's density, massing, and uses are incompatible with the scale and character of the surrounding single-family neighborhood.</p> <ul style="list-style-type: none"> - The project does not allow for an effective transition between uses along Caballero Boulevard, and is not consistent with professional planning practices of requiring a transitional land use between the existing single-family residential use and proposed multi-family residential use. - The proposed project does not provide adequate transition in height and scale from U.S. 1 back to the existing single-family and duplex uses. The five (5) story height of the 	<ul style="list-style-type: none"> - Provide for appropriate transitional land use between existing single family residential use and proposed multi-family residential use by retaining duplex use. - Identify proposed permitted and prohibited commercial uses within project to include all permitted "CA", Commercial uses listed in Zoning Code, and including a management plan for commercial business operations, service, deliveries

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Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
		<p>residential building across from the Jaycee Park, and the proposed reduction of both the required front and rear setback of the project's multi-family residential structures, would impact adjoining properties and single-family residences located across the University Waterway Canal.</p> <ul style="list-style-type: none"> - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - The project would also likely encourage further redevelopment of a larger, denser, and more intense character, resulting in a significant alteration of the existing scale and character of the neighborhood. 	<p>and security .</p> <ul style="list-style-type: none"> - Submit a project timeline for each phase of project and build-out of entire project. - Submit a phasing plan for proffered streetscape and public realm improvements and the proposed marina facility. - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project.
1f.	<p>OBJECTIVE 6-1.5: LAND USE PLANNING AND REGULATION. Preserve areas of significant environmental and public value through appropriate land use designations and regulation.</p>	<p>The project does not adequately address or mitigate its increased use of an existing marina situated along an ecologically sensitive canal habitat, which, if left unmanaged, could negatively impact the canal and surrounding neighborhood.</p> <ul style="list-style-type: none"> - No operational plan was provided for the renovation and use of the existing twenty-five (25) boat berths that are proposed to be assigned to owners of residential units within the project. - The application does not sufficiently address the servicing of vessels at the marina to ensure there is minimal impact on the surrounding residential neighborhood and existing manatee habitat along the waterway. 	<ul style="list-style-type: none"> - Provide a marina operation plan including maximum size of boats; fueling and boat maintenance procedures; hours of operation for fueling, servicing and provisioning; services to be provided from either landside or waterside; designation of on-site parking and service spaces with access to marina; hazardous materials mitigation plan; and, manatee protection plan. - Submit marina operation plan to appropriate county, state and federal agencies for review and approval.

2. Excessive Project Size and Density.

Inconsistent CLUP Goals, Objectives and Policies are as follows:

Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
2a.	<p>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 health, safety,</p>	<p>The project results in the encroachment of incompatible uses into the surrounding single-family neighborhood that disrupt and degrade the health, safety, tranquility, aesthetics, and welfare of the neighborhood.</p> <ul style="list-style-type: none"> - The project does not allow for an effective transition between uses along Caballero Boulevard, and is not consistent with professional planning practices of requiring a transitional land use between the existing 	<ul style="list-style-type: none"> - Provide for appropriate transitional land use between existing single family residential use and proposed multi-family residential use by retaining duplex use. - Provide additional transition for portions of project adjacent or across the canal from existing residential properties

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Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
	<p><i>tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.</i></p>	<p>single-family residential use and proposed multi-family residential use.</p> <ul style="list-style-type: none"> - The proposed project does not provide adequate transition in height and scale from U.S. 1 back to the existing single-family and duplex uses. The five (5) story height of the residential building across from the Jaycee Park, and the proposed reduction of both the required front and rear setback of the project's multi-family residential structures, would impact adjoining properties and single-family residences located across the University Waterway Canal. - The applicant's mitigation measures proposed with this project do not support the award of requested site development bonuses as provided for by the Code's PAD and Mediterranean architectural design provisions. - The proposed project with the award of development bonuses -- including both front and rear setback relief, building height and additional residential units -- results in increased project size, the loss of open space and insufficient transition and buffering between the existing and proposed uses which are not consistent with the scale and character of the surrounding neighborhood. - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - The project would also likely encourage further redevelopment of a larger, denser, and more intense character, resulting in a significant alteration of the existing scale and character of the neighborhood. 	<p>(reduction in height and massing), including 34' maximum height within 100' of adjoining residential properties, 35' minimum rear setback for all multi-family residential buildings, and 50' minimum side setback and additional landscape buffer between project and adjacent properties.</p> <ul style="list-style-type: none"> - Reduce height of multi-story residential building facing JC Park to 3 stories / 45'-0". - Reduce height of proposed clock tower to maximum height of 72'-0".
2b.	<p>POLICY 1-1.3.3: LIMITATIONS OF POTENTIALLY DISRUPTIVE USES. <i>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.</i></p>	<p>The project results in the encroachment of incompatible and disruptive uses into the surrounding single-family neighborhood that are not adequately buffered.</p> <ul style="list-style-type: none"> - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. 	<ul style="list-style-type: none"> - Submit a project timeline for each phase of project and build-out of entire project. - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project. - Provide parking management program and proposed assignment of all temporary on-site parking for each of the project's development phases.
2c.	<p>OBJECTIVE 2-1.4: COORDINATE LAND USE AND TRAFFIC CIRCULATION. <i>Coordinate traffic circulation system with future land uses and capital improvements</i></p>	<p>The project does not adequately coordinate land use and traffic circulation.</p> <ul style="list-style-type: none"> - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. 	<ul style="list-style-type: none"> - Provide infrastructure improvement plan, construction parking and traffic management plan for each phase of project. - Provide detailed plans and sections for proposed underground vehicle

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Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
	<i>element as adopted on the Future Land Use Map series and Plan, recognizing fiscal and physical constraints.</i>	<ul style="list-style-type: none"> - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. - It has not been resolved whether there is an internal vehicular connection between the underground parking areas that would allow and encourage on-site vehicular circulation. 	connection between underground parking areas, including number, width and direction of vehicle lanes, height (clearance) of vehicle lanes and location of existing canal culverts.
2d.	<p>OBJECTIVE 2-1.7: PROTECT COMMUNITY/NEIGHBORHOOD INTEGRITY. <i>The traffic circulation system will protect community and neighborhood integrity.</i></p>	<p>The project's size and density result in negative impacts to the integrity of the surrounding community and neighborhood.</p> <ul style="list-style-type: none"> - The application does not provide sufficient traffic mitigation to ensure surrounding neighborhoods are not negatively impacted. - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. No plans have been provided for the proposed vehicle connection between the underground parking areas that would allow and encourage on-site vehicular circulation. - It has not been resolved whether there is an internal vehicular connection between the underground parking areas that would allow and encourage on-site vehicular circulation. 	<ul style="list-style-type: none"> - Provide additional traffic improvements as identified by City's traffic consultant. - Provide an overflow parking management plan to include short term metered parking, residential parking permits, directional signage and enforcement measures. - Provide detailed plans and sections for proposed underground vehicle connection between underground parking areas, including number, width and direction of vehicle lanes, height (clearance) of vehicle lanes and location of existing canal culverts.
2e.	<p>POLICY 2-1.8.1: PROVIDE ROADWAY LANDSCAPING. <i>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.</i></p>	<p>The project does not provide adequate provisions for landscaping along the roadway.</p> <ul style="list-style-type: none"> - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. - Written verification from FDOT has not been received re: review and approval in concept of the proposed landscaping along U.S. 1. 	<ul style="list-style-type: none"> - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project. - Submit a phasing plan for proffered streetscape and public realm improvements. - Provide written verification that the FDOT has reviewed and approved proposed landscaping along US1.
2f.	<p>POLICY 3-1.2.6: COMPATIBILITY OF NEW DEVELOPMENT. <i>New development shall be compatible with adjacent established residential areas.</i></p>	<p>The size and density of the project as proposed as incompatible with the surrounding established residential neighborhood.</p> <ul style="list-style-type: none"> - The project does not allow for an effective transition between uses along Caballero Boulevard, and is not consistent with professional planning practices of requiring a transitional land use between the existing single-family residential use and proposed multi-family residential use. - The proposed project does not provide adequate transition in height and scale from U.S. 1 back to the existing single-family and duplex uses. The five (5) story height of the residential building across from the Jaycee Park, and the proposed reduction of both the 	<ul style="list-style-type: none"> - Provide for appropriate transitional land use between existing single family residential use and proposed multi-family residential use by retaining duplex use. - Provide additional transition for portions of project adjacent or across the canal from existing residential properties (reduction in height and massing), including 34' maximum height within 100' of adjoining residential properties, 35' minimum rear setback for all multi-family

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Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
		<p>required front and rear setback of the project's multi-family residential structures, would impact adjoining properties and single-family residences located across the University Waterway Canal.</p> <ul style="list-style-type: none"> - The applicant's mitigation measures proposed with this project do not support the award of requested site development bonuses as provided for by the Code's PAD and Mediterranean architectural design provisions. - The proposed project with the award of development bonuses -- including both front and rear setback relief, building height and additional residential units -- results in increased project size, the loss of open space and insufficient transition and buffering between the existing and proposed uses which are not consistent with the scale and character of the surrounding neighborhood. - The project would also likely encourage further redevelopment of a larger, denser, and more intense character, resulting in a significant alteration of the existing scale and character of the neighborhood. 	<p>residential buildings, and 50' minimum side setback and additional landscape buffer between project and adjacent properties.</p> <ul style="list-style-type: none"> - Reduce height of multi-story residential building facing JC Park to 3 stories / 45'-0". - Reduce height of proposed clock tower to maximum height of 72'-0".
2g.	<p>OBJECTIVE 6-1.5: LAND USE PLANNING AND REGULATION. Preserve areas of significant environmental and public value through appropriate land use designations and regulation.</p>	<p>The project does not adequately address or mitigate its increased use of an existing marina situated along an ecologically sensitive canal habitat, which, if left unmanaged, could negatively impact the canal and surrounding neighborhood.</p> <ul style="list-style-type: none"> - No operational plan was provided for the renovation and use of the existing twenty-five (25) boat berths that are proposed to be assigned to owners of residential units within the project. - The application does not sufficiently address the servicing of vessels at the marina to ensure there is minimal impact on the surrounding residential neighborhood and existing manatee habitat along the waterway. 	<ul style="list-style-type: none"> - Provide a marina operation plan including maximum size of boats; fueling and boat maintenance procedures; hours of operation for fueling, servicing and provisioning; services to be provided from either landside or waterside; designation of on-site parking and service spaces with access to marina; hazardous materials mitigation plan; and, manatee protection plan. - Submit marina operation plan to appropriate county, state and federal agencies for review and approval.

3. Off-Site Parking Encroachment.

Inconsistent CLUP Goals, Objectives and Policies are as follows:

Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
3a.	<p>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 health, safety,</p>	<p>The project results in the encroachment of parking into the surrounding single-family neighborhood that would disrupt and degrade the health, safety, tranquility, aesthetics, and welfare of the neighborhood.</p> <ul style="list-style-type: none"> - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. - It has not been resolved whether there is an 	<ul style="list-style-type: none"> - Provide an overflow parking management plan to include short term metered parking, residential parking permits, directional signage and enforcement measures. - Provide designated on-site parking spaces for visitor and commercial customers with unrestricted access.

