

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2025-144

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 "299 MINORCA" ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 45 THROUGH 48, LESS THAN NORTH 12 FEET THEREOF, BLOCK 17, SECTION "K", CORAL GABLES, FLORIDA; INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, AND PROVIDING FOR 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 "299 Minorca" on property legally described as Lots 45 through 48, less than North 12 feet thereof, Block 17, Section "K (299 Minorca 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 9,049 square feet unused development rights from historically designated properties; and

WHEREAS, the Receiving Site is proposed to be developed as a mixed-use project referred to as "299 Minorca" which consists of 45 residential condo/hotel units on the upper levels and commercial space on the ground floor; and

WHEREAS, after notice of public hearing, a public hearing was held before the Board of Architects of the City of Coral Gables on September 12, 2024, at which meeting the Board granted Mediterranean Bonus Levels 1 & 2, and the Preliminary Design, (vote: 5-0); and

WHEREAS, at the October 16, 2024, Historic Preservation Board meeting, the Board approved (vote: 8-0) the application as a receiving site, as it is within five (500) hundred feet of a local historic landmark; and

WHEREAS, the utilization of 9,049 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 December 17th, 2024, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the December 17th, 2024 Planning and Zoning Board meeting, the Board recommended deferral to improve the design of loading area, service circulation and sidewalk; 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 January 15th, 2025, at which hearing all interested persons were afforded the opportunity to be heard;

WHEREAS, at the January 15th, 2025 Planning and Zoning Board meeting, the Board recommended approval (vote: 7-0) of the receipt of Transfer of Development Rights (TDRs) for the mixed use project referred to as “299 Minorca” on property legally described as Lots 45 through 48, less than North 12 feet thereof, Block 17, Section “K (299 Minorca Avenue), 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 February 11th, 2025, at which hearing the item was deferred at the request of the Applicant; 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 City Commission on May 20th, 2025, at which hearing this item was presented and all interested persons were afforded the opportunity to be heard; and

WHEREAS, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request for the receipt and use of transfer of development rights (TDRs) as required by the Zoning Code, and including careful consideration of written and oral comments by members of the public;

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 “299 Minorca” on property legally described as Lots 45 through 48, less than North 12 feet thereof, Block

17, Section “K (299 Minorca Avenue), Coral Gables, Florida; is approved, subject to all of the following conditions:

1. Application/Supporting Documentation. Construction of the proposed project shall be in substantial conformance with all of the following:

- a. The Applicant’s submittal package to PZB prepared by HamedRodriguez Architects to include:
 - i. Maximum building height shall not to exceed 97’-0” feet.
 - ii. Maximum FAR of 4.375 (45,244 sq. ft.), including 9,049 sq. ft. of TDRs
 - iii. 45 residential units
 - iv. 56 remote parking spaces at 255 Alhambra Circle
 - v. 1,197sq. ft. (11%) open space
- b. All representations proffered by the Applicant’s representatives as a part of the review of the Application at public hearings.

2. Prior to issuance of the first Building Permit, Applicant shall:

- a. **Ground Floor Design.** The ground floor of all sides of all buildings, including the Pedestrian paseo, shall continue to be designed to optimize pedestrian activity and access.
- b. **Sidewalk Improvement.** The sidewalk along Salzedo Street shall maintain a consistent width of 10 feet to enhance pedestrian-friendliness. Bump-outs must be designed to maximize landscape area with native species while maintaining the 10-foot sidewalk width.
- c. **Service Circulation.** The design of the ground floor shall include a two-lane driveway to accommodate additional ingress and egress traffic for service circulation and loading.
- d. **Remote Parking.** The one-time payment into the Parking Trust Fund for use of Remote Parking shall be paid for one hundred percent of the requested remote parking spaces and shall be collected prior to the issuance of a building permit in the amount established by the City Commission per Ordinance 2023-04.
- e. **Covenant.** Submit an appropriate covenant which shall run with the land and declaration of restrictions for the remote parking spaces in recordable form acceptable to the City Attorney and acceptable in substance to the Director of Development Services, including at least all of the following:
 - i. The owner of the remote parking spaces must confirm that the remote parking spaces are a surplus of the required parking spaces that serve an existing development. The City has the right to access and inspect remote parking spaces if the spaces are leased.
 - ii. An application must be submitted to amend the remote parking approval if the Applicant proposes to relocate remote parking spaces to a different location at least 90 days before the termination of the remote parking agreement. The same application requirements apply.
 - iii. The Applicant must report any unplanned changes in the application facts OR create a remote parking arrangement approved by the Director of Development Services within 5 business days of unplanned changes, AND submit a remedial plan consistent with the subsection 8 within 10 business days from the unplanned changes. The Director of Development Services is

