



The City of Coral Gables

Exhibit K

Planning Department
CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

October 30, 2009

Via Email and Regular Mail

Ms. Josie Ramirez
President
Riviera Neighborhood Association
1200 S. Alhambra Circle
Coral Gables, FL 33146

Ms. Elsie Miranda
Vice President
Riviera Neighborhood Association
1114 Aduana Avenue
Coral Gables, FL 33146

Subject: Update of the City of Coral Gables Comprehensive Plan (CP).

Dear Ms. Ramirez and Ms. Miranda:

Thank you for the Riviera Neighborhood Associations continued involvement in the City of Coral Gables Comprehensive Plan update process. The Planning Department is in receipt of your letter regarding the additional comments on the update. (Copy of letter attached – See Attachment A). After careful review of your request in association with other City Departments, the Department offers this letter in response.

Your letter requested the following specific language be included in two sections of the Comprehensive Plan:

"Provide protection of existing alleys particularly within commercial properties adjacent to low density residential districts in order to limit the negative effects of increased commercial development capacity."

The City has currently in place, extensive review procedures and criteria governing the vacation, abandonment and closure of streets and alleys. The City Code was updated in 2004 to provide for the following: new public hearing review procedures; specific review criteria; comprehensive analysis reporting by numerous City departments; input from public utilities; and, advance notice of adjoining properties within 1000 feet of any request (See Attachment A). Likewise, as a part of the City's comprehensive update of the City Zoning Code in 2007, new street and alley

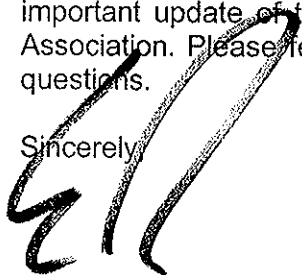
provisions were put into place providing for the following: requirements that findings must be substantiated prior to approval of vacations; establishes "standards for review;" requires Planning and Zoning Board review and recommendation to the City Commission; provides for increase public notification, etc. (See Attachment C). Based upon the recent update and new provisions, Staff is of the opinion that protective measures exist within the City's primary development review related documents, and is more appropriate within these regulations.

Your letter also requests verification as to how the CP provides protection to the City's waterways and habitat. The CP provides numerous goals, policies and objectives that provide for protection for the City's waterways, water bodies, environmentally sensitive areas and associated habitat as well as protection of parks, recreational facilities and open space. These provisions are provided throughout the CP document, more specifically within the "Natural Resources" (NAT), "Recreation and Open Space" (REC) and "Future Land Use" (FLU) Elements. I would also note that the CP Governance (GOV) Element was extensively updated to provide new policies that facilitate intergovernmental coordination efforts between all interested parties, with particular attention to residential areas and neighborhoods. Copies of the above referenced CP sections are attached to this letter with the goals, objectives and policies highlighted (See Attachments D – F).

Per our conversation, the CP update will be presented in its final form for City approval to the Planning and Zoning Board on November, 4, 2009, 6:00 p.m. and to the City Commission on November 17, 2009, 9:00 a.m. (City Hall City Commission Chambers). A copy of the updated CP will be available for downloading on Friday, October 30th after 4:00 p.m. at the following link: http://www.coralgables.com/CGWeb/dep_planning_and_Zoning_board_meetings.htm.

The Department has valued your Association's participation, input and ongoing dialogue in this important update of the CP. The Department looks forward to continually working with your Association. Please feel free to contact me at 305.460.5211 if you should have any additional questions.

Sincerely,



Eric Riel, Jr.
Planning Director

Attachments:

- A. 07.31.09 RNA letter received on 08.12.09.
- B. City Code, Article VIII
- C. Zoning Code, Article 3.
- D. CP "Natural Resources" (NAT) Element (highlighted).
- E. CP Recreation and Open Space" (REC) Element (highlighted).
- F. Future Land Use" (FLU) Element (highlighted)

Ms. Josie Ramirez and Ms. Elsie Miranda
October 30, 2009
Page 3

cc: (via Email)
Maria Alberro-Jimenez, Asst. City Manager
Alberto Delgado, Public Works Director
Fred Couceyro, Parks & Recreation Director
Scot Bolyard, Planner
Planning Department CP File

N:\Staff\Eric\Letters\10 23 2009 RNA letter - CP amendments.doc

RIVIERA NEIGHBORHOOD ASSOCIATION, INC.

*To preserve and protect the environment and quality of life
in and around the Riviera Subdivision within the City of Coral Gables.*

PRESIDENT
Josie Ramirez

VICE PRESIDENT
Elsie Miranda

TREASURER
Marina Hernandez

SECRETARY
Gisele Blum

DIRECTORS
Amado "Al" Acosta, PE
Robert Barnett
Lisa DeTournay
Sandy Levinson
Joyce Newman
Patrick Nolan
William Randol
Annette Torres
Paul van Wallegghem

July 31, 2009

Mr. Eric Riel
Planning Department
405 Biltmore Way
Coral Gables, 33146

Re: City's updated Comprehensive Plan (CP) and Zoning Code (ZC) provisions.

