

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2023-197

A RESOLUTION OF THE CITY COMMISSION APPROVING RECEIPT OF TRANSFER OF DEVELOPMENT RIGHTS (TDRS) PURSUANT TO ZONING CODE ARTICLE 14, "PROCESS," SECTION 14-204.6, "REVIEW AND APPROVAL OF USE OF TDRS ON RECEIVER SITES," FOR THE RECEIPT AND USE OF TDRS FOR A MIXED-USE PROJECT REFERRED TO AS "THE AVENUE" HOTEL AND RESIDENCES ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 8 THROUGH 11, BLOCK 9, REVISED PLAT OF CORAL GABLES INDUSTRIAL SECTION (351 SAN LORENZO AVENUE), CORAL GABLES, FLORIDA; INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, an Application was submitted requesting Transfer of Development Rights (TDRs) for receipt and use for the mixed use project referred to as "The Avenue" hotel and residences on property legally described Lots 8 through 11, Block 9, Industrial Section (351 San Lorenzo Avenue) Coral Gables, Florida; and

WHEREAS, the Application has been submitted concurrently with an application for conditional use review for remote parking; and

WHEREAS, the receipt and use of TDRs shall comply with the public hearing review requirements established in the Zoning Code, Article 14, "Process", Section 14-204.6, "Review and approval of use of TDRs on receiver sites"; and

WHEREAS, the Applicant is utilizing development rights from 36 Phoenetia Avenue, one (1) historically designated property located within the North Ponce Neighborhood Conservation District Overlay, including 9,615 square feet; and

WHEREAS, the Receiving Site is proposed to be developed as a mixed-use project referred to as "The Avenue" which consists of hotel and residential units on the upper levels and retail and restaurant space on the ground floor; and

WHEREAS, the utilization of 9,615 square feet of TDRs in this project will permit a 25% increase in Floor Area Ratio (FAR) from 3.5, as permitted in the underlying zoning district, to 4.375, which is within the 25% increase in FAR permitted when TDRs are utilized; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1,000) feet, a public hearing was held before the Planning and Zoning Board/Local Planning Agency of the City of Coral Gables on June 6th, 2023, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the June 6, 2023 Planning and Zoning Board meeting, the Board recommended approval (vote: 5-0) of the receipt of Transfer of Development Rights (TDRs) for the mixed use project referred to as “The Avenue” hotel and residences on property legally described Lots 8 through 11, Block 9, Industrial Section (351 San Lorenzo Ave), Coral Gables, Florida; 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 July 11, 2023, at which hearing all interested persons were afforded an opportunity to be heard;

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

SECTION 1. 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 adoption hereof.

SECTION 2. The Applicant’s request for requesting receipt of Transfer of Development Rights (TDRs) pursuant to Zoning Code Article 14, “Process”, Section 14-204, “Transfer of Development Rights” and Section 14-204.6, “Review and approval of use of TDRs on receiver sites”, for the receipt and use of TDRs for the mixed use project referred to as “The Avenue” hotel and residences on property legally described Lots 8 through 11, Block 9, Industrial Section (351 San Lorenzo Ave), Coral Gables, Florida; is approved.

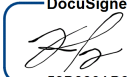
SECTION 3. This development permit by the City of Coral Gables does not in any way create any right on the part of an applicant to obtain a permit from a county, state or federal agency. Likewise, this development permit does not create any liability on the part of the City of Coral Gables for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a county, state or federal agency, or if the applicant undertakes actions that result in a violation of county, state or federal law. In addition, as a condition of this approval, all county, state and federal permits must be obtained before commencement of the development.

SECTION 4. This development permit by the City of Coral Gables does not in any way create any right on the part of an applicant to obtain a permit from a county, state or federal agency. Likewise, this development permit does not create any liability on the part of the City of Coral Gables for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a county, state or federal agency, or if the applicant undertakes actions that result in a violation of county, state or federal law. In addition, as a condition of this approval, all county, state and federal permits must be obtained before commencement of the development.

SECTION 5. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS ELEVENTH DAY OF JULY, A.D., 2023.
(Moved: Menendez / Seconded: Anderson)
(Yeas: Menendez, Anderson, Castro, Fernandez, Lago)
(Unanimous: 5-0 Vote)
(Agenda Item: E-5)

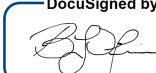
APPROVED:

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VINCE LAGO
MAYOR

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ATTEST:

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BILLY Y. URQUIA
CITY CLERK

DocuSigned by:

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CRISTINA M. SUÁREZ
CITY ATTORNEY