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Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
	<i>tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.</i>	internal vehicular connection between the underground parking areas that would allow and encourage on-site vehicular circulation	- Provide detailed plans and sections for proposed underground vehicle connection between underground parking areas, including number, width and direction of vehicle lanes, height (clearance) of vehicle lanes and location of existing canal culverts.
3b.	<i>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.</i>	<p>The project does not adequately buffer the surrounding neighborhood from its parking impacts.</p> <ul style="list-style-type: none"> - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. 	<ul style="list-style-type: none"> - Submit a project timeline for each phase of project and build-out of entire project. - Provide parking management program and proposed assignment of all temporary on-site parking for each of the project's development phases. - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project.
3c.	<i>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.</i>	<p>The project results in the encroachment of incompatible and disruptive uses and associated parking into the surrounding single-family neighborhood that are not adequately buffered.</p> <ul style="list-style-type: none"> - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. 	<ul style="list-style-type: none"> - Provide an overflow parking management plan to include short term metered parking, residential parking permits, directional signage and enforcement measures. - Provide parking management program and proposed assignment of all temporary on-site parking for each of the project's development phases. - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project.
3d.	<i>OBJECTIVE 2-1.7: PROTECT COMMUNITY/NEIGHBORHOOD INTEGRITY. The traffic circulation system will protect community and neighborhood integrity.</i>	<p>Parking encroachment resulting from the project will result in negative impacts to the integrity of the surrounding community and neighborhood.</p> <ul style="list-style-type: none"> - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. - It has not been resolved whether there is an internal vehicular connection between the underground parking areas that would allow and encourage on-site vehicular circulation 	<ul style="list-style-type: none"> - Provide an overflow parking management plan to include short term metered parking, residential parking permits, directional signage and enforcement measures. - Provide detailed plans and sections for proposed underground vehicle connection between underground parking areas, including number, width and direction of vehicle lanes, height (clearance) of vehicle

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Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
			lanes and location of existing canal culverts.
3e.	<p>POLICY 2-1.7.1: SEPARATE LOCAL AND THROUGH TRAFFIC MOVEMENTS. The City will strive to conserve and protect the character of neighborhoods by preventing the intrusion of through vehicles on local and collector streets.</p>	<p>The project will result in the intrusion of through vehicles on local and collector streets, thereby negatively impacting the character and safety of the surrounding neighborhoods.</p> <ul style="list-style-type: none"> - The application does not provide the necessary traffic and traffic calming improvements to ensure surrounding neighborhoods are not negatively impacted. - It has not been resolved whether there is an internal vehicular connection between the underground parking areas that would allow and encourage on-site vehicular circulation 	<ul style="list-style-type: none"> - Provide additional traffic improvements as identified by City's traffic consultant. - Provide detailed plans and sections for proposed underground vehicle connection between underground parking areas, including number, width and direction of vehicle lanes, height (clearance) of vehicle lanes and location of existing canal culverts.
3f.	<p>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.</p>	<p>The project does not provide for adequate traffic improvements to ensure the full mitigation of its traffic impacts to the surrounding residential neighborhoods.</p> <ul style="list-style-type: none"> - The application does not provide sufficient traffic mitigation to ensure surrounding neighborhoods are not negatively impacted. - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. 	<ul style="list-style-type: none"> - Provide additional traffic improvements as identified by City's traffic consultant. - Provide an overflow parking management plan to include short term metered parking, residential parking permits, directional signage and enforcement measures. - Submit a phasing plan for proffered streetscape and public realm improvements.
3g.	<p>POLICY 3-1.2.6: COMPATIBILITY OF NEW DEVELOPMENT. New development shall be compatible with adjacent established residential areas.</p>	<p>The project as proposed as incompatible with the surrounding established residential neighborhood.</p> <ul style="list-style-type: none"> - The project does not allow for an effective transition between uses along Caballero Boulevard, and is not consistent with professional planning practices of requiring a transitional land use between the existing single-family residential use and proposed multi-family residential use. - The proposed project does not provide adequate transition in height and scale from U.S. 1 back to the existing single-family and duplex uses. The five (5) story height of the residential building across from the Jaycee Park, and the proposed reduction of both the required front and rear setback of the project's multi-family residential structures, would impact adjoining properties and single-family residences located across the University Waterway Canal. - The award of site development bonuses 	<ul style="list-style-type: none"> - Provide for appropriate transitional land use between existing single family residential use and proposed multi-family residential use by retaining duplex use. - Identify proposed permitted and prohibited commercial uses within project to include all permitted "CA", Commercial uses listed in Zoning Code, and including a management plan for commercial business operations, service, deliveries and security . - Restaurant use shall be prohibited unless additional parking is provided to meet on-site parking requirements. - Sale or leasing of parking spaces to person or business entity that is not a tenant or

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		<p>required for this project, including both front and rear setback relief, building height and additional residential units, results in increased project size, the loss of open space and insufficient transition and buffering between the existing and proposed uses which are not consistent with the scale and character of the surrounding neighborhood.</p> <ul style="list-style-type: none"> - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. 	<p>resident of project shall be prohibited, other than proposed and designated by the applicant for remote parking for adjacent building.</p>

4. Traffic.

Inconsistent CLUP Goals, Objectives and Policies are as follows:

Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
4a.	<p>POLICY 1-1.3.1: AVOID ENROACHMENT INTO NEIGHBORHOODS BY INCOMPATIBLE USES.</p> <p><i>Residential neighborhoods should be protected from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.</i></p>	<p>The project results in increased traffic into the surrounding single-family neighborhood that would disrupt and degrade the health, safety, tranquility, aesthetics, and welfare of the neighborhood.</p> <ul style="list-style-type: none"> - The application does not provide sufficient traffic mitigation to ensure surrounding neighborhoods are not negatively impacted. - It has not been resolved whether there is an internal vehicular connection between the underground parking areas that would allow and encourage on-site vehicular circulation - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. 	<ul style="list-style-type: none"> - Provide additional traffic improvements as identified by City's traffic consultant. - Provide detailed plans and sections for proposed underground vehicle connection between underground parking areas, including number, width and direction of vehicle lanes, height (clearance) of vehicle lanes and location of existing canal culverts. - Provide an overflow parking management plan to include short term metered parking, residential parking permits, directional signage and enforcement measures. - Provide infrastructure improvement plan, construction parking and traffic management plan for each phase of project.
4b.	<p>POLICY 1-1.3.2: APPLICATION OF BUFFERING TECHNIQUES.</p> <p><i>Uses designated in the plan which cause significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic, shall provide buffering when located</i></p>	<p>The project does not adequately buffer the surrounding neighborhood from its traffic impacts.</p> <ul style="list-style-type: none"> - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 	<ul style="list-style-type: none"> - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project. - Provide parking management program and proposed assignment of all temporary on-site parking for each of the project's development phases. - Provide infrastructure improvement plan, construction

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Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
	<i>adjacent to or across the street from incompatible uses such as residential uses.</i>	<p>interim parking lot has been submitted.</p> <ul style="list-style-type: none"> - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. 	<p>parking and traffic management plan for each phase of project.</p>
4c.	<p>POLICY 1-1.3.3: LIMITATIONS OF POTENTIALLY DISRUPTIVE USES. <i>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.</i></p>	<p>The project results in the encroachment of incompatible and disruptive uses and associated traffic into the surrounding single-family neighborhood that are not adequately buffered.</p> <ul style="list-style-type: none"> - The application does not provide sufficient traffic mitigation to ensure surrounding neighborhoods are not negatively impacted. - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. 	<ul style="list-style-type: none"> - Provide additional traffic improvements as identified by City's traffic consultant. - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project. - Provide an overflow parking management plan to include short term metered parking, residential parking permits, directional signage and enforcement measures.
4d.	<p>OBJECTIVE 2-1.4: COORDINATE LAND USE AND TRAFFIC CIRCULATION. <i>Coordinate traffic circulation system with future land uses and capital improvements element as adopted on the Future Land Use Map series and Plan, recognizing fiscal and physical constraints.</i></p>	<p>The project does not adequately coordinate land use and traffic circulation.</p> <ul style="list-style-type: none"> - The application does not provide sufficient traffic mitigation to ensure surrounding neighborhoods are not negatively impacted. - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. 	<ul style="list-style-type: none"> - Provide additional traffic improvements as identified by City's traffic consultant. - Provide parking management program and proposed assignment of all temporary on-site parking for each of the project's development phases. - Provide infrastructure improvement plan, construction parking and traffic management plan for each phase of project.
4e.	<p>OBJECTIVE 2-1.7: PROTECT COMMUNITY/NEIGHBORHOOD INTEGRITY. <i>The traffic circulation system will protect community and neighborhood integrity.</i></p>	<p>Traffic resulting from the project will result in negative impacts to the integrity of the surrounding community and neighborhood.</p> <ul style="list-style-type: none"> - The application does not provide sufficient traffic mitigation to ensure surrounding neighborhoods are not negatively impacted. - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. - It has not been resolved whether there is an internal vehicular connection between the 	<ul style="list-style-type: none"> - Provide additional traffic improvements as identified by City's traffic consultant. - Provide an overflow parking management plan to include short term metered parking, residential parking permits, directional signage and enforcement measures. - Provide detailed plans and sections for proposed underground vehicle connection

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		underground parking areas that would allow and encourage on-site vehicular circulation	between underground parking areas, including number, width and direction of vehicle lanes, height (clearance) of vehicle lanes and location of existing canal culverts.
4f.	<i>POLICY 2-1.7.1: SEPARATE LOCAL AND THROUGH TRAFFIC MOVEMENTS. The City will strive to conserve and protect the character of neighborhoods by preventing the intrusion of through vehicles on local and collector streets.</i>	The project will result in the intrusion of through vehicles on local and collector streets, thereby negatively impacting the character and safety of the surrounding neighborhoods. - The application does not provide sufficient traffic mitigation to ensure surrounding neighborhoods are not negatively impacted. - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood.	- Provide additional traffic improvements as identified by City's traffic consultant. - Provide an overflow parking management plan to include short term metered parking, residential parking permits, directional signage and enforcement measures.
4g.	<i>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.</i>	The project does not provide for adequate traffic improvements to ensure the full mitigation of its traffic impacts to the surrounding residential neighborhoods. - The application does not provide sufficient traffic mitigation to ensure surrounding neighborhoods are not negatively impacted. - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood.	- Provide additional traffic improvements as identified by City's traffic consultant. - Provide an overflow parking management plan to include short term metered parking, residential parking permits, directional signage and enforcement measures.
4h.	<i>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.</i>	The project does not provide adequate provisions for landscaping along the roadway. - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. - Written verification from FDOT has not been received re: review and approval in concept of the proposed landscaping along U.S. 1.	- Submit a phasing plan for proffered streetscape and public realm improvements. - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project. - Provide written verification that the FDOT has reviewed and approved proposed landscaping along US1.

5. Project Phasing.

Inconsistent CLUP Goals, Objectives and Policies are as follows:

Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
5a.	<i>POLICY 1-1.3.1: AVOID ENCROACHMENT INTO NEIGHBORHOODS BY INCOMPATIBLE USES. Residential neighborhoods should be</i>	The project results in the encroachment of incompatible uses into the surrounding single-family neighborhood that disrupt and degrade the health, safety, tranquility, aesthetics, and welfare of the neighborhood. - There are no assurances provided that the	- Submit a project timeline for each phase of project and build-out of entire project. - Provide infrastructure improvement plan, construction parking and traffic

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	<p><i>protected from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.</i></p>	<p>project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed.</p> <ul style="list-style-type: none"> - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. - No operational plan was provided for the renovation and use of the existing twenty-five (25) boat berths that are proposed to be assigned to owners of residential units within the project. - The application does not sufficiently address the servicing of vessels at the marina to ensure there is minimal impact on the surrounding residential neighborhood and existing manatee habitat along the waterway. 	<p>management plan for each phase of project.</p> <ul style="list-style-type: none"> - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project. - Provide phasing plan for construction and operation of marina facilities.
5b.	<p>POLICY 1-1.3.2: APPLICATION OF BUFFERING TECHNIQUES. <i>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.</i></p>	<p>The project does not adequately buffer the surrounding neighborhood from the impacts of its incompatible uses and massing.</p> <ul style="list-style-type: none"> - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. 	<ul style="list-style-type: none"> - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project. - Provide parking management program and proposed assignment of all temporary on-site parking for each of the project's development phases.
5c.	<p>POLICY 1-1.3.3: LIMITATIONS OF POTENTIALLY DISRUPTIVE USES. <i>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.</i></p>	<p>The project results in the encroachment of incompatible and disruptive uses into the surrounding single-family neighborhood that are not adequately buffered.</p> <ul style="list-style-type: none"> - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. - No operational plan was provided for the renovation and use of the existing twenty-five (25) boat berths that are proposed to be assigned to owners of residential units within the project. - The application does not sufficiently address the servicing of vessels at the marina to ensure 	<ul style="list-style-type: none"> - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project - Provide parking management program and proposed assignment of all temporary on-site parking for each of the project's development phases. - Provide phasing plan for construction and operation of marina facilities.