Dear Mr. Riel,

First, we wish to express our gratitude for taking the time to write a letter to the RNA regarding the City's CP and ZC provisions as well as for taking the time to meet with Al Acosta and myself on the matter. Your recommendations to us with regard to neighborhood identity, landscaping, lighting and entry points has been very helpful in establishing future goals for our Association. We will certainly be calling on you in the future for feedback and insights that you may have with regard to preservation of our neighborhood.

With regard to the CP goals outlined in your letter, we have two suggestions of policies that we request be considered and added as follows:

- Policy FLU 1.3.____ Provide protection of existing alleys particularly within commercial properties adjacent to low density residential districts in order to limit the negative effects of increased commercial development capacity.
- Policy MOB 3.2.____ Provide protection of existing alleys particularly within commercial properties adjacent to low density residential districts in order to continue to mitigate the negative effects of commercial traffic on low density residential areas.

Page Two

Mr. Eric Riel

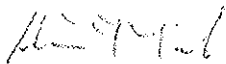
7/31/09

In regards to Protection of Waterways, we would like to know how the CP and ZC provisions deal with the often fragile habitat that the Coral Gables waterways traverse. Providing goals, objectives and policies on the waterway is very important to us and any clarification you could provide to us on that front would be greatly appreciated. Although the section on Natural Resources mentions bodies of water in several places, perhaps the protection of waterway ecosystems and conservation can be made more specific. Similarly the protection of existing parks needs to be addressed.

RNA would like to support your efforts as the proposed changes go to second reading and would also ask your consideration for inclusion of our proposed subjects prior to second reading, since they are not now found in the document. Or perhaps you think it is best at this stage for us to communicate with DCA? Please let us know what you recommend.

Again thanks to you and your staff for the excellent work you do in preserving our city's mission and identity for all who live here and visit.

Sincerely,



Elsie M. Miranda,
Vice President, RNA

Attachments B – F are on file with the Planning Department.

May 29, 2009
City of Coral Gables - Planning Department
Letters Received from Property Owners
Update of the City of Coral Gables Comprehensive Plan and Map

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
1.	05 16 09	Alan D. Savitz 111094 Paradela Street Coral Gables, FL 33156 adsavitz@bellsouth.net				From: Alan Savitz [mailto:adsavitz@bellsouth.net] Sent: Saturday, May 16, 2009 2:54 PM To: Planning Cc: Slesnick, Donald; Kerdyk, William; Anderson, Maria; Withers, Wayne; Cabrera, Ralph Subject: It's just not right for Hammock Oaks, CG Attn: Eric Riel, Jr, Coral Gables Planning Director Dear Mr Riel, My wife and I attended the Planning and Zoning Board Meeting, on May 13th at the Coral Gables City Hall, with many other concerned homeowners of Hammock Oaks Harbor. As I was one of the speakers, you know I graduated from the University of Miami, Coral Gables in 1960, and we have lived in our home at 11094 Paradela Street, Hammock Oaks Harbor, Coral Gables for over 42 years. Your slide presentation was excellent and explained the 4 issues and 14 different Elements that will correct the "inconsistencies between Comprehensive Plan Map and Zoning Map classifications based upon the current use". However, the following small parcel should be omitted from said plan: "D 3: Change from "Residential (Single-Family) Low Density" to "Public Buildings and Grounds" for 495 Campana Avenue (City Utility Station) located on Tract A, Block 2, Hammock Oaks Harbor Section 2. It's just not right to do this to Hammock Oaks, and the reasons are as follows: 1. If you would visit with me to personally see the piece of property in question, I think you would eliminate it from your plans, and it would expedite the approval and update of the City of Coral Gables Comprehensive Plan and Map. You will see with your own eyes a small piece of green land (with a small pump station) that is our own little Coral Gables green park. This is what the other speakers and the other homeowners were trying to tell you. 2. It's just not right! Just reading the words "Public Buildings and Grounds" strikes fear in the hearts and minds of every homeowner in Hammock Oaks because we have only that one little green park area on Campana Avenue (our main entrance in and out of Hammock Oaks) and to change it for "Public Buildings and Grounds" or a road would be in violation of your stated main objectives: "to preserve the neighborhoods and protect Property Values". You said you are "only correcting inconsistencies..." and have no plans to put roads or public buildings on that piece of property. However, I (and others) reminded you about the plans we saw from Fairchild Tropical Gardens, which coincidentally call for a road ("emergency fire

