



City of Coral Gables Planning and Zoning Staff Report

Property: 1505 Ponce de Leon Blvd, 126 and 122 Menores

Applicant: Location Acquisitions, LLC

Application: Receipt of Transfer of Development Rights (TDRs)

Public Hearing: Planning and Zoning Board / Local Planning Agency

Date & Time: **October 12, 2022, 6:00 p.m.**

Location: City Commission Chambers, City Hall
405 Biltmore Way, Coral Gables, Florida, 33134

1. APPLICATION REQUEST

The request is for consideration of the following:

A Resolution of the City Commission of Coral Gables, Florida 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 "1505 Ponce" on the property legally described as Lots 1 through 6 and Lots 17 through 22, Block 36, "Douglas Section" (1505 Ponce de Leon Boulevard, 126 and 122 Menores Avenue), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date.

The request requires two public hearings, including review and recommendation by the Planning and Zoning Board, and approval from the City Commission.

2. APPLICATION SUMMARY

Background

On July 25, 2022, the City Commission approved the mixed-use project known as "1505 Ponce," a 16-story mixed-use and planned area development consisting of a total of 297,027 square feet of floor area, of which 59,405 square feet of floor area are required to be obtained pursuant to the utilization of Transfer of Development Rights (TDRs). Therefore, the Applicant as set forth below is now seeking approval of TDRs from three historic properties and from a future city park as detailed below:

235 Majorca: On March 4, 2020, the Historic Preservation Board approved the maintenance plan for a historically designated property located in the North Ponce neighborhood conservation district at 235 Majorca Avenue to transfer 17,009 square feet. However, while these TDRs were previously contracted to be purchased and utilized for the 100 Miracle Mile project, the transaction did not finalize, and the contract was terminated. After the Zoning Code Update, the property's development potential increased

to 24,089 square feet. Therefore, the 1505 Ponce is proposing to utilize and receive the approved 24,089 square feet from 235 Majorca.

118 Menores: On June 15, 2022, the Historic Preservation Board approved the maintenance plan for a historically designated property located in the North Ponce neighborhood conservation district at 118 Menores Avenue to transfer 4,714 square feet to the receiving site proposed at 290 Valencia (Regency Residences). The property has remaining development rights to transfer; therefore, the 1505 Ponce is proposing to utilize and receive 3,227 square feet from 118 Menores.

Future City Park at 301 Majorca: On June 28th, 2022, the City Commission approved the creation of a city park at 301 Majorca by transferring the development rights of the property per Section 14-204.4(C) of the Zoning Code. The total development potential calculates to 30,592 square feet. Therefore, the 1505 Ponce project is proposing to receive the approved 30,592 square feet.

36 Phoenetia: The maintenance plan for the historically designated property at 36 Phoenetia is scheduled to be reviewed by the Historic Preservation Board on October 19, 2022, to make available 16,774 square feet of transfer development rights. Therefore, the 1505 Ponce project is proposing to receive 1,497 square feet of the property's available unused development rights.

Aerial Maps



Receiving Site: 1505 Ponce de Leon Boulevard



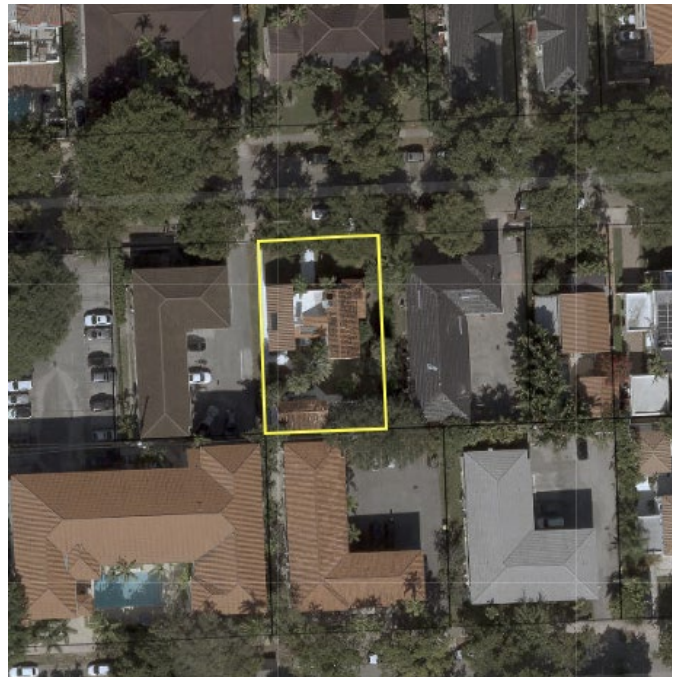
Sending sites: 235 Majorca



118 Menores



Sending sites: 301 Majorca



36 Phoenetia

Summary of Application

Location Acquisitions, LLC has submitted an application for review and approval of the Receipt of Transfer of Development Rights (TDRs), for consideration at public hearings pursuant to and in accordance with the Zoning Code. The application package submitted by the Applicant is provided in Attachment A.

The following tables provide the subject property’s designations and surrounding land uses:

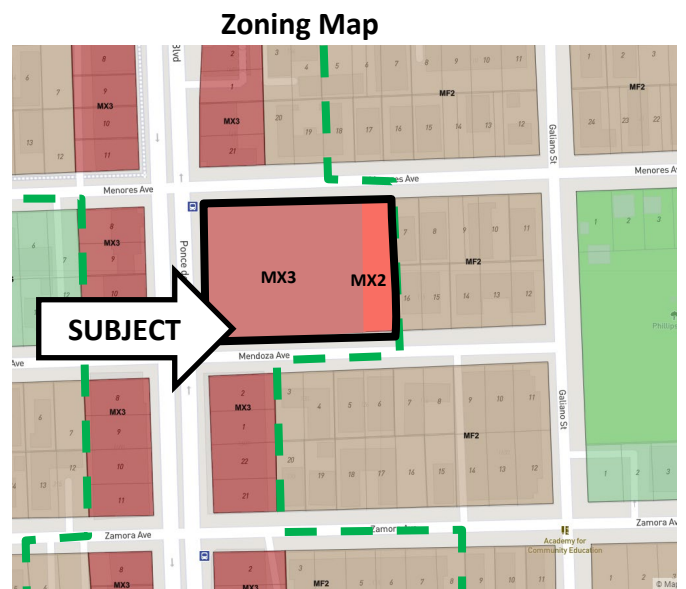
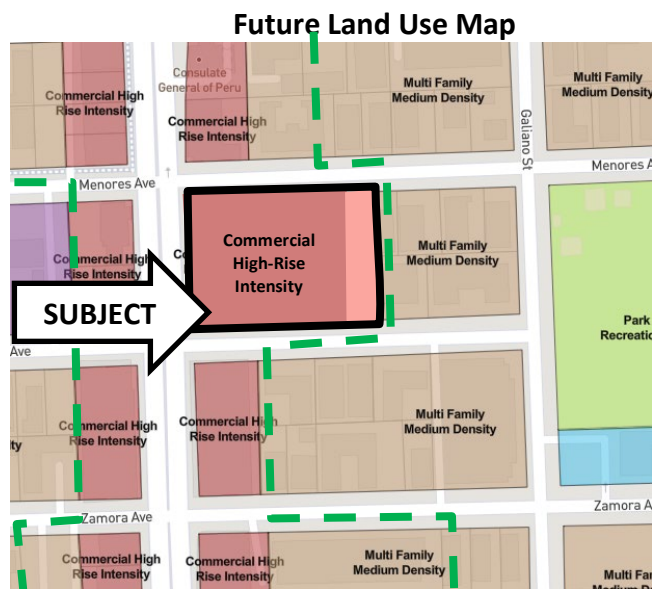
Existing Property Designations

Comprehensive Plan Map designation	Lots 1-5 and 18-22: Commercial High-Rise Intensity Lots 6 and 17: Commercial Mid-Rise Intensity
Zoning Map designation	Commercial
Within a designated Mixed-Use Overlay District (MXOD)	North Ponce Mixed-Use District Overlay
Mediterranean Architectural District (citywide)	Yes
Within Coral Gables Redevelopment Infill District (GRID)	Yes

Surrounding Land Uses

Location	Existing Land Uses	CP Designations	Zoning Designations
North	Multi-family and commercial	Multi-Family Medium Density and Commercial High-Rise Intensity	MF2 and MX3
South	Multi-family and mixed-use	Multi-Family Medium Density and Commercial High-Rise Intensity	MF2 and MX3
East	Multi-family	Multi-Family Medium Density	MF2
West	Commercial	Commercial High-Rise Intensity	MX3

The property’s existing land use and zoning designations, as illustrated in the following maps:



3. REVIEW TIMELINE / PUBLIC NOTICE

The proposal has undergone the following City reviews:

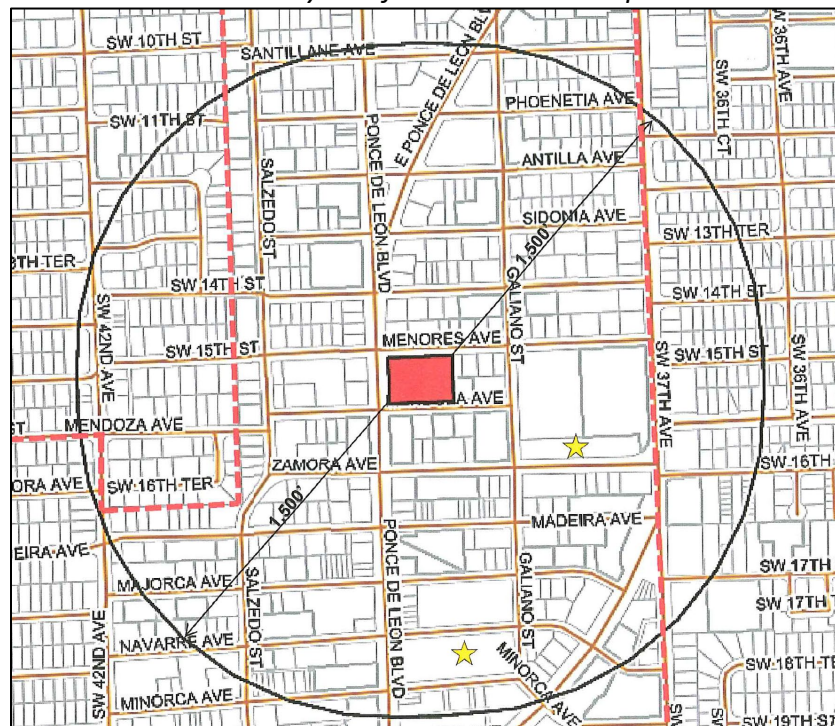
REVIEW COMMITTEES AND BOARDS	DATE
Commission Approval of the Mixed-Use Project	07.25.22
Historic Preservation Board	10.19.22
Planning and Zoning Board	10.12.22
City Commission	10.25.22

Public Notification and Comments

The Zoning Code requires that a mailed notification be provided to surrounding property owners within 1,500 feet. The notice indicates the following: applications filed; public hearing dates/time/location; where the application files can be reviewed and provides for an opportunity to submit comments. Approximately 1,474 notices were mailed.

A copy of the legal advertisement of this public hearing item and mailed notice are provided as Attachment C.