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		there is minimal impact on the surrounding residential neighborhood and existing manatee habitat along the waterway.	
5d.	OBJECTIVE 2-1.7: PROTECT COMMUNITY/NEIGHBORHOOD INTEGRITY. The traffic circulation system will protect community and neighborhood integrity.	<p>The project's size and density result in negative impacts to the integrity of the surrounding community and neighborhood.</p> <ul style="list-style-type: none"> - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. 	<ul style="list-style-type: none"> - Provide parking management program and proposed assignment of all temporary on-site parking for each of the project's development phases. - Provide infrastructure improvement plan, construction parking and traffic management plan for each phase of project.
5e.	POLICY 2-1.7.1: SEPARATE LOCAL AND THROUGH TRAFFIC MOVEMENTS. The City will strive to conserve and protect the character of neighborhoods by preventing the intrusion of through vehicles on local and collector streets.	<p>The project will result in the intrusion of through vehicles on local and collector streets, thereby negatively impacting the character and safety of the surrounding neighborhoods.</p> <ul style="list-style-type: none"> - The application does not provide the necessary traffic and traffic calming improvements to ensure surrounding neighborhoods are not negatively impacted. - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. 	<ul style="list-style-type: none"> - Provide additional traffic improvements as identified by City's traffic consultant. - Provide an overflow parking management plan to include short term metered parking, residential parking permits, directional signage and enforcement measures.
5f.	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.	<p>The project does not provide for adequate traffic improvements to ensure the full mitigation of its traffic impacts to the surrounding residential neighborhoods.</p> <ul style="list-style-type: none"> - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. - The application does not provide the necessary traffic and traffic calming improvements to ensure surrounding neighborhoods are not negatively impacted. 	<ul style="list-style-type: none"> - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project. - Provide infrastructure improvement plan, construction parking and traffic management plan for each phase of project. - Provide additional traffic improvements as identified by City's traffic consultant.
5g.	POLICY 3-1.2.6: COMPATIBILITY OF NEW DEVELOPMENT. New development shall be compatible with adjacent established residential areas.	<p>The project as proposed as incompatible with the surrounding established residential neighborhood.</p> <ul style="list-style-type: none"> - There are no assurances provided that the project fulfills the stated PAD objectives if the project is not built-out and all proposed phases constructed. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. 	<ul style="list-style-type: none"> - Submit a phasing plan for proffered streetscape and public realm improvements. - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project. - Provide parking management program and proposed assignment of all temporary

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		<ul style="list-style-type: none"> - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. 	on-site parking for each of the project's development phases.

6. Marine Facilities Operation Plan.

Inconsistent CLUP Goals, Objectives and Policies are as follows:

Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
6a.	<i>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 health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.</i>	<p>The project does not adequately address or mitigate its increased use of an existing marina situated along an ecologically sensitive canal habitat, which, if left unmanaged, could negatively impact the canal and surrounding neighborhood.</p> <ul style="list-style-type: none"> - No operational plan was provided for the renovation and use of the existing twenty-five (25) boat berths that are proposed to be assigned to owners of residential units within the project. - The application does not sufficiently address the servicing of vessels at the marina to ensure there is minimal impact on the surrounding residential neighborhood and existing manatee habitat along the waterway. 	<ul style="list-style-type: none"> - Provide a marina operation plan including maximum size of boats; fueling and boat maintenance procedures; hours of operation for fueling, servicing and provisioning; services to be provided from either landside or waterside; designation of on-site parking and service spaces with access to marina; hazardous materials mitigation plan; and, manatee protection plan. - Submit marina operation plan to appropriate county, state and federal agencies for review and approval.
6b.	<i>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.</i>	<p>The project does not adequately address or mitigate its increased use of an existing marina situated along an ecologically sensitive canal habitat, which, if left unmanaged, could negatively impact the canal and surrounding neighborhood.</p> <ul style="list-style-type: none"> - No operational plan was provided for the renovation and use of the existing twenty-five (25) boat berths that are proposed to be assigned to owners of residential units within the project. - The application does not sufficiently address the servicing of vessels at the marina to ensure there is minimal impact on the surrounding residential neighborhood and existing manatee habitat along the waterway. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. 	<ul style="list-style-type: none"> - Provide phasing plan for construction and operation of marine facilities. - Provide infrastructure improvement plan, construction parking and traffic management plan for each phase of project.
6c.	<i>POLICY 1-1.3.3: LIMITATIONS OF POTENTIALLY</i>	The project does not adequately address or mitigate its increased use of an existing marina situated along an ecologically sensitive canal habitat, which,	<ul style="list-style-type: none"> - Provide a marina operation plan including maximum size of boats; fueling and boat

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Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
	<i>DISRUPTIVE USES.</i> <i>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.</i>	<p>if left unmanaged, could negatively impact the canal and surrounding neighborhood.</p> <ul style="list-style-type: none"> - No operational plan was provided for the renovation and use of the existing twenty-five (25) boat berths that are proposed to be assigned to owners of residential units within the project. - The application does not sufficiently address the servicing of vessels at the marina to ensure there is minimal impact on the surrounding residential neighborhood and existing manatee habitat along the waterway. 	<p>maintenance procedures; hours of operation for fueling, servicing and provisioning; services to be provided from either landside or waterside; designation of on-site parking and service spaces with access to marina; hazardous materials mitigation plan; and, manatee protection plan.</p> <ul style="list-style-type: none"> - Submit marina operation plan to appropriate county, state and federal agencies for review and approval.
6d.	<i>POLICY-2.8.2: AVOIDING DISRUPTION OF ENVIRONMENTALLY SENSITIVE AREAS.</i> <i>The City shall avoid transportation improvements which encourage or subsidize development in environmentally sensitive areas identified in the Conservation Element.</i>	<p>The project does not adequately address or mitigate its increased use of an existing marina situated along an ecologically sensitive canal habitat, which, if left unmanaged, could negatively impact the canal and surrounding neighborhood.</p> <ul style="list-style-type: none"> - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. - No operational plan was provided for the renovation and use of the existing twenty-five (25) boat berths that are proposed to be assigned to owners of residential units within the project. - The application does not sufficiently address the servicing of vessels at the marina to ensure there is minimal impact on the surrounding residential neighborhood and existing manatee habitat along the waterway. 	<ul style="list-style-type: none"> - Provide phasing plan for construction and operation of marine facilities. - Provide detailed site plan for temporary surface parking lot constructed during Phase 1 of project. - Provide infrastructure improvement plan, construction parking and traffic management plan for each phase of project.
6e.	<i>POLICY 5-2.4.1: PRIORITIES FOR SHORLINE USES.</i> <i>Provide for increased public access to the shoreline consistent with public needs, continuing and replacing adequate physical public access to shorelines; enforcing the public access requirements of the Coastal Zone Protection Act of 1985, and providing transportation or parking facilities for shoreline access.</i>	<p>The project does not provide for adequate public access to the canal shoreline.</p> <ul style="list-style-type: none"> - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. - No operational plan was provided for the renovation and use of the existing twenty-five (25) boat berths that are proposed to be assigned to owners of residential units within the project. - The application does not sufficiently address the servicing of vessels at the marina to ensure there is minimal impact on the surrounding residential neighborhood and existing manatee habitat along the waterway. - No overflow parking management plan is provided to ensure that parking for this project does not spill over into the surrounding residential neighborhood. 	<ul style="list-style-type: none"> - Submit a phasing plan for proffered streetscape and public realm improvements. - Provide phasing plan for construction and operation of marine facilities. - Provide designated on-site parking spaces for visitor and commercial customers with unrestricted access. - Provide parking management program and proposed assignment of all temporary on-site parking for each of the project's development phases.
6f.	<i>POLICY 5-2.4.5:</i>	The project does not adequately address or mitigate	<ul style="list-style-type: none"> - Provide a marina operation

Amace Properties - "Gables Waterway"

May 14, 2008

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Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
	<p>CRITERIA FOR MARINA SITING. Establish criteria for marine siting which address land use compatibility, availability of upland support services, existing protective status or ownership, hurricane contingency planning, protection of water quality, water depth, environmental disruptions and mitigation actions, availability for public use, and economic need and feasibility.</p>	<p>its increased use of an existing marina situated along an ecologically sensitive canal habitat, which, if left unmanaged, could negatively impact the canal and surrounding neighborhood.</p> <ul style="list-style-type: none"> - No operational plan was provided for the renovation and use of the existing twenty-five (25) boat berths that are proposed to be assigned to owners of residential units within the project. - The application does not sufficiently address the servicing of vessels at the marina to ensure there is minimal impact on the surrounding residential neighborhood and existing manatee habitat along the waterway. - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. 	<p>plan including maximum size of boats; fueling and boat maintenance procedures; hours of operation for fueling, servicing and provisioning; services to be provided from either landside or waterside; designation of on-site parking and service spaces with access to marina; hazardous materials mitigation plan; and, manatee protection plan.</p> <ul style="list-style-type: none"> - Provide phasing plan for construction and operation of marine facilities. - Submit marina operation plan to appropriate county, state and federal agencies for review and approval.
6g.	<p>OBJECTIVE 6-1.5: LAND USE PLANNING AND REGULATION. Preserve areas of significant environmental and public value through appropriate land use designations and regulation.</p>	<p>The project does not adequately address or mitigate its increased use of an existing marina situated along an ecologically sensitive canal habitat, which, if left unmanaged, could negatively impact the canal and surrounding neighborhood.</p> <ul style="list-style-type: none"> - A projected timeline is necessary for each phase of the project and for the build-out of the entire project. - No proposed use or plan for the Phase 1 interim parking lot has been submitted. - A phasing plan for proffered streetscape and public realm improvements and the proposed marina facility has not been provided. - No operational plan was provided for the renovation and use of the existing twenty-five (25) boat berths that are proposed to be assigned to owners of residential units within the project. - The application does not sufficiently address the servicing of vessels at the marina to ensure there is minimal impact on the surrounding residential neighborhood and existing manatee habitat along the waterway. 	<ul style="list-style-type: none"> - Submit a phasing plan for proffered streetscape and public realm improvements. - Provide a marina operation plan including maximum size of boats; fueling and boat maintenance procedures; hours of operation for fueling, servicing and provisioning; services to be provided from either landside or waterside; designation of on-site parking and service spaces with access to marina; hazardous materials mitigation plan; and, manatee protection plan.
6h.	<p>POLICY 6-1.5.3: WILDLIFE PROTECTION. Wildlife shall be protected in Coral Gables.</p>	<p>The project does not adequately address or mitigate its increased use of an existing marina situated along an ecologically sensitive canal habitat, which, if left unmanaged, could negatively impact the canal, surrounding neighborhood, and related wildlife.</p> <ul style="list-style-type: none"> - No operational plan was provided for the renovation and use of the existing twenty-five (25) boat berths that are proposed to be assigned to owners of residential units within the project. - The application does not sufficiently address the servicing of vessels at the marina to ensure there is minimal impact on the surrounding residential neighborhood and existing manatee habitat along the waterway. 	<ul style="list-style-type: none"> - Provide a marina operation plan including maximum size of boats; fueling and boat maintenance procedures; hours of operation for fueling, servicing and provisioning; services to be provided from either landside or waterside; designation of on-site parking and service spaces with access to marina; hazardous materials mitigation plan; and, manatee protection plan. - Submit marina operation plan to appropriate county, state and federal agencies for review and approval.