May 29, 2009
City of Coral Gables - Planning Department
Letters Received from Property Owners
Update of the City of Coral Gables Comprehensive Plan and Map

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
						road"), etc. on or near that same piece of property. 3. Very important, I was a personal friend of Sol Rovin, the original owner and developer of Hammock Oaks Harbor, may he rest in peace. We purchased our land from Sol Rovin before we built our house. I know that Sol Rovin's intention was never to allow "public buildings, grounds, roads, etc" on that piece of property. He allowed the pump station to be situated on one of his private residential (single-family) parcels but he never intended for it to be used for anything else. If he had, its designation would have been changed, at that time. 4. I think it would be better for the residences of Hammock Oaks and the City Beautiful, for it to rightfully remain as it is currently designated; then you would be preserving it for many years to come. On another note, Fairchild Tropical Gardens has always been a good neighbor. However, we have noticed in the past few years, they are building more and more public buildings. In fact, their latest proposed plans call for multi-story buildings to be built very near to Campana Avenue and visible from some expensive houses on that avenue (thereby reducing their values and taxes). Also, the road they want to put through to their area could turn Campana Avenue into a higher traffic area than it is already. I believe that developers should have the right to build on zoned residential and zoned commercial property, but at the same time, we must vehemently protect our Park Areas. They should be left as pure, unblighted, unadulterated and untouched as possible. In fact, it is your, mine and everyone's moral duty and obligation to assure that our parks remain pristine and beautiful. If you and I don't, who will? Eric, please remove that little parcel from your plans and help us keep our areas green and clean; thank you on behalf of all the homeowners of Hammock Oaks Harbor. With best regards --- Alan (homeowner, Hammock Oaks Harbor, Coral Gables) Alan D. Savitz, 11094 Paradela Street, Coral Gables, FL 33156 (305-666-1888) cc: Don Selsnick (CG Mayor), William H. Kerdyk, Jr.(CG Vice Mayor), Maria Anderson (CG Commissioner), Wayne E. Withers (CG Commissioner), Rafael Cabrera (CG Commissioner) & Hammock Oaks Board of Directors. Mr. Savitz:

May 29, 2009
City of Coral Gables - Planning Department
Letters Received from Property Owners
Update of the City of Coral Gables Comprehensive Plan and Map

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
						Thank you for your comments; we will include you comments in verbatim form when this item is forwarded to the Planning and Zoning Board on June 3 and thereafter to the City Commission. As you know the update of the Comp Plan was continued to allow the Board additional time to review the text. As explained in the presentation and discussion by the Board on May 13th, the proposed change for this pump station site from Single Family Land Use to Public Buildings and Grounds Land Use is necessary to bring the existing S-Zoning in compliance with the correct land use classification. The Public Buildings and Grounds Land Use category is specifically put into place to accommodate utility locations and open space. As outlined at the meeting, no proposed improvements are contemplated; this is only a change from a technical standpoint. The property operates as open space and is occupied by an existing pump station. No improvements, changes to pump station, no driveways, access roads or changes to the property are proposed as a result of these actions. Fairchild Gardens will not be utilizing this pump station property for access nor will the Fairchild Gardens proposed expansion have any effect on this station as quantified by the City's Public Works Director. The change is necessary to eliminate the inconsistency between an already established S zoning designation that pursuant to Ordinance #1250 (adopted in 1961) that this property can only be utilized and must remain as a pump station. As was stated at the public hearing and on the record, and reaffirmed by the City Attorney, this change to Public Building and Grounds land use provides further protection beyond the currently assigned single family land use. Please feel free to contact me if you have any further questions, I am not sure if we spoke after the meeting, since I had spoke to numerous persons after last weeks meeting to provide further explanation. Thank you. eric riel planning director city of coral gables, florida eriel@coralgables.com 305.460.5211
2.	05 14 09	Peter Cohen Riviera Schools petercohen@rivieraschools.com				From: Peter Cohen [mailto:petercohen@rivieraschools.com] Sent: Thursday, May 14, 2009 2:58 PM To: Hernandez, Elizabeth; Riel, Eric Subject: Planning and Zoning Board Meeting Dear Ms. Hernandez and Mr. Riel:

May 29, 2009
City of Coral Gables - Planning Department
Letters Received from Property Owners
Update of the City of Coral Gables Comprehensive Plan and Map

