

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2025-156

A RESOLUTION OF THE CITY COMMISSION APPROVING THE TREE RELOCATION AND MITIGATION PLAN FOR THE TOWNHOUSE DEVELOPMENT PROJECT REFERRED TO AS "THE GEORGE" ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 29 THROUGH 41, BLOCK 10, CORAL GABLES BILTMORE SECTION (717, 729, 737 AND 741 VALENCIA AVENUE), CORAL GABLES, FLORIDA.

WHEREAS, on July 9, 2024, pursuant to Resolution No. 2024-154, the City Commission approved a site plan for a townhouse development referred to as "The George;" and

WHEREAS, pursuant to Section 2, condition 3(c) of Resolution 2024-154, the property owner was required to coordinate with Public Works on the feasibility of the relocation of the mature trees at the project site and prepare tree relocation plan or, in the event that one or more trees cannot be relocated, mitigation measures shall be proposed which improve the tree canopy in the neighborhood surrounding the project site; and

WHEREAS, pursuant to such condition, the property owner submitted a Tree Relocation and Mitigation Plan that was considered by the City Commission on March 11, 2025 and the City Commission adopted Resolution No. 2025-69 which, among other things, deferred consideration of the Tree Relocation and Mitigation Plan, as amended on March 10, 2025, until the May 20 2025 City Commission meeting to allow time for the property owner to hold a community meeting; and

WHEREAS, the property owner has submitted landscape architectural plans signed and sealed April 2, 2025 which include a Landscape Plan, Tree Survey, Disposition & Protection Plan, and Irrigation Plan and held a community meeting on May 13, 2025; and

WHEREAS, the property owner has submitted an updated Landscape Plan signed and sealed May 19, 2025; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1,000) feet, the City Commission held a public hearing on May 20, 2025;

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

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

SECTION 2. That the City Commission hereby approves the Tree Relocation and Mitigation Plan attached as Exhibit A which includes the following key points:

- Planting of 6 oaks measuring 20-22 feet in height along the right-of-way in front of the project site that will be guaranteed to survive by the tree contractor at an approximate cost to property owner of \$51,000;
- Planting of an additional 50 trees at the project measuring at least 12 feet tall, comprised of 24 required trees and 26 surplus trees;
- Planting of 331 shrubs along the Valencia Ave sidewalk and the perimeter of the project; and
- Removal of 5 Live Oak trees;
- Relocation of 1 Gumbo Limbo tree to the Granada Golf Course or a City park to be determined by the City and relocation of live oak tree #41 to the triangular median across from the project site, pursuant to the terms and conditions set forth in the attached Tree Mitigation Plan;
- Payment of mitigation by the applicant to the City pursuant to the terms of the Tree Mitigation Plan.

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

PASSED AND ADOPTED THIS TWENTIETH DAY OF MAY, A.D., 2025.

(Moved: Anderson / Seconded: Fernandez)
(Yea: Anderson, Castro, Fernandez, Lara, Lago)
(Unanimous: 5-0 Vote)
(Agenda Item: E-16)

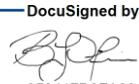
APPROVED:

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VINCE LAGO
MAYOR

ATTEST:

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BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

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CRISTINA M. SUÁREZ
CITY ATTORNEY

**MG Developer and City of Coral Gables
The George Residences / Tree Mitigation Plan
729 Valencia Avenue, Coral Gables**

May 20, 2025

Tree Mitigation Plan Term Sheet

MG Developer (“MG”) and the City of Coral Gables (the “City) met and conferred regarding the tree mitigation plan outlined in this document (“Term Sheet”) and the Tree Relocation Procedure Requirements Memorandum by the City’s Public Works, Greenspace Management Division re: “The George” Project, dated May 16, 2025 (the “Relocation Memo”). MG agrees to timely comply with the daily watering procedures as described by Paragraph 2 of the Relocation Memo; the prohibition against lifting Tree #41 by its trunk or branches as described in Paragraph 4 of the Relocation Memo; and the traffic triangle excavation requirement as described by Paragraph 5 of the Relocation Memo. MG understands that compliance with the requirements in the Relocation Memo is critical to the relocation of the subject trees, and that non-compliance with this requirement may result in the delay of the tree relocation and the construction of its Project. Since the meeting on May 16, 2025 and the Relocation Memo of that date, the City and MG have exchanged this Term Sheet document, which shall govern their agreement and responsibilities in connection with the Tree Mitigation Plan.