7. Attainable Housing.

Inconsistent CLUP Goals, Objectives and Policies are as follows:

Ref. No.	CLUP Goal, Objective or Policy	Basis for inconsistency	Suggested Potential Remedies
7a.	OBJECTIVE 3-1.1: PROVIDE ADEQUATE AND AFFORDABLE HOUSING. Provisions for adequate and attainable housing for existing and future residents shall be made.	The project does not provide for adequate and attainable housing for existing and future residents. - The applicant has not addressed or included attainable housing units within the proposed development (the provision of attainable housing within the City is a State and regional mandate, and as such is being pursued in accordance with the goals and objectives of the City of Coral Gables Workforce / Affordable Housing Study, April 2006, which includes the promotion of inclusionary zoning). Planning Staff has the ability, in advance of a formal citywide program, to require major residential developments receiving increases in density, changes in zoning, changes in CLUP, PAD, MXD and/or conditional use reviews or "discretionary reviews," to dedicate a portion of their units to attainable housing.	- Include attainable housing as part of the development program, to include, at minimum, a set-aside of 15% of units for attainable housing for a minimum of 15 years for persons at or below 100% of the City's medium income.

Public Notification/Comments

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

Type	Explanation
Neighborhood meeting completed	Completed 01.28.08
Courtesy notification mailed to all property owners within 1,500 feet of the subject property	Completed 04.23.08
Newspaper ad published	Completed 04.28.08 (on file with the Planning Department and available upon request)
Posted property	Completed 05.01.08
Posted agenda on City web page/City Hall	Completed 05.09.08
Posted Staff report on City web page	Completed 05.09.08

The mailing radius for the required written notification to all property owners was increased from 1,000 feet to 1,500 feet at the request of Planning Staff to increase the number of residents in the surrounding neighborhood that would be notified of this application and public hearing date. A total of 733 notices were mailed on 04.23.08. The listing of property owners who returned the notification/comment form, including the date received, property owners name, address, "object/no objection/no comment" and verbatim comments, is provided as Attachment D.

Respectfully submitted,

Eric Riel, Jr.
Planning Director

Amace Properties - “Gables Waterway”

May 14, 2008

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Attachments:

- A. Preliminary Zoning Analysis prepared by Building and Zoning Department – PAD parcel (dated 04.18.08).
- B. Preliminary Zoning Analysis prepared by Building and Zoning Department – Commercial Building parcel (dated 04.11.08).
- C. “Archived” Zoning Code Article 9, Planned Area Development.
- D. Synopsis of comments received from property owners within 1,500 feet.

I:\P Z B\Projects\Gables Waterway\Staff reports\05 14 08 Staff report.doc

City of Coral Gables
Building & Zoning Department /Preliminary Zoning Analysis
Gables Waterway
April 11, 2008 PAD review
Revised April 18, 2008

2008 APP 21 PH 3:29

Chisholm Architects / 305-661-2070 T / 305-661-6090 F

REVIEWED UNDER CODE PRIOR TO JANUARY 9, 2007

Mandatory for re-review: Provide written responses to all comments. Avoid generic responses such as "see plan". If project is over in FAR areas being reduced are to be highlighted or hatch to indicated amount and area of reduction. Provide new reduced set and new disk for recalculation of FAR..

Legal Description:

Lots: 1,2,3,4, (68,359.5 sq. ft.) Block – 5
Lots: 1,2,3,4, (78,008.5 sq. ft.) Block – 6
Riviera Waterway
PB – 46 Page – 47

Lot: 5 (18, 847 sq. ft.) Block – 5
Lots: 5, 5A (20,150 sq. ft.) Block – 6
Singer Subdivision
PB – 68 Page - 19

Parcel A
(4250 sq. ft.)
Riviera waterway
PB – 46 Page - 47

Tract K - Addition to Riviera Waterway
(10,725.5 sq. ft)
PB – 59 Page – 93

Total Land area as per survey:

200,341 sq. ft.

Land Use Designation:

Plate 11 of 18

Residential (Multi-Family)
Low Density (20 units /Acre 4 Stories) / **Existing**
– **Lots 3&4/Blk 5**

	Commercial Low Rise Intensity (4 stories FAR 3.0) / Existing – Lots 1,2,3,4/Blk 6 – Lots 1,2/Blk 5 -Parcel A and Tract K
	Duplex Density 9 units / acre – Lot 5/Blk 5 – Lots 5 &5A/Blk 6
Use District Existing:	“CA”, A-13, D-10” /
Use District Proposed:	“CA”, A-13, with / PAD
Overlay District:	Mediterranean
Central Business District:	No
Site specific:	Yes
Riviera Waterway (4-90)	Lots: 1,2,3,4 Block - 5 Lots: 1,2,3,4 Block – 6 Height 4 stories – 45’-0” Commercial FAR 1.5
Parcel A	no site specific
Riviera Waterway Addition (4-91)	Tract K Height 4 stories – 45’-0” Commercial FAR 1.5
Singer subdivision (Duplex)	No site specific

Required Zoning: CA and A13 / with - PAD Requires land use and zoning change- commission approval.

Elevated Deck & Building Setbacks:	Required	Proposed
Front: South Alhambra Circle (C use) South Alhambra Circle (A use) (3 stories 45’-0”)	17’-0” 20’-0”	0’-0” (need setback relief) 10-0” (need setback relief)
Front: US1 (CA use 15’-0” + 1 ft for every 25’-0” over 25’-0”)	17’-0”	0’-0” (need setback relief)

Front: Caballero Boulevard (A use)	25'-0"	10'-0"(need setback relief)
Caballero Boulevard (CA use)	17'-0"	0'-0" (need setback relief)
Interior Side: (Caballero) (duplex) bldg	20'-0"	20'-0"
Interior Side: (South Alhambra) (duplex) bldg	20'-0"	54'-0"
University Waterway:	35'-0"	0'-0" - Commercial – Parcel A(need setback relief) 6'-0" +/- Residential – stairs (need setback relief)
(Accessory deck and parking)		
Interior Side: (Caballero) (Alhambra)	10'-0"	10'-0"
Waterway:	35'-0"	0'-0"
Front: South Alhambra Circle (A use)	20'-0"	10'-0"
Front: Caballero Boulevard (A use)& CA	20'-0"	10'-0"
Front: US1 (CB/CC)	20'-0"	4'-8"
Setback relief:		Not applicable – setbacks are determined in PAD
Arcade provided:		11,385 sq. ft.
Height permitted:		4 Stories – 45'-0" + 27'-0"= 72'-0" max – L1&L2/BLK 5 and L1/Blk 6 and tract K and Parcel A (BUILDING E)
		4 stories 45'-0" + 27'-0" = 72'-0" max- L3&L4/ BLK 5 (BUILDING A1 and A2)
		3 stories 45'-0" max- L2,L3,L4/BLK 6 across SF (BUILDING B1, B2, B3, and C)
		2.5 stories 34'-0" max – L5&L5A/BLK 6 and L5/BLK 5 (BUILDING B2, B3 and F) <u>with Mediterranean Ordinance compliance</u> <u>Table 1 & Table 2 -0 Stories (site specific)</u>
Height Proposed:		
Established heights:		

Caballero – 10.64 + 11.00 = 10.82'
US1 – 9.45 + 9.19 = 9.32'
South Alhambra – 8.2 + 9.75 = 8.98'

Building A1 Caballero Lots 3&4 /blk 5

3 stories – 44'-6"
4 stories – 52'-6"
5 stories – 65'-11"
Top of roof tower 72'-3"

Building A2 Waterway Lots 3&4 /blk 5

3 stories – 43'-4"
4 stories – 55'-6"
5 stories – 63'-4"
Top of roof tower 72'-3"

**Building B1 and B2 Lots 2,3,4 /blk 6 and lots 5
and 5a /blk 6**

2 stories – 33'-6"
3 stories – 45'-0"
Top of roof 47'-7"
Top of tower – 55'-4"

Building B3 Lots 2,3,4 /blk 6

2 stories – 31'-6"
3 stories – 45'-0"
Top of roof 49'-2"
Top of tower – 55'-0"

Building C Lots 2,3,4 /blk 6

3 stories – 45'-0"
Top of roof 45'-0"
Top of tower 54'-9"

**Building E –Lots 1&2/blk 5 lot 1/blk 6 tract K,
Parcel A**

2 stories – 31'-4"
3 stories – 42'-4"
4 stories – 60'-6"
Top of tower (clock) 91'-7" (97'-0" max)

Building F –Lot5/blk 5

2 stories – 27'-4"
Top of roof 34'-0"

Site Area: 200,341 total sq. ft.

FAR Site Area: *(existing zoning)*

Apartment zoning 1.1 FAR (lot 3 &4 – blk 5)

Apartment parcel on survey x 1.1 x (35,617) = 39,179 sq. ft

Commercial zoning 1.5 FAR (track K, parcel A Lot 1 &2 – blk 5, lots 1,2,3,&4 – blk 6)

Commercial parcel on survey x 1.5 x (125,727) = 188,590 sq. ft

Duplex zoning .70 FAR (l0t 5 & 5a – blk 6 , lot5 – blk 5)

Provide area of Duplex parcel o n survey x .70 x (38,997) = 27,297 sq. ft

Total

255,066 sq. ft.

PAD with MED

2.5 x site = 500,852 sq. ft.

Mediterranean Bonus Categories

Utilized for FAR, Density and Height Bonus

Table 1:

FAR Bonus 0.2

161,344 x .2 = 32,268 sq. ft.

Height Bonus:

0 story: 0 feet on property across waterway or next to single family property

Table 2:

FAR Bonus 0.3

161,344 x .3 = 48,403 sq. ft.

Height Bonus:

0 story: 0 feet on property across waterway or next to single family property

Total Mediterranean FAR Bonus Earned:

80,671 sq. ft.

Total Mediterranean Height Bonus Earned:

0 stories (0'-0" site specific) on property across waterway or next to single family property – otherwise 2 stories 27'-0"

Total Mediterranean FAR Bonus Permitted:

.5 x Site Area (.5 x site area – duplex parcel)
(200,341-38,997=161,344)

No MED Bonus permitted for duplex parcel

80,671 sq. ft.

Total FAR Permitted

Site Area + Mediterranean Bonus =
255,066 + 80,671 = 335,737 sq. ft.

Total FAR proposed:	Building A	90,569 sq. ft.
	Building B	71,624 sq. ft.
	Building C	22,525 sq. ft.
	Residential Subtotal:	184,718 sq. ft.
	Amenity 1	3,133 sq. ft.
	Amenity 2	2,079 sq. ft.
	Retail	0 sq. ft.
	Commercial	65,393 sq. ft.
	TOTAL:	255,323 sq. ft.

FAR Under/Over 245,554 sq. ft.
(with MED Bonus and PAD approved 500,877 sq. ft.)