Courtesy Notification Radius Map



The following has been completed to solicit input and provide notice of the Application:

PUBLIC NOTICE	DATE
PZB Mailed notification	09.28.22
PZB Sign posting of property	10.04.22
PZB Legal advertisement	09.30.22
Posted PZB agenda on City Hall	10.07.22
Posted PZB Staff report on City web page	10.07.22

4. FINDINGS OF FACT

The project intends to utilize Transfer of Development Rights (TDRs) as a receiver site in order to secure an additional twenty-five percent (25%) Floor Area Ratio (FAR). Property purchasing or transferring the TDRs (referred to as receiver sites) must be zoned MX, Mixed-Use and also located within the CBD, North Ponce de Leon Blvd mixed-use district, or the Design & Innovation District. The Zoning Code’s stated purpose for the transfer/sending of unused development rights is to encourage historic preservation and to provide an economic incentive to property owners to designate, protect, enhance and preserve historic properties.

Sections 14-204.5 and 14-204.6 of the Zoning Code establish the requirements for the use of TDRs on receiver sites. Those provisions state that the Planning and Zoning Board and City Commission may recommend conditions of approval that are necessary to ensure compliance with the criteria and standards as specified in the Zoning Code.

There are three (3) historically designated properties in the North Ponce garden apartment district, as well as a future city park, that will provide the 59,405 square feet of TDR’s required for the approved mixed-use project:

- 24,089 square feet from 235 Majorca Avenue;
- 3,227 square feet from 118 Menores;
- 30,592 square feet from 301 Majorca (future city park); and
- 1,497 square feet from 36 Phoenetia Avenue.

The Applicant’s submittal comply with both provisions of Section 14-204.5, as follows:

A. *“Use of TDRs on receiver sites. The receiving sites shall be: 1) Located within the boundaries of the CBD and designated mixed-use zoning, or 2) Located within the boundaries of the North Ponce de Leon Boulevard Mixed Use District and designated mixed-use zoning, or 3) Located within the boundaries of the Design & Innovation District and designated mixed-use zoning, or 4) Designated by the City Commission when located in a Planned Area Development (PAD) and zoned MX2 or MX3.”*

Staff comments: The receiving site is located within the North Ponce de Leon Boulevard Mixed Use District and is zoned mixed use.

B. *“Maximum TDR floor area ratio (FAR) increase on receiver sites. An increase of up to twenty-five percent (25%) of permitted gross FAR and approved Mediterranean architectural style bonuses gross FAR may be permitted”.*

Staff comments: The TDRs proposed for the receiver site is less than the maximum twenty-five (25%) percent of permitted gross FAR and approved Mediterranean architectural style bonuses gross FAR permitted by the Zoning Code.

Below is the review and approval process of use of TDR's on receiver sites as set out in Zoning Code Section 14-204.6, as follows:

A. *"An application to transfer development rights to a receiver site shall be reviewed subject to all of the following":*

1. *"In conformance with any applicable conditions of approval pursuant to the Certificate of TDRs."*

Staff comments: The Historic Preservation Board approved the sending TDRs with a condition that no building permit for the receiving site is to be issued until the remedial work is completed on the historic properties.

2. *"Board of Architects review and approval subject to Section 5-100, Design Review Standards."*

Staff comments: The proposed project received preliminary approval and approval of Mediterranean architectural bonuses from the Board of Architects on 06.21.22.

3. *"If the receiving site is within five hundred (500) feet of a local historic landmark, Historic Preservation Board review and approval is required to determine if the proposal shall not adversely affect the historic, architectural, or aesthetic character of the property"*

Staff comments: The receiving site is located within five hundred (500) feet of seven (7) Local Historic Landmarks within the North Ponce Neighborhood Conservation District. The properties include 1721 Ponce de Leon Boulevard, 131 Zamora, 111 Salamanca, 102, 114, 118, and 122 Menores. The Historic Preservation Board will determine that the proposed development at 1505 Ponce de Leon Boulevard will not adversely affect the Local Historic landmarks within 500 feet of the property at their meeting October 19, 2022.

4. *"Planning and Zoning Board review and recommendation and City Commission review to determine if the application satisfies all of the following":*

a. *"Applicable site plan review requirements per Section 14-202, General Development Review Procedures and conditional use review requirements per Section 14-203, Conditional Uses"*

b. *"The extent to which the application is consistent with the Zoning Code and City Code otherwise applicable to the subject property or properties, including but not limited to density, bulk, size, area and use, and the reasons why such departures are determined to be in the public interest"*

c. *"The physical design of the proposed site plan and the manner in which the design makes use of adequate provisions for public services, provides adequate control over vehicular traffic, provides for and protects designated common open areas, and furthers the amenities of light and air, recreation and visual enjoyment"*

- d. *“The conformity of the proposal with the Goals, Objectives and Policies of the City’s Comprehensive Plan”.*

Staff comments: In 2017, the City Commission adopted changes to the Zoning Code to establish the North Ponce Mixed-Use Overlay District and to include the district as a TDR receiver site. The requested transfer of development rights will not allow additional height or density to the proposed project, but will add to the bulk of the building to accommodate the additional square footage. Existing conditions along Ponce de Leon Boulevard include large scale buildings; and Commission-adopted policies encourage this scale of development on the corridor. The Planned Area Development and mixed-use site plan was previously reviewed and approved in June and July 2022, and satisfied the review procedures. The approved site plan includes the requested TDRs and is not departing from the allowed density, bulk, size, area and use in the Zoning Code and will therefore be in conformance with the Zoning Code. The redevelopment of this property as a mixed-use project is consistent with goals of the Comprehensive Plan. The site plan contributes to a pedestrian oriented urban environment with ground floor commercial and a variety of open spaces, with residential units in the upper stories.

5 . STAFF RECOMMENDATION


Based upon the complete Findings of Fact contained within this report, staff recommends **Approval**.

6 . ATTACHMENTS

- A. Applicant’s Submittal Package.
- B. Mailed notice and legal ad.
- C. PowerPoint Presentation.

Please visit the City’s webpage at www.coralgables.com to view all Application plans and materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134.

Respectfully submitted,



Jennifer Garcia, AICP, CNU-A
City Planner
City of Coral Gables, Florida

1505 Ponce de Leon TDR Transfer Application

Table of Contents

1. Application
2. Approved Plans Excerpt
3. Statement of Use
4. Ordinance 2022-36 – Comprehensive Plan Approval
5. Ordinance 2022-37 – Zoning Code Approval
6. Ordinance 2022-38 – PAD Approval
7. Resolution 2022-185 – Site Plan Approval
8. Resolution 2022-167 – 301 Majorca TDR Transfer for Park Approval
9. 235 Majorca TDR Transfer Approval
10. 118 Menores TDR Transfer Approval



City of Coral Gables Planning Division Application

305.460.5211

planning@coralgables.com

www.coralgables.com

Application request

The undersigned applicant(s)/agent(s)/property owner(s) request City of Coral Gables consideration and review of the following application(s) (please check all that apply):

- Abandonment and Vacations
- Annexation
- Comprehensive Plan Map Amendment - Small Scale
- Comprehensive Plan Map Amendment - Large Scale
- Comprehensive Plan Text Amendment
- Conditional Use - Administrative Review
- Conditional Use with Site Plan
- Conditional Use without Site Plan
- Coral Gables Mediterranean Architectural Design Special Locational Site Plan
- Development Agreement
- Mixed Use Site Plan
- Planned Area Development Designation and Site Plan
- Planned Area Development Major Amendment
- Restrictive Covenants and/or Easements
- Separation/Establishment of a Building Site
- Site Plan
- Subdivision Review for a Tentative Plat and Variance
- Transfer of Development Rights Receiving Site Plan
- University Campus District Modification to the Adopted Campus Master Plan
- Zoning Code Map Amendment
- Zoning Code Text Amendment
- Other: _____

General information

Street address of the subject property: 1505 Ponce de Leon Boulevard

Property/project name: 1505 Ponce

Legal description: Lot(s) 1-6 and 17-22

Block(s) 36 Section (s) Coral Gables Douglas Section

Property owner(s): TWJ 1505 LLC

Property owner(s) mailing address: 100 S Biscayne Blvd, Suite 900, Miami, FL 33131

Telephone: Business 305-358-7710 Fax _____

Other _____ Email dwarhaft @ fecr.com

Applicant(s)/agent(s): Location Acquisitions, LLC



City of Coral Gables Planning Division Application

Applicant(s)/agent(s) mailing address: 299 Alhambra Circle, Coral Gables, FL 33134

Telephone: Business 786-701-6724 Fax _____

Other _____ Email rkapoor @ location.ventures.com

Property information

Current land use classification(s): Commercial High, Commercial Medium, and Multi-family Medium

Current zoning classification(s): MX3, MX2,

Proposed land use classification(s) (if applicable): _____

Proposed zoning classification(s) (if applicable): _____

Supporting information (to be completed by Planning Staff)

A Preapplication Conference is required with the Planning Division in advance of application submittal to determine the information necessary to be filed with the application(s). Please refer to the Planning Division Development Review Process Handbook, Section 3.0, for an explanation of each item. If necessary, attach additional sheets to application. The Planning Division reserves the right to request additional information as necessary throughout the entire review process.

- Aerial.
- Affidavit providing for property owner's authorization to process application.
- Annexation supporting materials.
- Application fees.
- Application representation and contact information.
- Appraisal.
- Architectural/building elevations.
- Art in Public Places plan or statement.
- Building floor plans.
- Comprehensive Plan analysis.
- Comprehensive Plan text amendment justification.
- Concurrency impact statement.
- Encroachments plan.
- Environmental assessment.
- Historic contextual study and/or historical significance determination.
- Landscape plan.
- Lighting plan.
- Massing model and/or 3D computer model.
- City of Coral Gables Annual Registration Application and Issue Application Lobbyist forms.
- Ordinances, resolutions, covenants, development agreements, etc. previously granted for the property.
- Parking study.
- Photographs of property, adjacent uses and/or streetscape.
- Plat.
- Property owners list, notification radius map, and signed affidavit of mailed notice including MDCPS.
- Property survey and legal description.



- Public Realm Improvements Plan for mixed use projects.
- Public school preliminary concurrency analysis (residential land use/zoning applications only).
- Sign master plan.
- Site plan and supporting information.
- Statement of use and/or cover letter.
- Streetscape master plan.
- Traffic accumulation assessment.
- Traffic impact statement.
- Traffic impact study.
- Traffic stacking analysis.
- Utilities consent.
- Utilities location plan.
- Vegetation survey.
- Video of the subject property.
- Warranty Deed.
- Zoning Analysis (Preliminary).
- Zoning Code text amendment justification.
- Other: _____

Application submittal requirements

1. Hard copies. The number of application binders to be submitted shall be determined by Staff at the preapplication meeting. The application shall include all the items identified in the preapplication meeting.
2. Digital media copy. One (1) thumb-drive of the entire application including all items identified in the Preapplication Conference. Each document shall be separated into PDF files (i.e., application; site plan, landscape plan; etc.). Please include a "Table of Contents" identifying all PDF file name(s). Each PDF file size shall not exceed 10 MB.