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
						I am the associate director of Riviera Schools located at 6800 Nervia Street, and I attended last night's Planning and Zoning Board Meeting. We want to commend the city's staff for their efforts on the CLUP. It has clearly taken an incredible amount of time, effort, and energy to develop the current proposed plan and to create one which appropriately addresses the city's needs for the future. We feel it is important to contact you regarding one of the items raised at last night's meeting. If you recall, the Riviera Neighborhood Association (RNA) proposed some modified language for the Plan which would incorporate neighborhood vision statements into the city's overall plan. While we never saw the actual proposed language, the discussion made the intent relatively clear. We think the board, the city staff, and the city attorney all gave insightful feedback in response to the proposal by the RNA. We would like to provide some additional information as you move forward in contemplating any such proposal by the RNA or any other group. - The RNA's vision statement for the neighborhood was created through a series of charrettes which were attended generally by residents from the neighborhood, not by commercial property owners. The charrettes were mainly intended to address the future of Riviera Park and thus were aimed generally at a residential audience, but grew into something bigger during the process. Unfortunately, most of the commercial properties in the area were likely unaware that a vision statement was being developed that would potentially affect their development rights. We did attend those charrettes and participated in the process. While it was a good process, and we developed many good ideas as a group, we do not think the process was sufficient enough to adopt the resulting report into any comprehensive city plan. It served its purpose for the development of the park, but should not specifically be used for anything more than that. - Importantly, the RNA is defining its area to include the residential area and the commercial district bounded by US1, Sunset Drive, Red Road, and somewhere around Maynada. However, the RNA does not represent any properties other than residential properties. In fact, they will not even allow non-residential property owners to join the RNA. It is objectionable for them: 1) to define their boundaries to include to non-residential properties; 2) to then propose policies and procedures that affect all of those properties; 3) and to then refuse to allow all such properties to have a voice in the organization. Moreover, the RNA does not represent many of the residential properties within their own defined boundaries. -Last night, the city attorney raised a very valid point -- neighborhood vision plans cannot be incorporated into any city land use plan because each neighborhood association defines its own boundaries randomly and can do so without including all properties within those boundaries. Who defines those boundaries and how those boundaries are defined are impossible questions to answer.

May 29, 2009
City of Coral Gables - Planning Department
Letters Received from Property Owners
Update of the City of Coral Gables Comprehensive Plan and Map

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
						The RNA vision statement places greater burdens on commercial property owners within the area for future development, thus infringing on their property rights. The city should not adopt any language with such a potential effect without appropriate due process -- adequately notifying the affected properties and giving them an opportunity to appear. Thank you for taking the time to review our comments. We look forward to being included in any future discussions or meetings regarding adopting any language or provisions that would affect us and the other nearby properties. I contacted the city clerk's office to get the email addresses of all of the members of the Planning and Zoning Board. However, as I still have not received that information from the city, I kindly request that you forward this email to all of the members of the Planning and Zoning Board. Thank you once again. Sincerely, Peter E. Cohen Associate Director Riviera Schools 305-666-1856 www.rivieraschools.com
3.	05 13 09	W. Tucker Gibbs, Esq. 2980 McFarlane Road Suite 205 Coconut Grove, FL 33133				From: W. Tucker Gibbs [mailto:tucker@wtgibbs.com] Sent: Wednesday, May 13, 2009 2:48 PM To: AmadoJulio@aol.com; Riel, Eric; Hernandez, Elizabeth Cc: JRamirez@eldermanagedcare.com Subject: Proposed language for comprehensive plan Hello Al, Eric and Liz, Attached is a proposal that I believe would allow neighborhoods to present visioning plans to the city but would also insure that the determination of how much of the plan (all, some or none) to implement would be subject to planning department review and recommendation to the city commission. Final approval or denial would be by the city commission. Could Eric meet with me next week regarding this proposal? I would like to get some agreement on the exact wording to present to the city commission on first reading. Eric, would it be possible to have Al Acosta recognized early in the meeting so he can make a brief presentation regarding this proposal. We expect that there will be members of the RNA present and this would allow for them to be able to leave once

May 29, 2009
City of Coral Gables - Planning Department
Letters Received from Property Owners
Update of the City of Coral Gables Comprehensive Plan and Map

Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
					AI has completed his statement. Thanks for all your help in this matter. Regards, Tucker mailto:tucker@wtgibbs.com ENTERED AS EXHIBIT <u>Amendments A1</u> <u>THE PLANNING AND ZONING BOARD</u> ON <u>05.13.09</u> DATE <u>4/11</u> INITIALS <u>mm</u> Riviera Neighborhood Association Proposal to Amend Future Land Use Element Objective FIU 3.3 The following language should be inserted at the end of the sentence: Upon presentation of a neighborhood visioning and district plan to the city commission, the commission shall direct the planning department to evaluate the plan and present a report regarding the plan's consistency with the comprehensive plan, planning principles and the city's land development regulations; with specific recommendations to the city commission regarding the implementation of the plan. That report may accept or reject in whole or in part, the recommendations and proposals set forth in the vision and district plan. The city commission shall review the planning department's report and shall approve or reject in whole or in part the recommendations made in the planning department's report. Any development application within the area delineated in the planning department's report as approved by the city commission shall be consistent with the planning department report as approved by the city commission.
4.					
5.					