FAR Site Area: *(re-zoning)*

Apartment zoning 1.1 FAR (lot 3 &4 – blk 5)
Lot 1 – blk 6

Apartment parcel on survey x 1.1 x (61,336) =
67,503 sq. ft

Commercial zoning 1.5 FAR (track K, parcel A
Lot 1 &2 – blk 5, lots ,

Commercial parcel on survey x 1.5 x (73,760) = 71,577 sq. ft

Apartment zoning - no max FAR – 3 stories or under (lot 2,3,4,5 & 5a – blk 6 , lot5 – blk 5)

Provided area of parcel on survey x .0 x (90,962)
= 0 sq. ft

Total

139,080 sq. ft.

Med bonus (135,095 x .5 = 67,547)

$139,080 + 67,547 = 206,627$ (Building B and C and amenity 1 & 2) would not contribute FAR because they are under 3 stories total FAR proposed = 151,941)

Landscape Open Space: MED – PAD

Landscape open space required 20% of site

40,070 sq. ft.

Landscape open space provided

39,398 sq. ft. on private property

Landscape open space provided	672 sq. ft. on right of way
Landscape under/ <u>over</u> required improvements	17,295 sq. ft. used for public realm

Density permitted with MED bonus
Based on Multifamily existing area only

20 units per (Multifamily-35,617)/43,560 x 20	16 units
Maximum density permitted	
2 units per duplex site	6 units
25 units per (Multifamily-35,617)/43,560 x 25 <u>(requires commission approval)</u>	20 units
Total permitted Density	22 units or 26 units with MED bonus

Density permitted with MED bonus
Based on Multifamily rezoned area
(requires commission approval and change in land use)

20 units per (Multifamily-152,622.5)/43,560 x 20	70 units
Maximum density permitted	
25 units per (Multifamily-152622.5)/43,560 x 25 <u>(requires commission approval)</u>	88 units
Density bonus based on Commercial transfer of 50% as per 3.6 (b) 7	47,717/43,560 x 10 units per acre = 10.9 units

Total possible units based on Multifamily rezoned area <u>(requires commission approval and change in land use) and commercial transfer</u>	98.95 units with MED
--	----------------------

Proposed units	95 units
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Per Architects table. Plans provided do not have information to determine this

Minimum areas (Section 3.4 (o))	
1 Bedroom min. floor area	750sq. ft.
Proposed floor area	N/A sq. ft.
2 Bedroom min. floor area	900 sq. ft.

Proposed floor area	1263 ft.
3 Bedroom min. floor area	1100 sq. ft.
Proposed floor area	2,996 sq. ft.
4 Bedroom min. floor area	1250 sq. ft.
Proposed floor area	2996 sq. ft.

Units are indicated by architect no floor plans provided to verify unit count and number of bedrooms

Parking Analysis

Apartment 1 and 2 bedroom (1.5 Per Unit)	$14 \times 1.5 = 21$ spaces												
Apartment 3 bedroom (2 Per Unit)	$73 \times 2 = 146$ spaces												
Apartment 4 bedroom (3 Per Unit)	$8 \times 3 = 24$ spaces												
Supplemental 15% of Total Units	$95 \times .15 = 14.25$ spaces												
Subtotal Required Parking	205.25 spaces												
Commercial 65,393/ 300 =	217.2 spaces												
(NO RESTAURANT INCLUDED)													
Retail 0/ 350 =	0 spaces												
Total Required Parking	423 spaces												
Total Parking provided	<table> <tr> <td>Underground</td> <td>332 spaces</td> </tr> <tr> <td>Ground</td> <td>59 spaces</td> </tr> <tr> <td>Second</td> <td>50 spaces</td> </tr> <tr> <td>Third</td> <td>58 spaces</td> </tr> <tr> <td>Fourth</td> <td>19 spaces</td> </tr> <tr> <td>TOTAL</td> <td>518 SPACES</td> </tr> </table>	Underground	332 spaces	Ground	59 spaces	Second	50 spaces	Third	58 spaces	Fourth	19 spaces	TOTAL	518 SPACES
Underground	332 spaces												
Ground	59 spaces												
Second	50 spaces												
Third	58 spaces												
Fourth	19 spaces												
TOTAL	518 SPACES												
Parking over by	95 spaces												
Spaces being dedicated to office building on													
Lot 8 - BLK 208 – requires a covenant	80 spaces												
Net total spaces over	15 spaces												

Comments:

- Further review required
- Provide Restrictive covenant in lieu of Unity of Title
- Provide legal zoning and land use for parcel A – no designation noted in maps for either
- Tables on sheet SD0.0 do not match drawings or zoning worksheet. Please coordinate and resubmit
- Provide note on plans on all pages that apply “ signs and awnings under separate permit”
- Balconies may not encroach into setback unless 15'-0" above finish grade (Requires a variance)
- Dimension all parking stall consecutively, turning radius as per code and entrance into parking per code as per Section 13 of code. 15'-0" one way 25'-0" two way – 1'-0" away from walls
- Must comply with all of Table 1 and 6 out of 12 of Table 2 of the Mediterranean Ordinance for FAR and density bonus provide BOA stamp
- Clarify with a note that there are no mechanical rooms on roof or enclosed stair access
- Provide material of wood as per Coral Gables zoning code
- Indicate $\frac{3}{4}$ " stucco on all pages that apply
- Show stucco screed details
- Provide unit layout by floor level to verify unit count and parking requirements. Until plans are completed units can not be verified. Unit count and bedroom count as per architect statement.
- Provide pervious material type and areas
- Will commercial parking be located in A or D zones? “C” Zone
- MED bonus requires planning and zoning as well as commission approval because project is adjacent to single family residences. Provide approval
- Clearly provide floor plans of units to verify bedroom count
- Refer to review for other comments and items that do not comply.
- Please state all setbacks on PAD submittal by street. Please provide all heights on PAD by building letter. Provide copy of PAD

Gables Waterway

SEE ATTACHED SHEETS FOR ADDITIONAL MARK UPS. PLEASE RETURN MARKED UP DRAWING WITH NEW CORRECTIONS, OR PROJECT WILL NEED TO BE REVIEWED AS A NEW PROJECT. PLEASE RETURN ONLY IF YOU HAVE ALL ITEMS ABOVE.

Picked up by: _____

Date: _____

Phone: _____

City of Coral Gables
 Building and Zoning Department
 Preliminary Zoning Analysis
 Gables Waterway
 Lot 8 -Blk 208 Office Building
 April 11, 2008

2008 APP 21 Pg 3: 29

Legal Description:	Lots: 8 Block: 208 (8,040 sq. ft) Second revised plat of Coral Gables Riviera Section Part 14 Pb: 28 Page: 32	
Land Use Designation:	Low Rise Intensity Commercial (4 stories: FAR 3.0)	
Use District:	"CB"	
Site Specific:	Riviera Section Part 14 (4-89) No site specific (no second revised plat in code)	
Overlay District:	Mediterranean	
Central Business District:	No	
Required Zoning:	"CB"	
Setbacks(height 72'-0") Front: US1 & Alhambra Circle (17'-0")	Required 15'-0" for 25'-0" +1'-0" for each 25'-0"	Proposed 0'-0" Arcade
Rear:	N/A	
Interior Side (12'-0")	0'-0" for 35'-0" / 10'-0" + 1'-0" for each 25'-0"	12'-0"
Height permitted:	3 Stories - 45'-0" + 2 stories with MED 5 stories - 72'-0"	
Height Proposed: Established heights: US1 - 9.45 + 9.19 = 9.32' South Alhambra - 8.2 + 9.75 = 8.98'	Setback area 4936 / Encroachment area $4,060 \times 25\% = 1,015$ required arcade for front setback relief: Arcade sq. ft provided: 2,610	
Site Area:	8,040 sq. ft.	

FAR Allowed (Site x 3.0) $8,040 \times 3.0 = 24,120$ sq. ft.

Mediterranean Bonus Categories

Utilized for FAR, Density and Height Bonus

Indicate on plans in table format

Must be approved by city architect and BOA

Table 1: $8,040 \times .2 = 1,608$ sq. ft.

FAR Bonus 0.2

Height Bonus: 13..5 feet

Table 2: $8,040 \times .3 = 2,412$, sq. ft.

FAR Bonus 0.3

Height Bonus: 13.5 feet

Total Mediterranean FAR Bonus Earned: 4,020 sq. ft.

Total Mediterranean Height Bonus Earned: 27'-0"

Total Mediterranean FAR Bonus Permitted:

.5 x Site Area Part A Mediterranean (8,040) 4020 sq. ft.

Total FAR Permitted Site Area + Mediterranean Bonus =
 $24,120 + 4,020 = 28,140$ sq. ft.

Total FAR Proposed : 28,140 sq. ft.

FAR Over/Under 0 sq. ft.

Landscape open Space: Required : $8,040 \times .5 = 402$ sq. ft,
5% off site (8,040)

Proposed: 402 sq. ft. – being mitigated off site adjacent to property – provide documentation

Parking Analysis

Outside CBD

Total Parking:	Required	Proposed
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Office(24,120) @ 1/300	80.4 spaces	0 spaces
Retail: (0) @ 1/300	0 spaces	0 spaces

Parking under 80 spaces

Parking is being provided with 500 feet

In Gables Waterway PAD with a parking

Surplus of 95 spaces – provide covenant

Comments:

- Provide declaration of restrictive covenant
- Indicate lot size on zoning legend and legal description
- Provide $\frac{3}{4}$ " stucco and provide a screed detail.
- Clarify roof plan and roof areas
- Provide material on elevations and details no foam
- Signs under separate permit
- Provide landscape disk and plan to verify landscape requirement of 5%

- Further review required

Article 9. PLANNED AREA DEVELOPMENT

Sec. 9-1 - Statement of purpose.

The purpose of this section is to encourage the construction of Planned Area Developments. The Planned Area Development is intended to provide greater opportunity for construction of quality development on large tracts and/or parcels of land by providing flexible guidelines which allow the integration of a variety of land uses and densities in one development. Furthermore it is the general purpose of the Planned Area Development to: (2557, 2828)

- (a) Encourage enhancement and preservation of lands which are unique or of outstanding scenic, environmental, cultural and historical significance.
- (b) Provide an alternative for more efficient use and, resulting in smaller networks of utilities, safer networks of streets, promoting greater opportunities for public and private open space, and resulting in lower construction and maintenance costs.
- (c) Encourage harmonious and coordinated development of the site, considering the natural features, community facilities, pedestrian and vehicular circulation in conformance with the thoroughfare plan, and land use relationship with surrounding properties and the general neighborhood.
- (d) Require the application of professional planning and design techniques to achieve overall coordinated development eliminating the negative impacts of unplanned and piecemeal developments likely to result from rigid adherence to the standards found elsewhere in this Code.

Sections 9-1 through 9-11 of this article are general standards, requirements and procedures that apply to all planned area developments. However, the sections at the end of this Article are standards applicable only to special purpose Planned Area Developments and are additional to or supersede the standards, requirements and procedures outlined in these general sections.

Sec. 9-2 - Definitions.

- (a) Planned area development. A mechanism which allows an area of a minimum contiguous size, as specified by Section 9-3(a) 5(a) herein, to be planned, developed,

operated and maintained as a single entity which, as a result, permits variations in many of the traditional controls related to Floor Area Ratio, density, land use, setbacks, landscaped open space and other design elements, and the timing and sequencing of the development.