Applicant/agent/property owner affirmation and consent

(I) (We) affirm and certify to all of the following:

1. Submission of the following:
 - a. Warranty deed/tax record as proof of ownership for all properties considered as a part of the application request; or
 - b. Authorized as the applicant(s)/agent(s) identified herein to file this application and act on behalf of all current property owner(s) and modify any valid City of Coral Gables entitlements in effect during the entire review process.
2. This request, application, application supporting materials and all future supporting materials complies with all provisions and regulations of the Zoning Code, Comprehensive Land Use Plan and Code of Ordinances of the City of Coral Gables unless identified and approved as a part of this application request or other previously approved applications. Applicant understands that any violation of these provisions renders the application invalid.
3. That all the information contained in this application and all documentation submitted herewith is true to the best of (my) (our) knowledge and belief.
4. Understand that the application, all attachments and fees become a part of the official records of the City of Coral Gables and are not returnable.
5. Failure to provide the information necessary pursuant to the established time frames included but not limited to application submittal, submission of revised documents, etc. for review by City Staff and the designated reviewing



City of Coral Gables Planning Division Application

entity may cause application to be deferred without further review until such time the requested information is submitted.

- 6. All representatives of the application have registered with and completed lobbyist forms for the City of Coral Gables City Clerk's office.
- 7. Understand that under Florida Law, all the information submitted as part of the application are public records.
- 8. Additional costs in addition to the application fees may be assessed associated with the review of applications by the City. These are costs that may be incurred by the applicant due to consultant fees paid by City to review the application. The types of reviews that could be conducted may include but are not limited to the following: property appraisals; traffic impact analyses; vegetation/environmental assessments; archeological/historic assessments; market studies; engineering studies or reports; and legal fees. Such fees will be assessed upon finalization of the City application review.

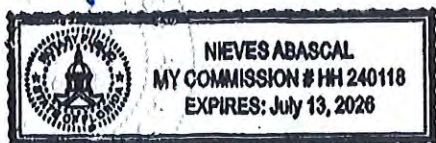
Property owner(s) signature(s): <i>[Handwritten signature]</i>	Property owner(s) print name:
Property owner(s) signature(s): <i>[Handwritten signature]</i>	Property owner(s) print name:
Property owner(s) signature(s):	Property owner(s) print name:

Address: *100 S. Biscayne Blvd, Ste 900, Mia, Fla*

Telephone: *305 358 7710* Fax: Email:

NOTARIZATION

STATE OF FLORIDA/COUNTY OF
 The foregoing instrument was acknowledged before me this *24* day of *APRIL* by
[Signature]
 (Signature of Notary Public - State of Florida)



NIEVES ABASCAL

(Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification; Type of Identification Produced



City of Coral Gables Planning Division Application

Contract Purchaser(s) Signature: <i>[Signature]</i>	Contract Purchaser(s) Print Name: <i>Rishi Kapoor</i>
Contract Purchaser(s) Signature:	Contract Purchaser(s) Print Name:

Address: *299 Alhambra Circle, Suite 570, Coral Gables, FL 33134*

Telephone: *404-449-4931* Fax: Email: *rkapoor@location.ventures*

NOTARIZATION

STATE OF FLORIDA/COUNTY OF
 The foregoing instrument was acknowledged before me this 12 day of May 2022 by
Rishi Kapoor
 (Signature of Notary Public - State of Florida)



Raymond Gonzalez
 Comm. #HH116723
 Expires: Apr. 13, 2025
 Bonded Thru Aaron Notary

(Print, Type or Stamp Commissioned Name of Notary Public)
 Personally Known OR Produced Identification; Type of Identification Produced

Applicant(s)/Agent(s) Signature: <i>[Signature]</i>	Applicant(s)/Agent(s) Print Name: <i>Rishi Kapoor</i>
--	--

Address: *299 Alhambra Circle, Suite 570, Coral Gables, FL 33134*

Telephone: *404-449-4931* Fax: Email: *rkapoor@location.ventures*

NOTARIZATION

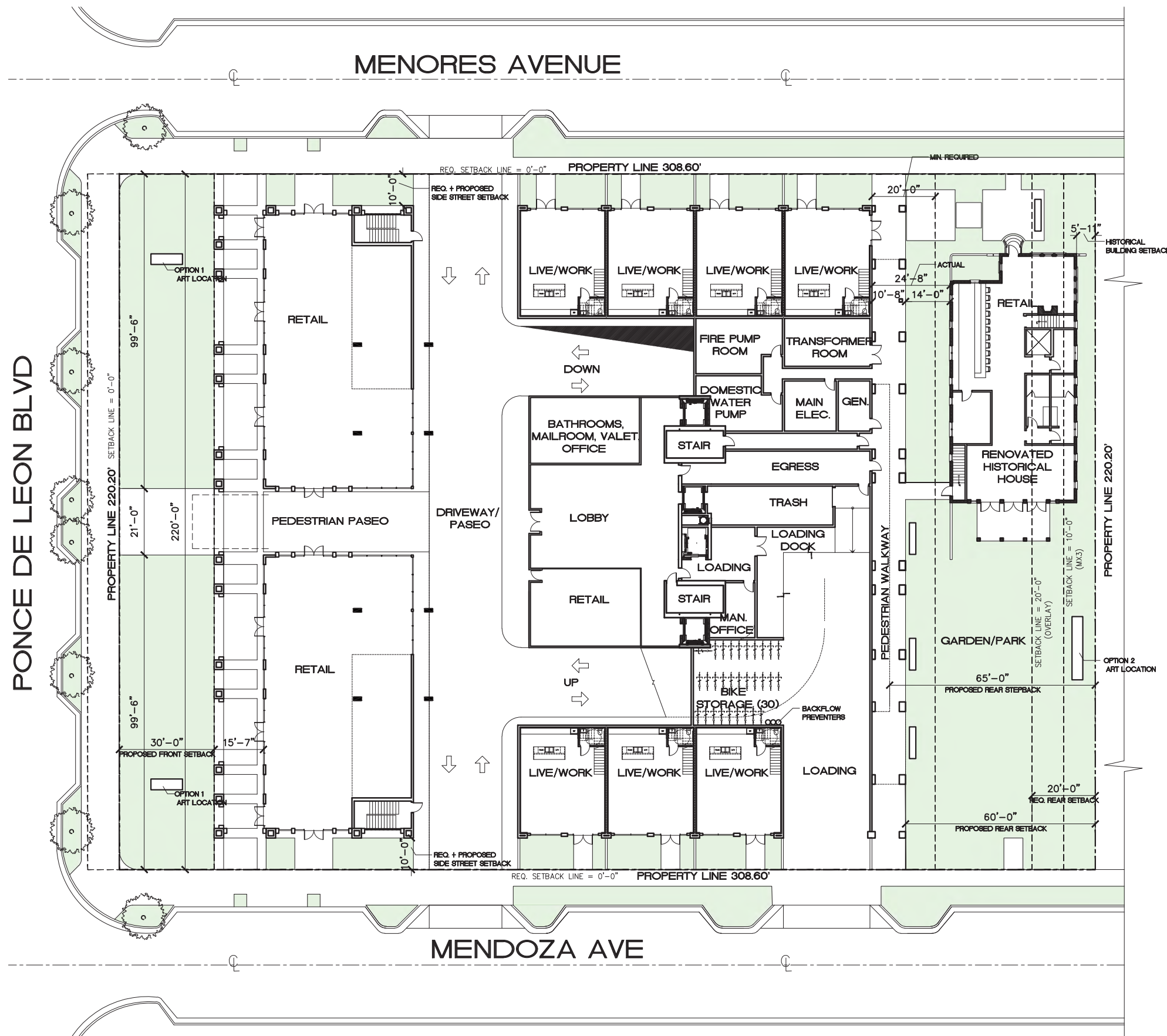
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 (Signature of Notary Public - State of Florida)

[Signature]



Raymond Gonzalez
 Comm. #HH116723
 Expires: Apr. 13, 2025
 Bonded Thru Aaron Notary

(Print, Type or Stamp Commissioned Name of Notary Public)



SITE DATA LEGEND					
NET SITE AREA :	67,892 S. F.				
LEGAL DESCRIPTION :	CORAL GABLES DOUGLAS SEC PB 25-69 LOTS 1 THRU 3 INC & 17 THRU 22 INC BLK 36 LOT SIZE IRREGULAR COC 24551-3959 05 2006 6				
EXISTING ZONING DESIGNATION:	MX3, MX2, MF2				
PROPOSED ZONING DESIGNATION:	MX3				
OVERLAY DISTRICTS:	North Ponce Mixed Use District Overlay North Ponce Neighborhood Conservation District Overlay (NPCO)				
F.A.R. ALLOWED :	297,027 S. F. = FAR 4.375				
F.A.R. PROPOSED :	252,473 SF (85% of Residential FAR) 23,764 SF (8% of Retail FAR) 20,640 SF (Remaining 7% for other uses)				
TOTAL PROPOSED :	297,027SF				
BUILDING HEIGHT:	ALLOWED: 190'-6" As per MX3 with Med. Bonus 2 : 16 stories / 190.5' As per overlays 190'-6" Max. PROPOSED: 190'-6"				
SETBACKS:	REQUIRED (MX3) REQUIRED (OVERLAYS) PROPOSED				
FRONT:	0'-0" Below 97' in height: 0'-0" Above 97' in height: 30'-0"				
REAR:	10'-0" Below 70' in height: 20'-0" 60'-0" from proposed build. 5'-11" from proposed build.				
SIDE STREET (NORTH):	0'-0" Within 40' of the North Ponce Conservation District: 10'-0"				
SIDE STREET (SOUTH):	0'-0" Within 40' of the North Ponce Conservation District: 10'-0"				
STEPBACKS:	REQUIRED (MX3) REQUIRED (OVERLAYS) PROPOSED				
FRONT:	10'-0" Above 97' in height: 30'-0"				
REAR:	10'-0" Above 70' in height: 20'-0"				
SIDE:	10'-0" 10'-0"				
DENSITY:	ALLOWED: 125 du per acre PROPOSED: 56 du per acre TOTAL UNITS: 87 DWELLING UNITS				
PARKING DATA					
PARKING REQUIREMENTS :	PARKING CALCULATIONS:				
RETAIL : 1 space per 300 sf	RETAIL : 23,920 / 300 = 79.7				
LIVE / WORK: 1 space per unit or 1 space per 350 sf of work	LIVE / WORK: 6,993 / 350 = 19.98				
2 BEDROOM : 1.75 space per unit	2 BEDS. : 31 units x 1.75 = 54.25				
3 BEDROOM + : 2.25 space per unit	3 BEDS. : 49 units x 2.25 = 110.25				
TOTAL PARKING REQUIRED:	264.18 Parking Spaces				
TOTAL PARKING PROVIDED:	318 Parking Spaces				
ADA PARKING: 301 to 400 spaces = 8 ADA required	REQUIRED: 8 spaces PROVIDED: 8 spaces				
BICYCLE PARKING: 87 / 4 = 21.75	REQUIRED: 23.25 PROVIDED: 27				
30,043 / 20,000 = 1.5					
ELECTRICAL PARKING:	REQUIRED: PROVIDED :				
Min. 2% EV parking/charging stations	6.38 spaces 7 spaces				
Min. 3% shall be EV-ready	9.57 spaces 10 spaces				
Min. 15% shall be EV-capable	47.85 spaces 63 spaces				
LOADING SPACES:	REQUIRED: PROVIDED :				
Below 100,000 SF	0 spaces 1 spaces				
UNIT MIX					
LEVELS	Live/Work	2 Bed.+Den	3 Bed.+Den	Penthouses	TOTAL
1	7				7
2		9	2		11
3		1			1
4		1	3		4
5		2	4		6
6		2	4		6
7		2	4		6
8		2	4		6
9		2	4		6
10		2	4		6
11		2	4		6
12		2	4		6
13		2	4		6
14		2	4		6
15				2 levels	4
16				4	4
TOTAL UNITS					87



