



**City of Coral Gables
CITY COMMISSION MEETING
SEPTEMBER 22, 2009**

ITEM TITLE:

Resolution, authorizing encroachments into the right-of-way with light fixtures at an elevation of approximately 10' 0" above the sidewalk, landscaping, miscellaneous architectural moldings and roof overhangs, adjacent to 1505 Ponce de Leon Boulevard, subject to the requirements of the Public Works Department.

CITY MANAGER'S RECOMMENDATION:

Approval.

BRIEF HISTORY:

The request for encroachments, consisting of light fixtures at an elevation of approximately ten feet (10'-0") above the sidewalk, irrigation, landscaping, miscellaneous architectural moldings and roof overhangs adjacent to 1505 Ponce de Leon Boulevard, was made by Stevan J. Pardo, on behalf of Sunkap Coral Gables, LLC.

The approval is subject to the following requirements of the Public Works Department.

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

ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
August 9, 2007	Board of Architects	Approved

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
July 11, 2006	2006-13 (Amended)	Ratified

APPROVED BY:

Department Director	City Attorney (If Applicable)	City Manager

ATTACHMENT(S):

1. Draft Resolution
2. Ordinance 2006-13
2. Letter of Request from Stevan J. Pardo, Sunkap Coral Gables LLC
3. Plans