I. Phase I: Tree Mitigation Plan Approval and Permitting.

A. City Responsibilities.

- i. Upon approval of the Tree Relocation/Mitigation Plan (Exhibit A) by City Commission, the City will issue the vertical construction Permit for Project within four business days, provided that all other non-tree related requirements for issuance of the building permit have been satisfied, allowing all authorized site and construction work for the Project, subject to standard protection measures around Tree #41 and the gumbo limbo tree.

- ii. The City will facilitate and expedite review of all actions, approvals and permits to effectuate these terms, including any amendment to the City Plan referenced in Section 8-104(D) of the City’s Zoning Code.

B. MG Developer Responsibilities.

- i. Within four business days of the City Commission’s approval of the Tree Mitigation Plan, MG will provide records of Tree 41’s root pruning for the past three months to show compliance with standard relocation measures.

- ii. MG will provide daily irrigation (across entire rootball) for the four oak trees in the triangular median, gumbo limbo and Tree #41 according to standard relocation measures from May 21, 2025 to August 22, 2025.
- iii. MG will work with a licensed structural engineer and use best efforts in cooperating with the City to design a plan for the dynamic subgrade anchoring and cabling system that fits within the existing triangular median to support Tree #41 consistent with ANSI A300 (Exhibit C) and provide the plan to the City by June 11, 2025. The exact location of the anchoring and cabling system will be illustrated in detail to show any necessary modifications to the existing triangular median.
- iv. The City will have two weeks after receipt of the dynamic cabling system plan to review and determine the feasibility of any required modifications to the triangular median.
 - a. Minor : If the City Manager determines that the necessary modifications to the triangular median are minor in nature, such as modifications including demolishing the traffic triangle site's sidewalk, curb, crosswalk, pavement the project will proceed to Phase II.
 - b. Major: In the event that the traffic triangle requires a major modification such as a geometric redesign of the intersection, a Miami-Dade County approval, or as otherwise determined by the City Manager, the City Manager will issue a determination that the relocation of Tree #41 is not feasible and will no longer be required. MG may then proceed to remove Tree #41 and relocate the gumbo limbo as specified in this term sheet.
- v. MG will provide a professional tree relocation plan for Tree #41, the gumbo limbo tree, and the four oak trees by June 24.

II. Phase II: Site Preparation of Traffic Triangle and Granada Golf Course.

A. City Responsibilities.

- i. The City will complete the preparation of the Granada Golf Course site on the 600 Block of North Greenway Drive for the four oak trees from the traffic triangle, and the gumbo limbo tree from the MG property, by August 15. The preparation of the Granada Golf Course site by the City shall be limited to the removal of the existing banyan, stump grinding of said banyan, and related site grading, but shall not include excavation of the holes for the tree placement.
- ii. The City will design and permit and complete any minor modifications to the triangular median, as defined above and determined by the City Manager, by August 15, 2025 and will restore the curbline, curb ramps, pavement and crosswalk as needed after completion of the tree relocation

- iii. Existing trees along the route on Valencia must be trimmed or pulled back for the relocation as indicated in the Tree Relocation Plan in coordination with MG.