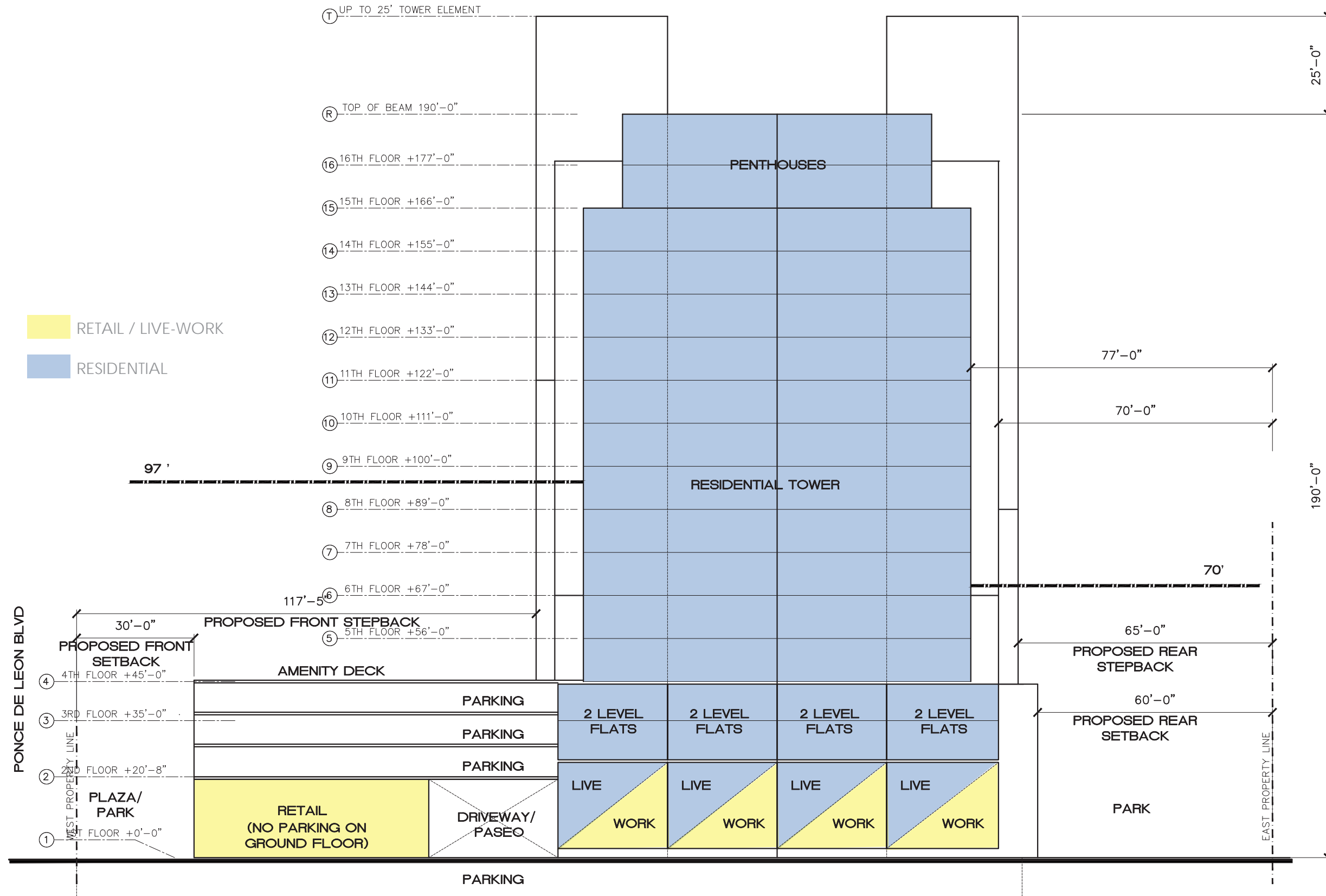


**ZONING DATA TABLE (MX3 ZONING)
REQUIRED:**

Use categories	MX3		
A Lot occupation			
1 Building Site Area Minimum (square feet)	2,500	10,000	20,000
2 Building Site Width Minimum (feet)	25	100	200
3 Ground Coverage Minimum	NA	NA	NA
4 Open Space Minimum	5%	10%	10%
B Density			
1 Density (DU/Acre)	125	125	125
2 Unit Size Minimum (square feet)	500	500	500
3 Floor Area Ratio (FAR)	3.0	3.0	3.0
4 FAR Med. Bonus I	3.2	3.2	3.2
5 FAR Med. Bonus II	3.5	3.5	3.5
C Setback minimums (feet)			
1 Principal Front	0	0	0
2 Side Interior	0	0	0
3 Side Street	0	0	0
4 Rear	10	10	10
5 Rear at Alley	0	0	0
6 Waterway	35	35	35
D Stepback minimums (feet)			
1 Stepback Front	10	10	10
2 Stepback Side	15	15	15
3 Stepback Side Street	10	10	10
4 Stepback Rear	10	10	10
5 Stepback Rear at Alley	3	3	3
E Building height maximums (stories/feet)			
1 Principal Building	45	70	150
2 Mediterranean Bonus I	5 stories /63.5	7 stories /83.5	14 stories /163.5
3 Mediterranean Bonus II	6 stories /77	8 stories /97	16 stories /190.5

SITE ALSO UNDER NORTH PONCE MIXED USE DISTRICT OVERLAY AND NORTH PONCE NEIGHBORHOOD CONSERVATION DISTRICT OVERLAY (NPCO)







HamedRodriguez
architects

1505 PONCE DE LEON
CORAL GABLES, FL

SHEET NO. R0.1



HamedRodriguez
architects

1505 PONCE DE LEON
CORAL GABLES, FL

SHEET NO. R0.2



HamedRodriguez
architects

1505 PONCE DE LEON
CORAL GABLES, FL

SHEET NO. R0.3



HamedRodriguez
architects

1505 PONCE DE LEON
CORAL GABLES, FL

SHEET NO. R0.4



HamedRodriguez
architects

1505 PONCE DE LEON
CORAL GABLES, FL

SHEET NO. R0.5



HamedRodriguez
architects

1505 PONCE DE LEON
CORAL GABLES, FL

SHEET NO. R0.6



HamedRodriguez
architects

1505 PONCE DE LEON
CORAL GABLES, FL

SHEET NO. R0.7





HamedRodriguez
architects

1505 PONCE DE LEON
CORAL GABLES, FL

SHEET NO. R0.9



0Writer's Direct Dial Number: (305) 376-6027
Writer's E-Mail Address: rbehar@gunster.com

October 3, 2022

Ms. Jennifer Garcia
City Planner
City of Coral Gables
405 Biltmore Way, 1st Floor
Coral Gables, FL 33134

Re: 1505 Ponce de Leon Boulevard / Planning and Zoning Board / Statement of Use / TDR Receiver Site Approval

Dear Ms. Garcia:

On behalf of Locations Acquisitions, LLC (the "Applicant") as well as the owners of the properties located at 1505 Ponce de Leon Boulevard, 122 Menores Avenue and 126 Menores Avenue (collectively, the "Property"), we respectfully submit this Statement of Use in connection with the enclosed Planning and Zoning Board application for receiver site approval for the use of transferable development rights ("TDR") on the Property consistent with other recently obtained development approvals. The Property is further identified by three separate Miami-Dade Tax Folio Numbers: 03-4108-009-3720, 03-4108-009-3690 and 03-4108-009-3730, the former two of which are vacant and the third of which is occupied by a multifamily residential building constructed in 1925 and designated as historic (the "Menores Building"). The Property is 67,892 square feet in size (1.56 acres) and is located on the western end of the block between Menores Avenue and Mendoza Avenue with Ponce de Leon Boulevard to the west and Galiano Street to the east.

Project Approval History

On July 25, 2022, the Coral Gables City Commission approved an application to redevelop the Property with a building consisting of 87 luxury residential units, 23,764 square feet of commercial space, 319 parking spaces in a structured parking garage, and 20,144 square feet of open space, including a park with improvements along Ponce de Leon Boulevard, over which it intends to convey a public access easement to the City as well as a garden/dog park that serves as a buffer to the properties to the east and which will similarly be open for use by the general public pursuant to an easement (the "Project"). The Menores Building will remain and is proposed to be adaptively re-used with commercial uses.

The City Commission also approved the following changes:

- An amendment to the City's FLUM so as to change the land use designation for a portion of the Property from Commercial Mid Rise Intensity to Commercial High

Rise Intensity and to change the land use designation of the Menores Building from Multifamily Medium Density to Commercial Mid Rise Intensity.

- An amendment to the City’s Zoning Map to rezone a portion of the Property from MX2 to MX3, to rezone the Menores Building from MF2 to MX2, and to include the entirety of the Property within the North Ponce Mixed Use Overlay District.
- Planned Area Development (PAD) and mixed-use site plan approval for the Project.

TDRs

Pursuant to Section 14-204.5., the Property may be a TDR receiver site if it is located within the boundaries of the North Ponce de Leon Boulevard Mixed Use Overlay District. The Applicant intends to acquire TDRs, pursuant to both (i) a separate conveyance of land for park purposes and (ii) private transactions, to increase the Project’s FAR by 25% to 4.375, for a total of 59,405 square feet, additional floor area above the 3.5 FAR which is typically permitted (inclusive of Mediterranean design bonus). The Applicant has proposed the following TDR transfers:

Address	TDR Amount	Sending Site Approval Status	Receiving site approval status	Receiver site location
114 Menores Avenue	8,014 sf	Pending HPB approval	Pending approval HPB	Location to be determined
118 Menores Avenue ¹	3,300 sf	Approved by HPB June 16, 2022	Pending approval HPB	Location to be determined
36 Phoenetia Avenue	16,774 sf	Pending HPB approval	Pending approval HPB	1505 Ponce de Leon Blvd.
215 Phoenetia Avenue	8,668 sf	Pending HPB approval	Pending approval HPB	Location to be determined
235 Majorca Avenue ²	17,009 sf	Approved by HPB on March 4, 2020.	Pending approval HPB	1505 Ponce de Leon Blvd.
301 Majorca Avenue	30,592 sf	Approved by Commission on June 28 th 2022	Pending approval HPB	1505 Ponce de Leon Blvd.

¹ 118 Menores has already transferred 4,711 square feet of TDR floor area to the Regency project and has 3,300 square feet available to transfer.

² These TDRs were previously contracted to be purchased and utilized at the 100 Miracle Mile project, but that transaction never closed and the contract was terminated

285 Aragon Avenue	13,000 sf	Pending City Approval of Sale	Pending City Approval of Sale	Location to be determined
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The TDR transfer applications have been submitted to the Historic Preservation Department and are pending review and scheduling before the Historic Preservation Board. It is important to note that not all of the above-mentioned TDR transfers are for the use at the Property. The Property will be utilizing TDRs from 301 Majorca Avenue, 36 Phoenetia Avenue and 235 Majorca Avenue to obtain the 59,405 square feet of additional floor area required for the Project. There will be 4,970 square feet extra that will not be utilized on the Property. The other proposed TDR transactions will be utilized either for another project or as “back up” floor area in the event that one of the 1505 Ponce TDR transactions fail to close.