- (b) Special-use permit for planned area development. A permit authorized by the City Commission in accordance with the procedures and the general and particular standards set forth herein, for the design, development, construction, erection and operation of a Planned Area Development.
- (c) Common areas. Land within a Planned Area Development, not individually owned or dedicated for public use, which is dedicated and intended for the common use or enjoyment of the owners, tenants and residents of the development and may include such auxiliary structures and improvements as are necessary and appropriate.
- (d) Property owners association. An association of property owners organized within a Planned Area Development in which individual property owners within the development share common interests in common areas and/or facilities.
- (e) Contiguous. The word contiguous shall mean touching, meeting or joining at the surface or border.
- (f) Other words and phrases. Where not in conflict with the provisions of Section 9-2 herein, other words or phrases used herein for Planned Area Developments shall be as defined in this Zoning Code.

Sec. 9-3 - Standards and criteria for general development control.

- (a) Development criteria. The City Commission may authorize the issuance of a special-use permit for the construction of a Planned Area Development subject to compliance with the development criteria and minimum development standards for Planned Area Developments as set forth herein:
 - 1. Permitted locations of planned area developments. Planned Area Developments shall be permitted within any zoning district in

accordance with the applicable sections contained in this Article.

2. Uses permitted. The uses permitted within a Planned Area Development shall be those uses specified and permitted within the Use District in which the Planned Area Development is located, or those specifically listed in this Article.
3. Relation of planned area development regulations to general zoning, subdivision, or other regulations. The Planned Area Development Regulations as set forth herein shall apply generally to the initiation of applications for and regulations of all Planned Area Developments. Where there are conflicts between the Planned Area Development provisions herein and general zoning, subdivision or other regulations and requirements, these special regulations shall apply, unless the Planning and Zoning Board recommends and the City Commission finds, in the particular case:
 - a. That provisions herein do not serve public purposes to a degree at least equivalent to such general zoning, subdivision, or other regulations or requirements, or;
 - b. That actions, designs, construction or other solutions proposed by the applicant, although not literally in accord with these special regulations, satisfy public purposes to at least an equivalent degree. It is specifically provided, however, that where the floor area ratio and similar ratios, including land use and density, have been generally established for a particular type of district or in particular areas, the City Commission shall not act in a particular case to alter said ratios. Except as indicated above, notwithstanding procedures and requirements generally in effect, procedures and requirements set forth herein and in the guides and
4. Developments of regional impact/developments of county impact. In addition to the requirements stated herein, any application for a Planned Area Development which meets the definitions of a Development of Regional Impact and Development of County Impact under the rules administered by the State and County, must be accompanied by the reports and studies required for Developments of Regional Impact and/or Developments of County Impact.
5. Minimum Development standards. Any parcel of land for which a Planned Area Development is proposed must conform to the following minimum standards:
 - a. Minimum site area. The minimum site area required for a Planned Area Development shall be not less than two (2) acres.
 - b. Configuration of land. The parcel of land for which the application is made for a Planned Area Development shall be a contiguous unified parcel with sufficient width and depth to accommodate the proposed use. The minimum average width and or depth for any Planned Area Development shall be two-hundred (200) feet with a minimum area of not less than two (2) acres.
 - c. Floor area ratio for a planned area development. The floor area ratio for a Planned Area Development shall conform to the requirements for each intended use as set forth under Sections 3-4(r) and 3-6(w) herein provided, however, that the total combined floor area ratio for all uses within the

Planned Area Development shall not exceed two and one-half (2½).

- d. Density for apartments and hotels. The density requirements for apartments and hotels shall be in accordance with the provisions as set forth under Sections 3-4 (t) through (w).
- e. Transfer of density within a planned area development. The density within a Planned Area Development shall be permitted to be transferred throughout the development site subject, however, to the requirements as set forth in Section 9-3(a) 5(c) herein.
- f. Landscaped open space. The minimum landscaped open space required for a Planned Area Development shall be not less than twenty (20%) percent of the Planned Area Development site.
- g. Height of buildings. The maximum height of any building in a Planned Area Development shall conform to the provisions as set forth under Sections 9-23, 3-4(i), 3-6(s), 28-9 and Sections 4 and 30-9 herein.
- h. Perimeter and transition. Any part of the perimeter of a Planned Area Development which fronts on an existing street or open space shall be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping and screening.
- i. Minimum street frontage; building site requirement, number of buildings per site, lot coverage and all setbacks. There shall be no specified minimum requirements for street frontage, building sites, number of buildings within the development, lot coverage and within these regulations for a Planned Area Development; however, all such street frontages, building sites, number of buildings within the development, lot coverage and setbacks shall be included in the Planned Area Development application materials and shall be subject to approval by the City Commission upon recommendation from the Planning and Zoning Board.
- j. Platting and/or replatting of development site. Nothing contained herein shall be construed as requiring the platting and/or replatting of a development site for a Planned Area Development provided, however, that the City Commission may require the platting or replatting of the development site when it determines that the platting or replatting would be in the best interest of the community.
- k. Facing of buildings. Nothing in this ordinance shall be construed as prohibiting a building in a Planned Area Development from facing upon a private street when such buildings are shown to have adequate access in a manner which is consistent with the purposes and objectives of these regulations and such private street has been recommended for approval by the Planning and Zoning Board and approved by the City Commission.
- l. Off-street parking and off-street loading standards and requirements. The off-street parking and off-street loading standards and requirements for a Planned Area Development shall conform to the requirements as set forth under Article XIII, (unless otherwise specified as in Section 9-20 and 9-21) herein and provided, however, that off-street parking for bicycles shall be provided as may be required by the Planning and Zoning Board and approved by the City

Commission. Where the parking for the development is to be located within a common parking area or a parking garage, a restrictive covenant shall be filed reserving within the parking area or the parking garage the required off-street parking for each individual building and/or use and such off-street parking spaces shall be allocated proportionately.

m. Boats and recreational vehicle, parking. No boats and/or recreational vehicles shall be parked on the premises of a Planned Area Development unless such boats and/or recreational vehicles are located within the confines of an enclosed garage.

n. Auxiliary and/or accessory uses and structures. Uses and structures which are customarily auxiliary and accessory and clearly incidental to permitted uses and structures are permitted in a Planned Area Development subject to limitations and other lawful regulations pertaining thereto. Any use permissible as a principal use may be permitted as an accessory use, subject to limitations and requirements applying to the principal use.

o. Signs. The number, size, character, location and orientation of signs and lighting for signs for a Planned Area Development shall be in accordance with Article XVIII or Section 9-22 herein.

p. Refuse and service areas. Refuse and service areas for a Planned Area Development shall be so designed, located, landscaped and screened and the manner and timing of refuse collection and deliveries, shipment or other service activities so arranged as to minimize impact on adjacent or nearby properties or adjoining public ways, and to not impede circulation patterns.

q. Minimum design and construction standards for private streets and drainage systems. The minimum design and construction standards for private streets in a Planned Area Development shall meet the same standards as required for public streets as prepared by the Public Works Department of the City of Coral Gables. The minimum construction standards for drainage systems shall be in accordance with the South Florida Building Code.

r. Ownership of planned area development. All land included for purpose of development within a Planned Area Development shall be owned by the applicant requesting approval of such development, whether that applicant be an individual, partnership or corporation, or groups of individuals, partnerships or corporations. The applicant shall present proof of the unified control of the entire area within the proposed Planned Area Development and shall submit an agreement stating that if the owner(s) proceeds with the proposed development they will:

- (1) Develop the property in accordance with:
 - (a) The final development plan approved by the City Commission for the area.
 - (b) Regulations existing when the Planned Area Development ordinance is adopted.
 - (c) Such other conditions or modifications as may be attached to the approval of the special-use permit for the construction of

- such Planned Area Development.
- (2) Provide agreements and declarations of restrictive covenants acceptable to the City Commission for completion of the development in accordance with the final development plan as well as for the continuing operation and maintenance of such areas, functions and facilities as are not to be provided, operated or maintained at general public expense.
- (3) Bind the successors and assigns in title to any commitments made under Section 9-3(a) 5(u) (1) and (2) herein.
- s. Compatibility with historic landmarks. Where an historic landmark exists within the site of a Planned Area Development the development shall be required to be so designed as to insure compatibility and congruity with the historic landmark.
- t. Easements. The City Commission may as a condition of approval and adoption of the Planned Area Development 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, and other public purposes which may be deemed necessary by the City Commission.
- u. Installation of utilities. All utilities within a Planned Area Development including but not limited to telephone, electrical systems and television cables shall be installed underground.
- v. Mixed-uses within a planned area development. A Planned Area Development may be so designed as to include the establishment of complementary and compatible combinations of office, hotel, apartment and retail uses which shall be oriented to the development as well as the use district in which the development is located. The applicant may utilize the provisions of Section 3-5 of this Code.
- w. Common areas for planned area developments. Any common areas established for the Planned Area Development shall be subject to the following:
 - (1) The Planning and Zoning Board shall recommend and the City Commission shall require that the applicant provide for and establish a property owner's association for the ownership and maintenance of all common areas, including open space, recreational facilities, private streets, etc. Such association shall not be dissolved nor shall it dispose of any common areas by sale or otherwise (except to an organization conceived and established to own and maintain the common areas), however, the conditions of transfer shall conform to the Development Plan.
 - (2) Membership in the association shall be mandatory for each property owner in the Planned Area Development and any successive purchaser that has a right of enjoyment of the common areas.

(3) The association shall be responsible for liability insurance, local taxes, and the maintenance of the property.

(4) Property owners that have a right of enjoyment of the common areas shall pay their pro rata share of the cost, or the assessment levied by the association shall become a lien on the property.

(5) In the event that the association established to own and maintain commons areas or any successor organization, shall at any time after the establishment of the Planned Area Development fail to maintain the common areas in reasonable order and condition in accordance with the Development Plan, the City Commission may serve written notice upon such association and/or the owners of the Planned Area Development and hold a public hearing. If deficiencies of maintenance are not corrected within thirty (30) days after such notice and hearing the City Commission shall call upon any public or private agency to maintain the common areas for a period of one year. When the City Commission determines that the subject organization is not prepared or able to maintain the common areas such public or private agency shall continue maintenance for yearly periods.

(6) The cost of such maintenance by such agency shall be assessed proportionally against the properties within the Planned Area Development that have a right of enjoyment of the common areas and shall become a lien on said properties.

(7) Land utilized for such common areas shall be restricted by appropriate legal instrument satisfactory to the City Attorney as common areas in perpetuity. Such instrument shall be recorded in the Public Records of Dade County and shall be binding upon the developer, property owners association, successors, and assigns and shall constitute a covenant running with the land.

6. Size and uses in certain areas. The minimum size of Planned Area Developments in Mixed Use Districts No. 1 shall be twenty-thousand (20,000) square feet in the area bounded by S.W. 8th Street on the north, Santander Avenue on the south, LeJeune Road on the west, and Douglas Road on the east on properties designated for high intensity commercial use in the City's Comprehensive Plan. Planned Area Developments within that area may include adjacent apartment zoned properties, and may use up to ninety (90%) percent of the gross floor area as residential units (not to exceed forty (40) units per acre) apartment, apartment-hotel, or hotel units. The design and operation plan for such a Development shall describe the mix of uses within the Development, which shall encourage harmonious and coordinated development of the site, considering the natural features, community facilities, pedestrian and vehicular circulation in conformance with the thoroughfare plan, and land use relationship with surrounding properties and the general

neighborhood, and require the application of professional planning design techniques to achieve overall coordinated development eliminating the negative impacts of unplanned and piecemeal developments likely to result from rigid adherence to the standards found elsewhere in this Code. (3171)

Sec. 9-4 - General procedures for plan approval. (2003-10)

- (a) Pre-application conference - Planning department. Before submitting an application for approval of a Planned Area Development the applicant or his representative shall confer with the City of Coral Gables Planning Department before entering into binding commitments or incurring substantial expense. The applicant is encouraged to submit a tentative land use sketch for review and to obtain information on any projected plans, programs or other matters that may affect the proposed development. The pre-application conference should address, but shall not be limited to, such matters as:
 1. The proper relationship between the proposed development and the surrounding uses, and the effect of the plan upon the Comprehensive Plan of the City of Coral Gables.
 2. The adequacy of existing and proposed streets, utilities and other public facilities and services within the proposed Planned Area Development.
 3. The character, design and appropriateness of the proposed land uses and their adequacy to encourage desirable living conditions, to provide separation and screening between uses where desirable and to preserve the natural and scenic areas and vistas of property.
 4. The adequacy of open space and recreation areas existing and proposed to serve the needs of the development.
- (b) Pre-application review. The applicant shall distribute a copy of his plans or exhibits to the Director of Building and Zoning, Public Works Director, Public Service Director, Planning Director, Fire Chief and the

Historic Preservation Director (if applicable) and upon their review of the plans they shall advise the applicant of any recommended revisions, changes or additional information necessary before the filing of a formal application.