B. MG Responsibilities.

- i. In the event that the City does not prepare the sites to accommodate the trees by August 15, 2025 the parties are relieved of Phase III and Phase IV. Tree #41 will be removed and disposed of on August 25, 2025.
- ii. MG will complete the excavation of the traffic triangle ground sufficient to accommodate Tree #41 and its rootball by removing old soil and materials and installing the Silva Cells in accordance with the approved design. Upon completion of the excavation of the traffic triangle site by MG, including anchoring and cabling system, MG will complete the tasks set forth in the tree relocation plan by a qualified tree relocation professional, such as Green Integrity, or similarly credentialed professional

III. Phase III: Relocation of Traffic Triangle Oaks, the Gumbo Limbo, and Tree #41.

A. City Responsibilities.

- i. The City will cooperate with the relocation of all trees, including review and approval of a maintenance of traffic plan submitted by MG for appropriate road or lane closures on Valencia Avenue.

B. MG Responsibilities.

- i. Upon completion of the excavation of the traffic triangle site by MG, MG will undertake the relocation of the subject trees using a qualified tree relocation professional, such as Green Integrity, or similarly credentialed professional.
- ii. MG will relocate the four oak trees from the traffic triangle, and the gumbo limbo tree on the MG property, to the Granada Golf Course site identified above and prepared by the City. The preparation of the Granada Golf Course site by the City shall be limited to the removal of the existing banyan, stump grinding of said banyan, and related site grading, but shall not include excavation of the holes for the tree placement.
- iii. MG will relocate Tree #41 and install any required dynamic cabling system, to the triangular median site using its qualified tree relocation professional pursuant to the tree relocation plan.

IV. Phase IV: Post Tree Relocation.

A. City Responsibilities.

- i. The City will reconfigure and reconstruct the traffic triangle, including the sidewalks, curbs, crosswalk, pavement, and irrigation facilities as needed after relocation of the subject trees.
- ii. The City will mill and resurface the street after all work, to repair the street, including the area in front of The George project after the relocation of the trees.
- iii. Upon relocation of Tree #41, the City will take responsibility for the irrigation, nutrition, and pruning of Tree #41, and all other responsibility for the health of Tree #41. The City is responsible for any damage caused by Tree #41. Upon relocation, MG bears no responsibility for Tree #41, even in the event Tree #41 does not survive.
- iv. Upon MG's relocation of Tree #41, the City will bear all responsibility for the maintenance of the cabling system, the safety protections in connection with Tree #41 and the traffic triangle site, including any closures and safety barriers, and the irrigation, nutrition, pruning, and overall health of Tree #41
- v. The City shall tender a separate hold harmless and indemnification agreement to MG for the installation and placement of the anchoring and cabling system as well as safety barriers in the public right-of-way associated with the relocation of Tree #41.
- vi. Upon relocation of four juvenile oak trees and gumbo limbo to the Granada Golf Course, the City will take responsibility for the irrigation, nutrition, pruning, and overall health of the four oak trees and gumbo limbo. Upon relocation, MG bears no responsibility for four oak trees and gumbo limbo, even in the event these trees do not survive.

V. Mitigation Payment and Calculation.

- i. The City confirms the accuracy of the present mitigation fee of \$245,000 under the present Landscape Plan, that assumes that only the gumbo limbo tree will be relocated.
- ii. Upon the City Commission's approval of the Tree Mitigation Plan and submission of an updated mitigation calculation and Landscape Plan, the City will recognize a reduction in the mitigation fee of approximately \$30,000 for the preservation of Tree #41, and an additional reduction of approximately \$10,000 for the preservation of the four oak trees from the traffic triangle, resulting in a final mitigation payment amount of approximately \$205,000.

- iii. MG will pay \$205,000 upon the timely completion of the traffic triangle site by the City to accommodate Tree #41 or the City Manager's determination that the relocation of Tree #41 is not feasible, in which event the amount shall be \$235,000.
- iv. In the event that the parties are relieved of Phase III and Phase IV pursuant to Phase II.B.i, MG will not be required to pay to mitigate Tree #41 or the four oak trees.
- v. Timeframes above may be extended due to events of force majeure or as by mutual agreement of MG and the City Manager.