This vacant Property fronting Ponce de Leon Boulevard was approved for a beautiful mixed-use development with the condition that the required TDR’s be obtained. By granting this request, this high-quality Project will complete the next step in the approval process as required by Ordinance 2022-36. We are confident that this Project will be a significant and positive new addition to the City and will quickly become one of the City’s premier residential addresses. Accordingly, we respectfully request your favorable consideration of this application. If you have any questions, please do not hesitate to contact me at (305) 376-6061. Thank you for your attention to this matter and we look forward to continuing to work with you on this exciting project.

Sincerely,

Mario Garcia-Serra

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2022-36

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA AMENDING THE FUTURE LAND USE MAP AND MIXED-USE OVERLAY DISTRICT MAP OF THE CITY OF CORAL GABLES COMPREHENSIVE PLAN PURSUANT TO ZONING CODE ARTICLE 14, "PROCESS," SECTION 14-213, "COMPREHENSIVE PLAN TEXT AND MAP AMENDMENTS," AND SMALL SCALE AMENDMENT PROCEDURES (SS. 163.3187, FLORIDA STATUTES), FROM "COMMERCIAL MID-RISE INTENSITY" TO "COMMERCIAL HIGH-RISE INTENSITY" FOR LOTS 3 THROUGH 5 AND LOTS 18 THROUGH 20, AND FROM "MULTI-FAMILY MEDIUM DENSITY" TO "COMMERCIAL MID-RISE INTENSITY" FOR LOT 6, BLOCK 36, DOUGLAS SECTION, AND EXTENDING THE "NORTH PONCE DE LEON BOULEVARD MIXED-USE OVERLAY DISTRICT" TO INCLUDE LOTS 6 AND 17 OF SAID BLOCK 36 (1505 PONCE DE LEON BOULEVARD, 126 AND 122 MENORES AVENUE), CORAL GABLES, FLORIDA; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE. (LEGAL DESCRIPTION ON FILE)

WHEREAS, an Applicant is requesting a change of land use from "Commercial Mid-Rise Intensity" to "Commercial High-Rise Intensity" for Lots 3 through 5 and Lots 18 through 20, and from "Multi-Family Medium Density" to "Commercial Mid-Rise Intensity" for Lot 6, Block 36, Douglas Section, and extending the "North Ponce de Leon Boulevard Mixed-Use Overlay District" to include Lots 6 and 17 of said Block 36, Douglas Section, Coral Gables, Florida; and

WHEREAS, the proposed change of land use is being submitted concurrently with proposed Zoning Map amendments, Planned Area Development (PAD) designation, Conditional Use Site Plan, and receipt of Transfer of Development Rights (TDRs); and

WHEREAS, Staff finds that the procedures for reviewing and recommending on a proposed change of land use are provided in Zoning Code Article 14 "Process," Section 14-213 "Comprehensive Plan Text and Map Amendments," and that the proposed land use map amendment has met those criteria and standards; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, a public hearing was held before the Planning and Zoning Board/Local Planning Agency of the City of Coral Gables on June 21, 2022, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the June 21, 2022 Planning and Zoning Board meeting, the Planning and Zoning Board/Local Planning Agency recommended approval regarding the proposed change of land use (vote: 5-0); and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, the City Commission held a public hearing on June 28, 2022 at which hearing all interested persons were afforded an opportunity to be heard and this application for change of land use was approved on first reading; and

WHEREAS, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request to change the land use pursuant to Florida Statutes, and including careful consideration of written and oral comments by members of the public;

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

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 Ordinance upon adoption hereof.

SECTION 2. The City of Coral Gables’ request for a change of zoning pursuant to Zoning Code Zoning Code Article 14 “Process,” Section 14-213 “Comprehensive Plan Text and Map Amendments,” from “Commercial Mid-Rise Intensity” to “Commercial High-Rise Intensity” for Lots 3 through 5 and Lots 18 through 20, and from “Multi-Family Medium Density” to “Commercial Mid-Rise Intensity” for Lot 6, Block 36, Douglas Section, and extending the “North Ponce de Leon Boulevard Mixed-Use Overlay District” to include Lots 6 and 17 of said Block 36, Douglas Section, Coral Gables, Florida, is hereby approved.

SECTION 3. All Ordinances or parts of Ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. Pursuant to Section 163.3187(5)(c), Florida Statutes, the effective date of the small-scale comprehensive plan amendment approved by this Ordinance shall be thirty-one (31) days after adoption by the Commission, if the amendment is not timely challenged.

SECTION 6. This Ordinance shall become effective upon the date of its passage and adoption herein.


PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF JULY, A.D., 2022.
(Moved: Menendez / Seconded: Anderson)
(Yeas: Menendez, Anderson, Fors, Jr., Mena)
(Abstentions: Lago)
(Unanimous: 4-0 Vote)
(Agenda Item: F-6)

APPROVED:

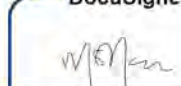
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VINCE LAGO
MAYOR

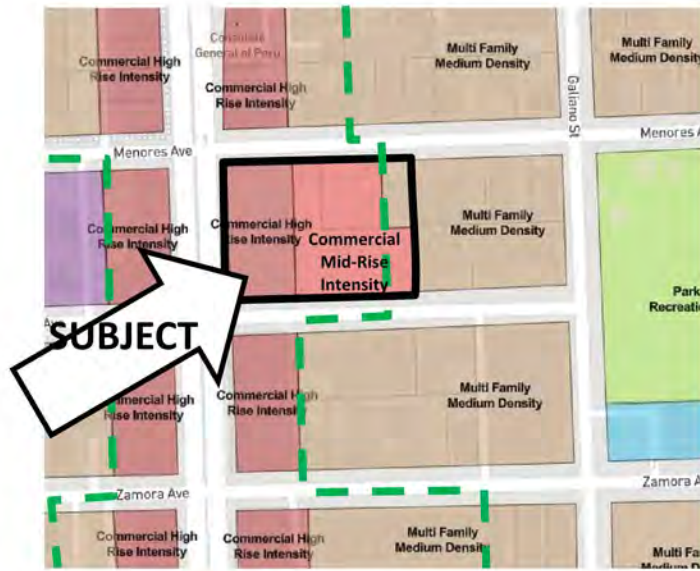
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CITY CLERK

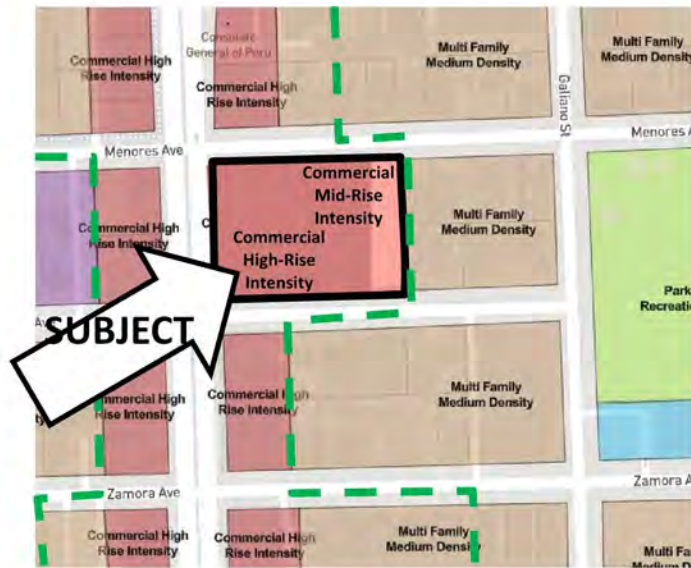
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MIRIAM SOLER RAMOS
CITY ATTORNEY

Existing Future Land Map



Proposed Future Land Use Map:



CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2022-37

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA MAKING ZONING DISTRICT BOUNDARY CHANGES PURSUANT TO ZONING CODE ARTICLE 14, "PROCESS," SECTION 14-212, "ZONING CODE TEXT AND MAP AMENDMENTS," FOR LOTS 3 THROUGH 5 AND LOTS 18 THROUGH 20, FROM MIXED-USE 2 (MX2) DISTRICT TO MIXED-USE 3 (MX3) DISTRICT, AND FOR LOT 6, BLOCK 36, DOUGLAS SECTION, FROM MULTI-FAMILY 2 (MF2) DISTRICT TO MIXED-USE 2 (MX2) DISTRICT; AND EXTENDING THE "NORTH PONCE DE LEON BOULEVARD MIXED-USE OVERLAY DISTRICT" TO INCLUDE LOTS 6 AND 17 OF SAID BLOCK 36 (1505 PONCE DE LEON BOULEVARD, 126 AND 122 MENORES AVENUE); PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE. (LEGAL DESCRIPTION ON FILE)

WHEREAS, an Applicant is requesting a change of zoning for Lots 3 through 5 and Lots 18 through 20, from Mixed-Use 2 (MX2) District to Mixed-Use 3 (MX3) District, and for Lot 6, Block 36, Douglas Section, from Multi-Family 2 (MF2) District to Mixed-Use 2 (MX2) District; and extending the "North Ponce de Leon Boulevard Mixed-Use Overlay District" to include Lots 6 and 17 of said Block 36, Douglas Section, Coral Gables, Florida; and

WHEREAS, the proposed change of zoning is being submitted concurrently with proposed Comprehensive Plan map amendments, Planned Area Development (PAD) designation, Conditional Use Site Plan, and receipt of Transfer of Development Rights (TDRs); and

WHEREAS, Staff finds that the procedures for reviewing and recommending on a proposed change of zoning are provided in Zoning Code Article 14 "Process," Section 14-212 "Zoning Code Text and Map Amendments," and that the proposed zoning map amendment has met those criteria and standards; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, a public hearing was held before the Planning and Zoning Board/Local Planning Agency of the City of Coral Gables on June 21, 2022, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the June 21, 2022, Planning and Zoning Board meeting, the Planning and Zoning Board/Local Planning Agency recommended approval regarding the proposed change of zoning (vote: 5-0); and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, the City Commission held a public hearing on June 28, 2022 at which hearing all interested persons were afforded an opportunity to be heard and this application for change of zoning was approved on first reading; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, the City Commission held a public hearing on July 25, 2022 at which hearing all interested persons were afforded an 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 to change the zoning pursuant to Florida Statutes, and including careful consideration of written and oral comments by members of the public;

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

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 Ordinance upon adoption hereof.

SECTION 2. The City of Coral Gables’ request for a change of zoning for Lots 3 through 5 and Lots 18 through 20, from Mixed-Use 2 (MX2) District to Mixed-Use 3 (MX3) District, and for Lot 6, Block 36, Douglas Section, from Multi-Family 2 (MF2) District to Mixed-Use 2 (MX2) District; and extending the “North Ponce de Leon Boulevard Mixed-Use Overlay District” to include Lots 6 and 17 of said Block 36, Douglas Section, Coral Gables, Florida, is hereby approved.

SECTION 3. All Ordinances or parts of Ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. Pursuant to Section 163.3187(5)(c), Florida Statutes, the effective date of the small-scale comprehensive plan amendment approved by this Ordinance shall be thirty-one (31) days after adoption by the Commission, if the amendment is not timely challenged.

SECTION 6. This Ordinance shall become effective upon the date of its passage and adoption herein.


PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF JULY, A.D., 2022.
(Moved: Anderson / Seconded: Menendez)
(Yeas: Menendez, Anderson, Fors, Jr., Mena)
(Abstentions: Lago)
(Unanimous: 4-0 Vote)
(Agenda Item: F-7)

APPROVED:

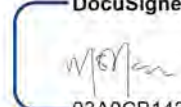
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MAYOR

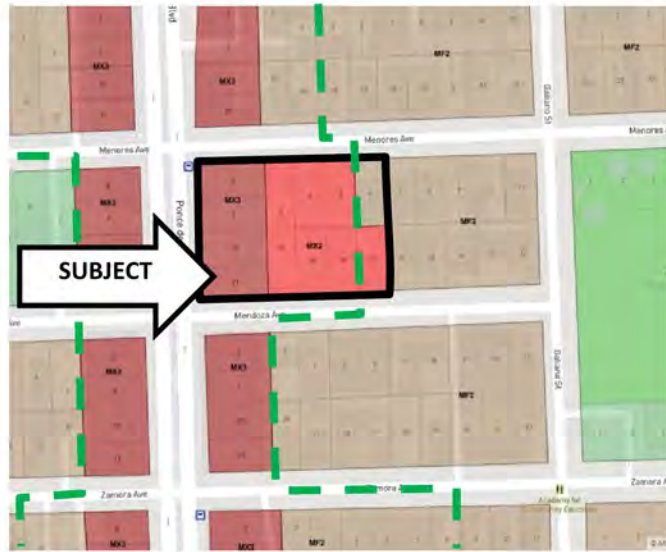
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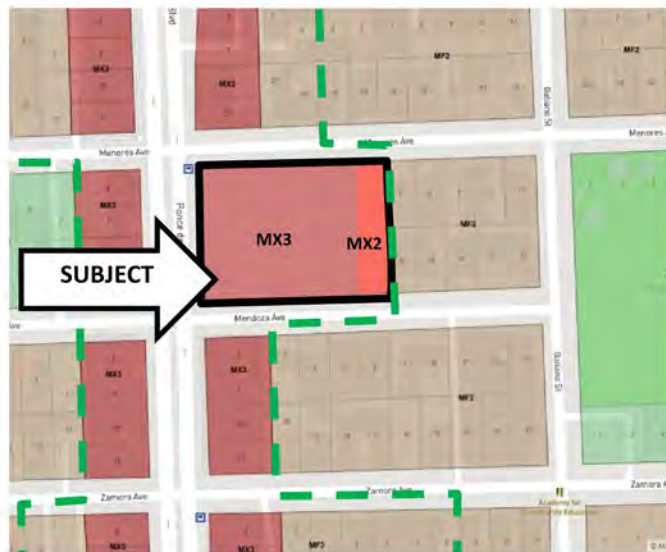
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MIRIAM SOLER RAMOS
CITY ATTORNEY

Existing Zoning Map:



Proposed Zoning Map:



Zoning Map

Zoning Districts

(SFR) Single-Family Residential District	(S) Special Use District
(MF1) Multi-Family 1 Duplex District	(P) Preservation District
(MF2) Multi-Family 2 District	(MX1) Mixed-Use 1
(MF3) Multi-Family 3 District	(MX2) Mixed-Use 2
(MF4) Multi-Family 4 District	(MX3) Mixed-Use 3

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2022-38

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA GRANTING APPROVAL OF A PLANNED AREA DEVELOPMENT (PAD) PURSUANT TO ZONING CODE ARTICLE 14, "PROCESS," SECTION 14-206, "GENERAL PROCEDURES FOR PLANNED AREA DEVELOPMENT" FOR A PROPOSED MIXED-USE PROJECT REFERRED TO AS "1505 PONCE" ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 1 THROUGH 6 AND LOTS 17 THROUGH 22, BLOCK 36, "DOUGLAS SECTION" (1505 PONCE DE LEON BOULEVARD, 126 AND 122 MENORES AVENUE), 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 approval of a proposed Planned Area Development (PAD) pursuant to Zoning Code Article 14, "Process," Section 14-206, "General Procedures for Planned Area Development," for a proposed multi-family project with ground floor live/work units referred to as "1505 Ponce" on the property legally described as Lots 1 through 6 and Lots 17 through 22, Block 36, "Douglas Section," Coral Gables, Florida; and

WHEREAS, the Application has been submitted concurrently with an application for Comprehensive Plan Map Amendments, Zoning Map Amendments, Conditional Use Site Plan Review, and receipt of Transfer of Development Rights (TDRs); and

WHEREAS, Staff finds that the procedures for reviewing and recommending on proposed Planned Area Development are provided in Zoning Code Article 14, Section 14-206, "General Procedures for Planned Area Development," and that the proposed Planned Area Development Site Plan has met those criteria and standards; and

WHEREAS, in advance of public hearing consideration, the City's staff analysis and recommendation were expressly incorporated into the record of this proceeding and are available for inspection at City of Coral Gables Planning Division and City Clerk's office and available on the City's Web page at www.coralgables.com for easy retrieval; and

WHEREAS, after notice of public hearing duly published and courtesy notifications of all property owners of record within one thousand and five hundred (1,500) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on June 21, 2022 at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the Planning and Zoning Board's June 21, 2022 meeting, the Board recommended approval of the proposed Planned Area Development application (vote: 5-0) subject to conditions of approval; and

WHEREAS, after notice duly published and courtesy notifications of all property owners of record within one thousand and five hundred (1,500) feet, a public hearing for First Reading was held before the City Commission on June 28, 2022, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with the Planned Area Development, and after due consideration and discussion, approved the Planned Area Development on First Reading; and

WHEREAS, after notice duly published and courtesy notifications of all property owners of record within one thousand and five hundred (1,500) feet, a public hearing for Second Reading was held before the City Commission, at which hearing all interested parties were afforded the opportunity to be heard;

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

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 Ordinance upon adoption hereof.

SECTION 2. That the Applicant’s request for approval of the proposed project referred to as “Gables Village” pursuant to Zoning Code Article 14, “Process,” Section 14-206, “Planned Area Development” is approved, subject to conditions, provided in Attachment “A”, attached, which must be satisfied by the Applicant or its successors or assigns.

SECTION 3. All Ordinances or parts of Ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. 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 6. That this Ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF JULY, A.D., 2022.
(Moved: Anderson / Seconded: Menendez)
(Yeas: Menendez, Anderson, Fors, Jr., Mena)
(Abstentions: Lago)
(Unanimous: 4-0 Vote)
(Agenda Item: F-8)

APPROVED:

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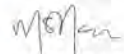
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MAYOR

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APPROVED AS TO FORM
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MIRIAM SOLER RAMOS
CITY ATTORNEY

“Attachment A”

- 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 Gunster and Hamed Rodriguez Architects to include:
 - i. Maximum building height shall not to exceed 190’-6” feet and 16 stories.
 - ii. 4.375 FAR (297,027 sq. ft.)
 - iii. 80 multi-family units
 - iv. 7 live/work units
 - v. 10,500 square feet of ground floor commercial
 - vi. 318 parking spaces
 - vii. 20,144 sq. ft. (29.6%) landscape open space
 - b. All representations proffered by the Applicant’s representatives as a part of the review of the Application at public hearings.
 - c. Sidewalk extensions and crosswalk shall be constructed on west side of the Galiano and Sidonia intersection.
 - d. Any proposed green island ficus shall be replaced with Liriope, Juniper, and/or Purple Queen.
 - e. Existing trolley bench shall be upgraded as a covered trolley stop at the Applicant’s expense.

- 2. Restrictive covenant.** Within thirty (30) days of City Commission approval of the Application, the Applicant, property owner(s), its successors or assigns shall submit a restrictive covenant for City Attorney review and approval outlining all conditions of approval as approved by the City Commission. Failure to submit the draft restrictive covenant within the specified time frame shall render the approval void unless said time frame for submittal of the draft restrictive covenant is extended by the City Attorney after good cause as to why the time frame should be extended. It is recognized that the requirements contained in the restrictive covenant constitute regulatory conditions of approval and shall survive as regulatory conditions of approval even if the restrictive covenant is later found to be void or unenforceable.

- 3. Prior to Building Permit application, Applicant shall:**
 - a. **Transfer of Development Rights (TDRs).** Applicant is required to obtain all Transfer of Development Rights (TDRs) and follow the process set forth in Section 14-204 of the Zoning Code. Notwithstanding this provision, the Applicant shall complete the TDR process within 6 months of the date of the mixed-site plan approval.
 - b. **Mendoza / Menores Historic District Designation.** Applicant shall coordinate with Historical Resources and Planning staff to study the potential of designating the Mendoza / Menores Historic District to connect the cluster of 1920’s buildings on Mendoza and Menores with the proposed pedestrian via and garden/dog park.

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

- a. **Impact Fees.** The Applicant shall include the payment of all applicable City of Coral Gables impact fees, sewer capacity fees and service charges prior to the issuance of a building permit. No impact fee shall be waived.
- b. **Art in Public Places.** Applicant shall provide a complete and notarized copy of the Project Value Application to the City. Prior to the issuance of the first Building Permit, applicant must make the required contribution to the appropriate Art in Public Places fund or receive approval for a waiver in accordance with the requirements of Article 9-103(B).
- c. **On-street parking.** Payment shall be provided by Applicant, its successors or assigns according to established City requirements for the loss of any on-street parking space as a result of the project.
- d. **Signage.** Provide a Signage Plan indicating code compliant size and location of all proposed exterior signage.
- e. **Ground Floor Design.** The ground floor of all sides of all buildings, including the Pedestrian Via, shall continue to be designed to optimize pedestrian activity and access.
- f. **Development Phasing.** The stabilization of the local historic landmark at 122 Menores shall be Phase 1 and completed prior to the issuance of any building permit related to the high-rise development, Phase 2. Phase 3 shall include the public garden/dog park.
- g. **Construction Staging.** A construction staging plan shall be submitted to the Building Division. A checklist of requirements shall be provided upon request. Construction phasing/staging shall maintain pedestrian access and circulation along Phone de Leon Boulevard with sidewalks to remain open throughout construction.
- h. **Traffic Calming Improvements.** All proposed traffic flow modifications including street design, crosswalk across Ponce de Leon Boulevard at Menores Avenue, raised crosswalks at on Galiano at Mendoza and Menores intersections, and speed cushions or tables on the 0 and 200 blocks of Menores shall require written conceptual approval of Miami-Dade County and the City prior to the issuance of the first City permit for vertical construction. All traffic calming shall utilize the pavers and other high-quality features per City standards. If any components of the proposed modifications are not approved, the traffic study shall be revised.
- i. **Encroachment Plan.** Obtain Commission approval by resolution of an Encroachment Plan addressing special treatment sidewalks, decorative pavers, landscaping, irrigation, street lighting, landscaping lighting and any other encroachments into, onto, under and over the right of way as shown in the site plan. The above encroachments must be approved by City resolution and a Hold Harmless agreement must be executed approving the encroachments.
- j. **Encroachment Agreement and Covenant.** Execute and record a restrictive covenant regarding encroachments and utilities in, below and above the public rights-of-way, in a form acceptable to the Public Works Director, the Risk Management Division, and the City Attorney, which shall include the precise locations and dimensions of the proposed areas of all encroachments. It is recognized that the requirements contained in the restrictive covenant constitute regulatory conditions of approval and shall survive as regulatory conditions of approval even if the restrictive covenant is later found to be void or unenforceable.
- k. **Bond to Restore Project Property.** Provide to the City a surety bond, or other form of security deemed acceptable by the City, covering the estimated maximum cost of the full restoration of the Property, including installation of sod and landscaping to City Code standards, and removal of all construction fencing.