- (c) Board of architects review. After preliminary review by the departments, and the Historic Preservation Department (if applicable), the applicant shall revise the plans to incorporate all recommended revisions and changes and shall submit such plans to the Board of Architects for review and preliminary approval prior to filing a formal application for Planning and Zoning Board review.
- (d) Development plan--General requirements.
 1. Professional services required: Plans for buildings or structures within a Planned Area Development shall be prepared by a registered Architect with the assistance of a registered Engineer and a registered Landscape Architect, all being qualified under the laws of the State of Florida to prepare such plans.
 2. Legal description of site: Should the legal description of the site for a Planned Area Development contain a metes and bounds description, such description shall be prepared by a registered land surveyor. The legal description shall be accompanied by a map at a scale suitable for reproduction for advertising for public hearing, showing exact location of the development.
 3. Development proposal: The Development Plan shall consist of a map or map series and any technical reports and supporting data necessary to substantiate, describe or aid the Development plan. The plans for the development proposal shall be drawn to scale as required by Section 22-4 herein or otherwise approved, or stipulated in this Article, and shall include the following written and graphic materials:
 - a. Site condition map: Site condition map or map series indicating the following:
 - (1) Title of Planned Area Development and name

- of the owner(s) and developer.
- (2) Scale, date, north arrow and the relationship of the site to such external facilities as highways, roads, streets, residential areas, shopping areas and cultural complexes.
- (3) Boundaries of the subject property, all existing streets, buildings, water courses, easements, Section lines and other important physical features within the proposed project. Other information on physical features affecting the proposed project as may be required.
- (4) Existing contour lines at one foot intervals. Datum shall be National Geodetic Vertical Datum (N.G.V.D.) (if required by City Staff).
- (5) The location of all existing storm drainage, water, sewer, electric, telephone and other utility provisions.
- b. Plan of pedestrian and vehicular circulation showing the location and proposed circulation system of arterial, collector, local and private streets, including driveways, service areas, loading areas and points of access to existing public right-of-way and indicating the width, typical sections and street names. The applicant is encouraged to submit one or more companion proposals for a pedestrian system, transit system or other alternative for the movement of persons by means other than privately owned automobiles.
- c. Exterior facade elevations (if deemed appropriate or necessary by City Staff) of all proposed buildings to be located on the development site.
- d. Isometrics or perspective and/or mass model(s) (if deemed appropriate or necessary by City Staff) of the proposed development.
- e. Map of existing land use.
- f. Existing and proposed lot(s) lines and/or property lines.
- g. Master site plan--A general plan for the use of all lands within the proposed Planned Area Development. The plan shall serve as the generalized zoning for the development and shall guide the location of permissible uses and structures. Such plan shall show the general location, function and extent of all components or units of the plan, indicating the proposed gross floor area and/or floor area ratio of all existing and proposed buildings, structures and other improvements including maximum heights, types and number of dwelling units, landscaped open space provisions such as parks, passive or scenic areas, common areas, leisure time facilities, and areas of public or quasi-public institutional uses.
- h. Location and size of all existing and proposed signs (unless otherwise specified as in Section 9-22).
- i. Existing and proposed utility systems including sanitary sewers, storm sewers and/or storm water drainage system and water, electric, gas and telephone lines. The applicant shall submit a statement indicating what proposed arrangements have been made with appropriate agencies for the provision of needed utilities to and within the Planned Area Development including, water supply, sewer, storm drainage collection and disposal, electric power, gas, and telephone.
- j. General landscape plan indicating the proposed treatment of materials used for

public, private and common open spaces and treatment of the perimeter of the development including buffering techniques such as screening, berms and walls, significant landscape features or areas shall be noted as shall the provisions for same.

- k. Description of adjacent land areas, including land uses, zoning, densities, circulation systems, public facilities, and unique natural features of the landscape.
- l. Proposed easements for utilities, including water, power, telephone, storm sewer, sanitary sewer and fire lanes showing dimensions and use.
- m. Location of proposed off-street parking. Smaller developments (as determined by the Planning Director) shall also be required to include stall size, aisle widths, location of attendant spaces, number of spaces by use, number of standard and compact spaces.
- n. Location and designation of historic landmarks located within the development site which have been approved as provided within the Zoning Code or notation of those structures which may be worthy of historic designation.
- o. Certified survey showing property boundary, existing buildings and their dimensions, setbacks from streets, (public and private) and property lines, easements, streets, alleys, topographical data, water areas, unique natural features, existing vegetation and all trees with an upright trunk of either nine (9) or more inches in circumference (as measured at the narrowest point below four and one-half (4½) feet above ground level) or twelve (12) or more feet in height (if required by City Staff).
- p. Proposed development schedule indicating the appropriate date when construction of the development can be expected to begin and be completed, including initiation and completion dates of separate phases of a phased development and the proposed schedule for the construction and improvement of common areas within said phases, including any auxiliary and/or accessory buildings and required parking.
- q. Location and designation of proposed traffic regulation devices within the development.
- r. Statistical information including:
 - (1) Total square footage and/or acreage of the development site.
 - (2) Maximum building coverage expressed as a percentage of the development site area.
 - (3) The land area (expressed as a percent of the total site area) devoted to:
 - (a) Landscaped open space; and,
 - (b) Common areas usable for recreation or leisure purposes.
- s. Copies of any covenants, easements and/or agreements required by this section or any other ordinance and/or regulations for the Planned Area Development.

Sec. 9-5 - Application and review procedures for approval of plans. (2003-10)

- (a) Application. The applicant for a Planned Area Development shall file a written application therefore with the Planning Department on forms prepared by such department. Such application shall be accompanied by fifteen (15) sets of required plans, technical reports, update reports and/or exhibits. All plans shall have the details needed to enable the department heads, Fire Chief, Boards and City Commission to determine whether the

proposed development complies with this section and all other applicable ordinances and regulations of the City. The plans shall have the preliminary approval of the Board of Architects as provided for under Section 9-4(c) herein. Upon receipt of such completed application, all supporting data and exhibits and payment of the required costs and fees, the time periods established in this subsection shall commence. Any application for approval of a plan for a Planned Area Development which meets the definition of a development of regional impact under Chapter 28 of the Florida Administrative Code and/or Development of County Impact as defined under Chapter 33A of the Code of Metropolitan Dade County must be accompanied by the reports, studies and recommendations required for Developments of Regional Impact and/or Development of County Impact provided, however, that the provisions of Development of County Impact does not apply where the development meets the requirement of a Development of Regional Impact.

(b) Review of plans. Upon acceptance of the application, the Planning Department shall transmit the Plan Package to the Director of Building and Zoning, Public Works Director, Public Service Director, Fire Chief and the Historic Preservation Director (if applicable) for their review and comments. Within sixty (60) days from the filing date, the Director of Building and Zoning, Public Works Director, Public Service Director, Planning Director, Fire Chief and the Historic Preservation Director (if applicable) shall review the preliminary plan and shall submit in writing to the Planning and Zoning Board their comments concerning the proposed development. The comments shall include any changes which should be made to bring the plans in compliance with applicable rules and regulations.

(c) Public hearing. The Planning and Zoning Board shall hold a public hearing within ninety (90) days from the date of filing the application. Such public hearing shall be in accordance with the provisions of Section 25-7 herein. The Planning and Zoning Board shall recommend to the City Commission the approval, approval with modifications, or denial of the plan for the proposed Planned Area Development and shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth particularly in what respects the proposal would or would not be in the public interest. These findings shall include, but shall not be limited to the following:

1. In what respects the proposed plan is or is not consistent with the stated purpose and intent of the Planned Area Development regulations.
2. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.
3. The extent to which the proposed plan meets the requirements and standards of the Planned Area Development regulations.
4. The physical design of the proposed Planned Area Development and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, provide for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.
5. The compatibility of the proposed Planned Area Development with the adjacent properties and neighborhood.
6. The desirability of the proposed Planned Area Development to physical development of the entire community.
7. The conformity of the proposed Planned Area Development with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Plan.

(d) Approval by the City Commission. The City Commission upon receipt of the recommendations of the Planning and Zoning Board shall approve, approve with modifications, or disapprove the Preliminary Development Plan for the proposed Planned Area Development. The approval of the Development Plan

shall be by Ordinance. No building permits shall be issued, no construction shall be permitted and no plats shall be recorded on land within a Planned Area Development until the Final Development Plan has been approved by the City Commission.

Sec. 9-6 - Amendments to the development plan.

Amendments to the Development Plan shall be considered as major or minor. Minor amendments as specified in Section 9-6(a) herein may be approved administratively by the Building and Zoning Department with recommendations from other departments, as needed. Major amendments as specified in Section 9-6(b) herein, shall be subject to the review and approval process set forth in Section 9-5. The Building and Zoning Department, with recommendations from other departments, as needed, shall determine whether proposed changes are major or minor. Requests for major amendments may be made no more than once per twelve month period.

- (a) Minor amendments. Minor amendments are changes which do not substantially alter the concept of the Planned Area Development in terms of density, floor area ratio, land usage, height, provision of landscaped open space, or the physical relationship of elements of the development. Minor amendments shall include, but shall not be limited to, small changes in floor area, density, lot coverage, height, setbacks, landscaped open space, the location of buildings, parking, or realignment of minor streets which do not exceed twenty (20%) percent of the guideline limits contained within this Article specific to that type of development or that which is shown on the approved development plan.
- (b) Major amendments. Major amendments represent substantial deviations from the development plan approved by the City Commission. Major amendments shall include, but not be limited to significant changes in floor area, density, lot coverage, height, setbacks, landscaped open space, the location of buildings, or parking, which exceed twenty (20%) percent of the guidelines contained within this Article specific to that type of development or that which is shown on the

approved development plan, or changes in the circulation system.

Sec. 9-7 - Designation on use and area maps.

Upon approval of the development plan and the issuance of a Special-Use permit for a Planned Area Development, the boundaries of such development shall be placed upon the Use and Area Maps of the City of Coral Gables, with a footnote indicating the following:

- (a) The ordinance number approving the final Development Plan.
- (b) The date of the Ordinance.
- (c) The type of development approved for the property.

Sec. 9-8 - Binding nature of approval for a Planned Area Development.

All terms, conditions, restrictions, safeguards and stipulations made at the time of approval of the Development Plan for a Planned Area Development shall be binding upon the applicant or any successors in interest. Deviations from approved plans or failure to comply with any requirements, conditions, restrictions or safeguards imposed by the City Commission shall constitute a violation of these zoning regulations.