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communication between adjacent neighbors or interested parties of construction activities, project status, potential concerns, etc.

- k. **Construction dust protection.** All demolition and construction dust shall be minimized to protect the neighboring properties.

3. Prior to issuance of the first Certificate of Occupancy of Temporary Certificate of Occupancy, Applicant shall:

- a. **Right-of-way and public realm improvements.** Install all right-of-way improvements and all landscaping, public realm and streetscape improvements identified on the Applicant's approved plans, including the 4-way stop and crosswalk across Salzedo Street, landscaped bumpouts and converting one of the on-street parking spaces into an ADA-compliant handicap parking space, subject to review and approval by the Directors of Public Works, Landscape Services, Planning and Zoning, and Parking. If the County will not approve the 4-way stop, the applicant shall request the installation of a pedestrian crossing button. Any changes to and departures from the right-of-way and public realm improvements via the permitting process shall be subject to review and approval by Directors of Public Works, Landscape Services, Planning and Zoning, and Parking.
- b. **Underground utilities.** Complete the undergrounding of all overhead utilities along alley as indicated in the approved undergrounding permit plans.
- c. **Alley improvements.** The Applicant shall install the appropriate signage along the alley to ensure that all deliveries, loading, unloading, and similar activities are prohibited in the alley.
- d. **Lease of Remote Parking.** The Applicant shall submit a copy of the executed lease for the off-site parking spaces of 56 spaces with the existing parking garage at 255 Alhambra Circle. The Applicant shall use commercially reasonable efforts to obtain a lease with an initial term of three (3) years with a minimum six (6) month written notice of termination for the remote parking location.

4. Following issuance of the first Certificate of Occupancy of Temporary Certificate of Occupancy, Applicant shall:

- a. **Annual Renewal.** The Applicant shall, prior to the annual renewal of the certificate(s) of use, submit an affidavit and any renewed documentation of the remote parking affirming that the matters originally approved remain in effect, which shall be reviewed by the Development Services Director per Section 10-109 of the Zoning Code. The certificate(s) of use shall not be issued unless the affidavit and documentation demonstrate that all the Remote Parking requirements of Section 10-109 continue to be met for the remote parking arrangement as it was approved.
- b. **Remedial Plan.** If the remote parking agreement is terminated or otherwise no longer available, the Applicant shall comply with the Remedial Plan options of Section 10-109 of the Zoning Code.
- c. **Alley Clearance:** All deliveries, loading, pick-ups, drop-offs, and similar activities shall occur exclusively within the designated areas on private property and maintain alley clearance at all times. Obstruction of the alley is strictly prohibited.
- d. **Public Security.** As voluntarily proffered by the Applicant, reasonable access to the rooftop area may be granted by the Property Owner to the Coral Gables Police

Department to address potential public safety concerns. The deployment of any necessary equipment or operations related therewith shall be at the City's sole cost and shall be executed with the necessary legal documents.

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 TWENTIETH DAY OF MAY, A.D., 2025.

(Moved: Anderson / Seconded: Lara)

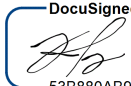
(Yeas: Lara, Anderson, Lago)

(Nays: Castro, Fernandez)

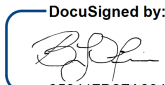
(Majority: (3-2) Vote)

(Agenda Item: E-12)

APPROVED:

DocuSigned by:

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VINCE LAGO
MAYOR

ATTEST:

DocuSigned by:

358417D2FA884FF...
BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

DocuSigned by:

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CRISTINA M. SUÁREZ
CITY ATTORNEY