1. **Construction Notices.** Provide written notice to all properties within one thousand (1,000) feet of the project boundaries providing a specific liaison/contact person for the project including the contact name, contact telephone number and email, to allow communication between adjacent neighbors or interested parties of construction activities, project status, potential concerns, etc.
5. **Prior to issuance of the first Certificate of Occupancy or Temporary Certificate of Occupancy,** Applicant shall:
- a. **Sustainability Certification.** The developer/owner/contractor shall provide the City with a performance bond, cash or irrevocable letter of credit payment (Green Building Bond) in the amount of three (3%) percent of the master building permit construction cost value.
 - b. **Underground overhead utilities.** Submit all necessary plans and documents and complete the undergrounding of all utilities along all public rights-of-way surrounding and adjacent project boundary, subject to review and approval by the Directors of Public Works, Landscape Services and Planning and Zoning. The City Manager or their designee may extend the completion of undergrounding power and communication overhead utilities on Ponce de Leon Boulevard to be prior to the issuance of final Certificate of Occupancy.
 - c. **Utility Upgrades.** Water and Sewer system upgrades and all associated right-of-way improvements may be required at the Applicant's expense.
 - d. **Art in Public Places.** The Applicant shall comply with all City requirements for Art in Public Places.
 - e. **North Ponce Community Master Plan.** Remote residential parking shall be determined by the City Commission, consistent with the City's North Ponce Community Master Plan. Any remote off-street parking shall be provided by the Applicant, property owner, its successors or assigns, subject to review and approval by the Planning Division and managed by the Parking Department.
 - f. **Bicycle / Pedestrian Plan.** The pedestrian paths and crosswalks across Ponce de Leon Boulevard shall comply with the City's Bicycle Pedestrian Master Plan, to be reviewed and approved by the Public Works and Planning Directors. All driveways shall be designed with a flare-style curb cut with a continuous and level sidewalk through each driveway. Proposed crosswalk across Ponce de Leon Boulevard and signalization shall be studied and approved by Miami-Dade County to increase pedestrian safety with complete installation.
 - g. **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 crosswalk across Ponce de Leon Boulevard at Menores Avenue, raised crosswalk/intersections on Galiano at Mendoza and Menores intersections, and speed cushions or tables on the 0 and 200 blocks of Menores, subject to review and approval by the Directors of Public Works, Landscape Services, Planning and Zoning, and Parking. All landscape shall be of high-quality at a standard comparable to City parks and maintained by the applicant. Any changes to and departures from the right-of-way and public realm improvements identified on the Applicant's approved plans and associated detail plans and specifications via the permitting process shall be subject to review and approval by Directors of Public Works, Landscape Services, Planning and Zoning, and Parking.

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

- a. **Sustainability Certification.** Within two years of the issuance of a Final Certificate of Occupancy, the building must achieve LEED Silver or equivalent certification. If the applicant chooses to pursue NGBS Silver Certification, an Energy Star Label will also be required within two years of the Final Certificate of Occupancy.
 - i. The City will hold the Green Building Bond for the time necessary for the green certification, or equivalent, to be issued for twenty-four (24) months after issuance of the Certificate of Occupancy or Completion; whichever occurs first. Upon receiving final documentation of certification from the developer/owner/contractor, the City shall release the full amount of the bond within thirty (30) days.
 - ii. If the developer/owner/contractor is unable to provide proof of green certification, or equivalent, within twenty-four (24) months after issuance of the Certificate of Occupancy or Completion, the full amount of the Green Building Bond shall be forfeited to the City. Any proceeds from the forfeiture of the bond under this section shall be allocated toward funding Sustainability Master Plan initiatives.
- b. **Traffic Monitoring.** At the Applicant's expense, the City shall perform an annual traffic monitoring study for three years beginning one year from the issuance of the first Temporary Certificate of Occupancy at locations to be determined by the Public Works Director. If the Public Works Director determines that livability improvements are warranted on any of these roadways, the Applicant shall construct or pay for any physical livability improvements required by these studies within one year of the completion of these studies, as approved by the Public Works Director.
- c. **Nighttime Uses.** Loading area and live/work units shall comply with Section 3-415 of the Zoning Code, including no patron or customer access between the hours of 8:00 PM and 6:00 AM; no deliveries between the hours of 8:00 PM and 6:00 AM; and signage shall not be illuminated between the hours of 10:00 PM and 6:00 AM.
- d. **Linear Plaza, Pedestrian Via, and Garden/Dog Park.** Linear plaza on Ponce de Leon Boulevard and the Pedestrian Via shall be accessible at all times. Fencing or enclosures of any kind are prohibited on the linear plaza. The Garden/Dog Park shall be accessible to the public from dawn to dusk, daily. Any fencing or enclosures shall comply with Zoning Code requirements. All open spaces and any associated park furniture and amenities shall be maintained by the applicant or their successor in perpetuity, at a standard comparable to City parks such as Ingraham Park or Merrick Park.

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2022-185

A RESOLUTION OF THE CITY COMMISSION APPROVING MIXED-USE SITE PLAN AND CONDITIONAL USE REVIEW PURSUANT TO ZONING CODE ARTICLE 14, "PROCESS" SECTION 14-203, "CONDITIONAL USES," FOR A PROPOSED MIXED-USE PROJECT REFERRED TO AS "1505 PONCE" ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 1 THROUGH 6 AND LOTS 17 THROUGH 22, BLOCK 36, "DOUGLAS SECTION" (1505 PONCE DE LEON BOULEVARD, 126 AND 122 MENORES AVENUE), 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 conditional use with site plan review to allow a mixed-use project on property zoned Mixed-Use 3 and Mixed-Use-2 Districts legally described as Lots 1 through 6 and Lots 17 through 22, Block 36, "Douglas Section," Coral Gables, Florida; and

WHEREAS, the Application has been submitted concurrently with an application for Comprehensive Plan Map Amendments, Zoning Map Amendments, Planned Area Development (PAD) designation, and receipt of Transfer of Development Rights (TDRs); and

WHEREAS, the Application requires City of Coral Gables conditional use with site plan review and public hearing consideration pursuant to the Zoning Code Article 14, "Process," Section 14-203, and Article 2, "Zoning Districts," Section 2-201; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on June 21, 2022, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the Planning and Zoning Board's June 21, 2022 meeting, the Board recommended approval regarding the proposed conditional use site plan (vote: 5-0) subject to conditions of approval; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, a public hearing was held before the City Commission on July 25, 2022, at which hearing this item was presented and all interested persons were afforded the opportunity to be heard; and

WHEREAS, the City Commission on July 25, 2022, approved the requested conditional use with site plan (4-0) vote; and

WHEREAS, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request for conditional use with site plan review 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 CITY COMMISSION OF THE CITY OF CORAL GABLES 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 the Resolution upon adoption hereof.

SECTION 2. The proposed conditional use with site plan review for a mixed-use project on property zoned Mixed-Use 3 and Mixed-Use 2 Districts legally described as Lots 1 through 6 and Lots 17 through 22, Block 36, “Douglas Section,” Coral Gables, Florida, shall be and is hereby 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 Gunster and Hamed Rodriguez Architects to include:
 - i. Maximum building height shall not to exceed 190’-6” feet and 16 stories.
 - ii. 4.375 FAR (297,027 sq. ft.)
 - iii. 80 multi-family units
 - iv. 7 live/work units
 - v. 10,500 square feet of ground floor commercial
 - vi. 318 parking spaces
 - vii. 20,144 sq. ft. (29.6%) landscape open space
 - b. All representations proffered by the Applicant’s representatives as a part of the review of the Application at public hearings.
 - c. Sidewalk extensions and crosswalk on west side of the Galiano and Sidonia intersection.
 - d. Any proposed green island ficus shall be replaced with Liriope, Juniper, and/or Purple Queen.
 - e. Existing trolley bench shall be upgraded as a covered trolley stop at the Applicant’s expense.

- 2. Restrictive covenant.** Within thirty (30) days of City Commission approval of the Application, the Applicant, property owner(s), its successors or assigns shall submit a restrictive covenant for City Attorney review and approval outlining all conditions of approval as approved by the City Commission. Failure to submit the draft restrictive covenant within the specified time frame shall render the approval void unless said time frame for submittal of the draft restrictive covenant is extended by the City Attorney after good cause as to why the time frame should be extended. It is recognized that the requirements contained in the restrictive covenant constitute regulatory conditions of approval and shall survive as regulatory conditions of approval even if the restrictive covenant is later found to be void or unenforceable.

3. **Prior to Building Permit application**, Applicant shall:
 - a. **Transfer of Development Rights (TDRs)**. Applicant is required to obtain all Transfer of Development Rights (TDRs) and follow the process set forth in Section 14-204 of the Zoning Code. Notwithstanding this provision, the Applicant shall complete the TDR process within 6 months of the date of the mixed-site plan approval.
 - b. **Mendoza / Menores Historic District Designation**. Applicant shall coordinate with Historical Resources and Planning staff to study the potential of designating the Mendoza / Menores Historic District to connect the cluster of 1920's buildings on Mendoza and Menores with the proposed pedestrian via and garden/dog park.

4. **Prior to issuance of the first Building Permit**, Applicant shall:
 - a. **Impact Fees**. The Applicant shall include the payment of all applicable City of Coral Gables impact fees, sewer capacity fees and service charges prior to the issuance of a building permit. No impact fee shall be waived.
 - b. **Art in Public Places**. Applicant shall provide a complete and notarized copy of the Project Value Application to the City. Prior to the issuance of the first Building Permit, applicant must make the required contribution to the appropriate Art in Public Places fund or receive approval for a waiver in accordance with the requirements of Article 9-103(B).
 - c. **On-street parking**. Payment shall be provided by Applicant, its successors or assigns according to established City requirements for the loss of any on-street parking space as a result of the project.
 - d. **Signage**. Provide a Signage Plan indicating code compliant size and location of all proposed exterior signage.
 - e. **Ground Floor Design**. The ground floor of all sides of all buildings, including the Pedestrian Via, shall continue to be designed to optimize pedestrian activity and access.
 - f. **Development Phasing**. The stabilization of the local historic landmark at 122 Menores shall be Phase 1 and completed prior to the issuance of any building permit related to the high-rise development, Phase 2. Phase 3 shall include the public garden/dog park.
 - g. **Construction Staging**. A construction staging plan shall be submitted to the Building Division. A checklist of requirements shall be provided upon request. Construction phasing/staging shall maintain pedestrian access and circulation along Phone de Leon Boulevard with sidewalks to remain open throughout construction.
 - h. **Traffic Calming Improvements**. All proposed traffic flow modifications including street design, crosswalk across Ponce de Leon Boulevard at Menores Avenue, raised crosswalks at on Galiano at Mendoza and Menores intersections, and speed cushions or tables on the 0 and 200 blocks of Menores shall require written conceptual approval of Miami-Dade County and the City prior to the issuance of the first City permit for vertical construction. All traffic calming shall utilize the pavers and other high-quality features per City standards. If any components of the proposed modifications are not approved, the traffic study shall be revised.
 - i. **Encroachment Plan**. Obtain Commission approval by Resolution of an Encroachment Plan addressing special treatment sidewalks, decorative pavers, landscaping, irrigation, street lighting, landscaping lighting and any other encroachments into, onto, under and over the right of way as shown in the site plan. The above encroachments must be approved by

City Resolution and a Hold Harmless agreement must be executed approving the encroachments.