Sec. 9-9 - Commencement of construction.

The developer shall obtain a building permit and begin construction of the improvements within the Planned Area Development within three-hundred and sixty-five (365) days from the effective date of the ordinance approving the Development Plan (or subsequent updates). Time limitations on permits shall be in accordance with Section 304.3 of the South Florida Building Code. If the developer fails to commence construction of the Planned Area Development within the specified time or if the work is not being carried on in accordance with said Section 304.3 of the South Florida Building Code the approval of the Planned Area Development shall lapse.

If the Planned Area Development is to be developed in stages, the developer must begin construction of each stage within the time limits specified in the Development Plan (or subsequent updates). Construction in each phase shall include all the elements of that phase specified in the Development Plan.

Sec. 9-10 - Monitoring construction.

The City Manager or his designee shall periodically monitor the construction within the Planned Area Development with respect to start of construction and Development Phasing. If the City Manager or his designee finds that either the developer has failed to begin construction within the specified time period or that the developer is not proceeding in accordance with the approved Development Phasing with respect to timing of construction of an approved mix of project elements, he shall report to the City Commission and the City Commission shall review the Planned Area Development and may extend the time for start of construction or the length of time to complete a phase, revoke approval of the Planned Area Development or recommend that the developer amend the Development Plan subject to procedures specified in Section 9-6 herein.

Sec. 9-11 - Reserved.

Editor's note--Ordinance No. 3474, adopted August 29, 2000, repealed § 9-11, which pertained to Fees, Application and Recording. See Code Comparative Table.

Sec. 9-12 - University of Miami Campus Area Development.

The following standards, regulations and requirements apply to the University of Miami Campus Area Development (U.M.C.A.D) district; these standards, regulations and requirements either supersede or are in addition to those described in Sections 9-3 through 9-6. The University of Miami Campus Area Development District is defined for the purpose of those regulations as a Planned Campus Development for the establishment of a functional, aesthetic and progressive organization of university activities including educational, dormitory, classroom, administrative, social, open space, parking, maintenance and auxiliary university functions. (See Ordinance No. 2964--Masterplan)

Sec. 9-13 - Intent.

The purpose of this section is to provide a comprehensive set of regulations by which the University's growth can be governed and reviewed. These regulations have the effect of supplanting requirements listed within existing

districts by requiring an organized Development Plan which protects the public interest, ensures compatibility with surrounding neighborhoods, establishes a plan for growth upon which the University, surrounding neighbors and the City can rely, protects against incongruent design and the destruction of natural features and streamlines the permit approval process.

Sec. 9-14 - Permitted locations.

U.M.C.A.D.'s shall be allowed in any XR, CB, CC, M or S zoning district.

Sec. 9-15 - Uses permitted.

The following uses are permitted in U.M.C.A.D. district subject to the limitations and requirements set out herein:

- (a) Class room facilities.
- (b) Lecture halls.
- (c) Research/laboratory facilities.
- (d) Dormitory/residential facilities.
- (e) Administrative, faculty and other non-commercial offices.
- (f) Social activities facilities.
- (g) Recreational and athletic facilities.
- (h) Parking lots and garages.
- (i) Theaters, concert halls and assembly hall/arena.
- (j) Museum.
- (k) Library facilities.
- (l) Religious facilities.
- (m) Private Clubs/Fraternity/Sorority facilities.
- (n) University support facilities such as: printing, data processing, laundry, child care, physical plant, utilities, security, health care and maintenance.
- (o) University convenience facilities such as: cafeteria, bookstore, snack bar, gift shop, postal office and automatic teller machines.
- (p) Other auxiliary-uses of a support or incidental nature to the operation of a university such as loading areas and kiosks.

Sec. 9-16 - Campus master plan.

A Campus Master Plan as outlined in Section 9-5, with illustrative exhibits shall serve as the Campus Land Use and Development Plan. It shall guide the location of uses and structures. The Campus Master Plan shall include an illustrative master site plan drawn at scale no smaller than 1" = 200' which clearly designates

all existing and proposed structures. Additionally, the Campus Master Plan shall include the following zoning information: general setback and height criteria; and campus-wide ground area coverage and floor area ratio applicable on a cumulative basis for all structures.

Sec. 9-17 - Supplementary reports.

In addition to the Campus Master Plan, the University shall submit supplementary reports including a Design Manual, Traffic Parking Report, and Utility Report that serve as supporting documentation and/or technical reports and address specific issues such as traffic, parking, signage, lighting, landscaping and architectural style.

Sec. 9-18 - Annual report.

The University of Miami shall submit an Annual Report which updates and documents any proposed modifications to the Campus Master Plan and supplementary reports. The Annual Report shall consist of the same type of maps, documents and supplementary material referred to in Sections 9-16 and 9-17 as required, based on the types of changes and modifications proposed. When approved, the Annual Report shall supersede those portions of the previously approved Campus Master Plan and supplementary documents, as applicable.

The annual report shall be submitted to the Planning Department no later than June 1st of each year and shall be reviewed and approved in the same manner as the original documents as outlined in Section 9-5. In the event that the University does not file an Annual Report within the specified time, then the latest edition of the Campus Master Plan and supplementary documents will remain in effect during the next twelve (12) month period. A permit for construction shall not be issued for a project which substantially deviates from, or constitutes a major amendment to, any of the components of the approved Campus Master Plan, supplementary reports or the annual report.

Sec. 9-19 - External relationships.

Scale in a U.M.C.A.D. shall be such that careful site planning consideration shall be given to the relationship between the University uses and structures, and off-campus uses and structures

in the surrounding neighborhoods. The U.M.C.A.D. district as represented in the Campus Master Plan, Supplementary Documents or Annual Report shall provide protection of surrounding areas from potentially adverse impact and influences from the development and provide protection of the development from potentially adverse surrounding influences.

Sec. 9-20 - Vehicular access and circulation.

The University shall pay special attention to vehicular access points to and from the development. Vehicular traffic flow related to the U.M.C.A.D. District shall be so designed and oriented that it will not detrimentally impact nearby residential neighborhoods. Arrangements for traffic flow to and from the development shall be so designed to retain the major portion of such traffic on designated arterial and collector streets. Relationships of traffic flow to off-street parking, off-street loading and the location of refuse and service areas for the U.M.C.A.D. district shall be governed by Section 63.5(l) and (p).

Additionally, the University shall submit a Traffic Impact Analysis Report as part of the Annual Report whenever University development or redevelopment projects, individually or collectively, constitute a net increase to the campus gross floor area of two-hundred thousand (200,000) square feet. The Traffic Impact Analysis Report shall be prepared by a certified traffic planner or engineer and shall assess existing and projected roadway conditions, levels of service, traffic volumes/capacities and other information necessary to determine the impact of proposed development. The report shall also identify ways of mitigating any negative impacts projected by the analysis. Where improvements in existing street systems, including street widening, traffic dividers, signalization, and the like are found by standard traffic engineering projections and methods to be required in order to maximize safety and convenience and to minimize automotive conflicts in connection with proposed projects within the U.M.C.A.D. district, approval of said projects shall be conditioned on arrangements being made for the provision of such improvements.

Sec. 9-21 - Off-street parking.

Location for off-street parking shall be shown on the Campus Master Plan and/or Supplementary Documents and shall be provided in such amounts and areas within the development that students, faculty, employees and visitors will not have to park in abutting residential areas or other off-campus areas which could be detrimentally impacted as a result of inadequate campus parking provisions. In projecting parking needs, standard traffic engineering methods shall be used and consideration shall be given to daily, regular users of the University, auto driver visitors and persons arriving by mass transportation.

The University shall monitor the capacity and utilization of its off-street parking facilities and perform supply/demand analysis as required to assess the level of utilization, availability and appropriateness of location of campus parking facilities. The analysis shall also indicate the type of user and the extent to which parking is used jointly by different components of the campus. The results of the monitoring and analysis shall be incorporated in a Parking Impact Analysis Report prepared by a certified traffic planner or engineer.

Approval of a building permit application shall not be granted unless all anticipated parking needs are shown on the Campus Master Plan Supplementary Documents or Annual Report and referred to in the University's application, and the University demonstrates that required parking for each phase of development shall be made prior to or concurrent with such development.

Sec. 9-22 - Signs and lighting.

As part of the U.M.C.A.D. district the University shall include in its Design Manual a general signage and lighting plan. The manual shall show the design criteria for location and type of signage and lighting to be used. Additionally, the following information shall be included:

- (a) Treatment of lighting and signage visible from public accessways and residential areas;
- (b) Adequacy and suitability of lighting used in areas for off-street parking and other locations where safety is a special consideration;

- (c) General criteria for the character and size of signage to be used.

In approving the proposed design manual, preference will be given to low profile, landscaped signs. Additionally, approval shall be based on the character of the proposed signage and lighting, and their compatibility and appropriateness with their surroundings.

Sec. 9-23 - Height and setbacks of buildings.

All new proposed structures and buildings within the U.M.C.A.D. district shall comply with the height and setbacks criteria specified in the Campus Master Plan.

In determining heights for the campus property, consideration shall be given to the nature and character of the proposed development and the appropriateness and impact of the proposed height to the surrounding area.

In approving the proposed U.M.C.A.D., preference shall be given to locating the highest structures at the center of the campus or along a major roadway. Additionally, preference shall be given to the stratification of height away from residential neighborhoods.

Sec. 9-24 - Internal relationships and arrangement of uses.

Compatible and complementary uses proposed within the U.M.C.A.D. district be so arranged as to:

- (a) Provide for safe, efficient, and harmonious groupings of structures and facilities;
- (b) Create successful relationships between interior and exterior spaces;
- (c) Include adequate parking facilities within a reasonable distance of the function they serve;
- (d) Include pedestrian linkage between facilities;
- (e) Simplify circulation routes and minimize opportunities for pedestrian/vehicular conflicts.

Sec. 9-25 - Regulatory controls.

No specified lot coverage, setback, frontage, facing or number of buildings per site restrictions are set forth herein. All existing and proposed facilities shall be illustrated on a Master Site Plan approval of the Development Plan,

including the Campus Master Site Plan, shall constitute approval and establishment of said regulatory controls.

Sec. 9-26 - Pedestrian amenities.

Wherever possible in the U.M.C.A.D. district, pedestrian amenities should be provided. Features such as convenient and covered walkways, benches, water fountains, trash receptacles, bicycle racks and landscaping shall be included, especially along street frontages and near access points should be addressed in the design manual.

Sec. 9-27 - Architectural design.

In order to provide a cohesive aesthetic environment within the U.M.C.A.D. district, the University shall submit design criteria to guide the architectural appearance and style of campus development.

Sec. 9-28 - Landscaping.

Desirable landscaping shall be preserved in its natural state to the maximum extent possible. General landscaping requirements and standards established by code for off-street parking, yards and open space shall be considered supplemental to retention of desirable natural features. Placement of structures and vehicular areas shall be such as to retain, to the extent reasonable practical, desirable existing landscaping, open space and natural features, and to promote provisions of compatible new landscaping. Desirable native plant materials, and such exotic plant materials as have become traditional in the area, shall be preferred in plant selection.

Sec. 9-29 - Utilities.

- (a) The University shall make the necessary arrangements with the public utility companies. County and Municipal agencies having jurisdiction over the permitting and provision of infrastructure services (such as potable water, fire, flow, sewer, storm water/drainage, telephone cable, electricity, gas, etc.), to ascertain the sufficiency of available capacity to meet as a minimum, the needs of a five (5) year projected growth program for the campus.

- (b) The growth projections and their impact on existing utilities, along with any recommended utility improvements to meet future campus development or redevelopment, shall be included in the Annual Report.