- j. **Encroachment Agreement and Covenant.** Execute and record a restrictive covenant regarding encroachments and utilities in, below and above the public rights-of-way, in a form acceptable to the Public Works Director, the Risk Management Division, and the City Attorney, which shall include the precise locations and dimensions of the proposed areas of all encroachments. It is recognized that the requirements contained in the restrictive covenant constitute regulatory conditions of approval and shall survive as regulatory conditions of approval even if the restrictive covenant is later found to be void or unenforceable.
 - k. **Bond to Restore Project Property.** Provide to the City a surety bond, or other form of security deemed acceptable by the City, covering the estimated maximum cost of the full restoration of the Property, including installation of sod and landscaping to City Code standards, and removal of all construction fencing.
 - l. **Construction Notices.** Provide written notice to all properties within one thousand (1,000) feet of the project boundaries providing a specific liaison/contact person for the project including the contact name, contact telephone number and email, to allow communication between adjacent neighbors or interested parties of construction activities, project status, potential concerns, etc.
5. **Prior to issuance of the first Certificate of Occupancy or Temporary Certificate of Occupancy,** Applicant shall:
- a. **Sustainability Certification.** The developer/owner/contractor shall provide the City with a performance bond, cash or irrevocable letter of credit payment (Green Building Bond) in the amount of three (3%) percent of the master building permit construction cost value.
 - b. **Underground overhead utilities.** Submit all necessary plans and documents and complete the undergrounding of all utilities along all public rights-of-way surrounding and adjacent project boundary, subject to review and approval by the Directors of Public Works, Landscape Services and Planning and Zoning. The City Manager or their designee may extend the completion of undergrounding power and communication overhead utilities on Ponce de Leon Boulevard to be prior to the issuance of final Certificate of Occupancy.
 - c. **Utility Upgrades.** Water and Sewer system upgrades and all associated right-of-way improvements may be required at the Applicant's expense.
 - d. **Art in Public Places.** The Applicant shall comply with all City requirements for Art in Public Places.
 - e. **North Ponce Community Master Plan.** Remote residential parking shall be determined by the City Commission, consistent with the City's North Ponce Community Master Plan. Any remote off-street parking shall be provided by the Applicant, property owner, its successors or assigns, subject to review and approval by the Planning Division and managed by the Parking Department.
 - f. **Bicycle / Pedestrian Plan.** The pedestrian paths and crosswalks across Ponce de Leon Boulevard shall comply with the City's Bicycle Pedestrian Master Plan, to be reviewed and approved by the Public Works and Planning Directors. All driveways shall be designed with a flare-style curb cut with a continuous and level sidewalk through each driveway. Proposed crosswalk across Ponce de Leon Boulevard and signalization shall

be studied and approved by Miami-Dade County to increase pedestrian safety with complete installation.

- g. **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 crosswalk across Ponce de Leon Boulevard at Menores Avenue, raised crosswalk/intersections on Galiano at Mendoza and Menores intersections, and speed cushions or tables on the 0 and 200 blocks of Menores, subject to review and approval by the Directors of Public Works, Landscape Services, Planning and Zoning, and Parking. All landscape shall be of high-quality at a standard comparable to City parks and maintained by the applicant. Any changes to and departures from the right-of-way and public realm improvements identified on the Applicant's approved plans and associated detail plans and specifications via the permitting process shall be subject to review and approval by Directors of Public Works, Landscape Services, Planning and Zoning, and Parking.

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

- a. **Sustainability Certification.** Within two years of the issuance of a Final Certificate of Occupancy, the building must achieve LEED Silver or equivalent certification. If the applicant chooses to pursue NGBS Silver Certification, an Energy Star Label will also be required within two years of the Final Certificate of Occupancy.
 - i. The City will hold the Green Building Bond for the time necessary for the green certification, or equivalent, to be issued for twenty-four (24) months after issuance of the Certificate of Occupancy or Completion; whichever occurs first. Upon receiving final documentation of certification from the developer/owner/contractor, the City shall release the full amount of the bond within thirty (30) days.
 - ii. If the developer/owner/contractor is unable to provide proof of green certification, or equivalent, within twenty-four (24) months after issuance of the Certificate of Occupancy or Completion, the full amount of the Green Building Bond shall be forfeited to the City. Any proceeds from the forfeiture of the bond under this section shall be allocated toward funding Sustainability Master Plan initiatives.
- b. **Traffic Monitoring.** At the Applicant's expense, the City shall perform an annual traffic monitoring study for three years beginning one year from the issuance of the first Temporary Certificate of Occupancy at locations to be determined by the Public Works Director. If the Public Works Director determines that livability improvements are warranted on any of these roadways, the Applicant shall construct or pay for any physical livability improvements required by these studies within one year of the completion of these studies, as approved by the Public Works Director.
- c. **Nighttime Uses.** Loading area and live/work units shall comply with Section 3-415 of the Zoning Code, including no patron or customer access between the hours of 8:00 PM and 6:00 AM; no deliveries between the hours of 8:00 PM and 6:00 AM; and signage shall not be illuminated between the hours of 10:00 PM and 6:00 AM.
- d. **Linear Plaza, Pedestrian Via, and Garden/Dog Park.** Linear plaza on Ponce de Leon Boulevard and the Pedestrian Via shall be accessible at all times. Fencing or enclosures of any kind are prohibited on the linear plaza. The Garden/Dog Park shall be accessible to the public from dawn to dusk, daily. Any fencing or enclosures shall comply with Zoning Code requirements. All open spaces and any associated park furniture and amenities shall be maintained by the applicant or their successor in perpetuity, at a standard comparable to City parks such as Ingraham Park or Merrick Park.

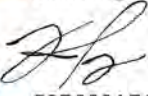
SECTION 3. That the applicant shall further be required to comply with all applicable zoning regulations and any changes to the application herein granted shall be in conformance with the requirements of Zoning Code Section 14-203.10, "Changes to conditional use approvals."

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 TWENTY-SECOND DAY OF JULY, A.D., 2022.
(Moved: Menendez / Seconded: Anderson)
(Yeas: Anderson, Fors, Jr., Mena, Menendez)
(Absent: Lago)
(Unanimous: 4-0 Vote)
(Agenda Item: F-15)


APPROVED:

DocuSigned by:

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VINCE LAGO
MAYOR

ATTEST:

DocuSigned by:

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BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

DocuSigned by:

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MIRIAM SOLER RAMOS
CITY ATTORNEY

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2022-167

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA APPROVING THE TRANSFER/SENDING OF TRANSFER OF DEVELOPMENT RIGHTS (TDRS) TO CREATE A CITY PARK PURSUANT TO ZONING CODE SECTION 14-204.4(C) "TRANSFER/SENDING OF TDRS TO CREATE A CITY PARK," ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 25 THRU 28, BLOCK 8 OF CORAL GABLES SECTION K (301 MAJORCA AVENUE), CORAL GABLES, FLORIDA; INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Application was submitted to transfer development rights (TDRs) to create a city park for the property legally described as Lots 25-28, Block 8, Coral Gables Section K (301 Majorca Avenue), Coral Gables, Florida; and

WHEREAS, the subject property is identified as a vacant lot for potential future city park in the 2021 Community Recreation Master Plan; and

WHEREAS, the Development Services Department has confirmed that the property is eligible to transfer 30,592 square feet of transfer of development rights (TDRs); and

WHEREAS, the subject property is located in the North Ponce neighborhood and lacks public open space in the immediate vicinity, and the creation of a city park will provide a substantial public benefit; and

WHEREAS, the property will be conveyed in fee simple to the City of Coral Gables as part of the application to transfer development rights to the receiver site; and

WHEREAS, at the June 9, 2022 Parks & Recreation Advisory Board meeting, the Board recommended approval, with conditions (vote: 5-0) of the sending of Transfer of Development Rights (TDRs) from the property legally described as Lots 25-28, Block 8, Coral Gables Section K (301 Majorca Avenue), Coral Gables, Florida; and

WHEREAS, after notice of a public hearing being duly published, a public hearing was held before the City Commission, at which hearing all interested persons were afforded the 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 sending of Transfer of Development Rights (TDRs) pursuant to Zoning Code Article 14, “Process”, Section 14-204, “Transfer of Development Rights”, Section 14-204.4(C), “Transfer/sending of TDRs to create a city park”, for the transfer of TDRs from the property legally described as Lots 25-28, Block 8, Coral Gables Section K (301 Majorca Avenue), Coral Gables, Florida, is approved, subject to the following conditions:

1. Ownership of the property in its current condition shall be transferred to the City of Coral Gables as part of the adoption of this Resolution.
2. The receiver sites of the Transfer of Development Rights (TDRs) shall be 1505 Ponce de Leon Boulevard within the North Ponce Mixed Use Overlay District and/or 275 Minorca Avenue within the Central Business District. These receiver sites are subject to review and approval pursuant to Section 14-204.6 of the Zoning Code.

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


PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF JUNE, A.D., 2022.
 (Moved: Anderson / Seconded: Menendez)
 (Yeas: Anderson, Fors, Jr., Mena, Menendez)
 (Abstentions: Lago)
 (Unanimous: 4-0 Vote)
 (Agenda Item: F-18)

APPROVED:

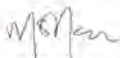
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 VINCE LAGO
 MAYOR

ATTEST:

DocuSigned by:

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 BILLY Y. URQUIA
 CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

DocuSigned by:

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 MIRIAM SOLER RAMOS
 CITY ATTORNEY



Historical Resources &
Cultural Arts

March 5, 2020

2327 SALZEDO STREET
CORAL GABLES
FLORIDA 33134

☎ 305.460.5093
✉ hist@coralgables.com

Jorge Navarro
Greenberg Traurig, P.A.
333 S.E. 2nd Avenue
Suite 4400
Miami, FL 33131

Re: Case File TDR 2020-001 Consideration of the Transfer of Development Rights - **100 Miracle Mile** legally described as Lots 19 to 29, Block 3, Coral Gables Crafts Section, according to the Plat thereof, as recorded in Plat book 10, Page 40 of the Public Records of Miami-Dade County, Florida.

Dear Mr. Navarro:

This letter is to confirm the results of the Historic Preservation Board meeting of Wednesday, March 4, 2020. The board met to review a request for the approval of the Stabilization / Maintenance Plan for the property (Sending Site) at **235 Majorca Avenue**, a Local Historic Landmark, legally described as Lots 42 to 45 Inclusive, Block 7, Coral Gables Section "K," according to the Plat thereof, as recorded in Plat Book 8, Page 33 of the Public Records of Miami-Dade County, Florida. The Board also reviewed the proposed mixed-use development to be located at 100 Miracle Mile (Receiving Site) to determine if it would adversely affect the historic, architectural, or aesthetic character of the three Local Historic Landmarks that are within 500 feet of the property. These properties are 169 Miracle Mile (Colonnade Hotel), 136 Miracle Mile (former Burger Fi), and 130 Miracle Mile (A Well Groomed Gentleman).

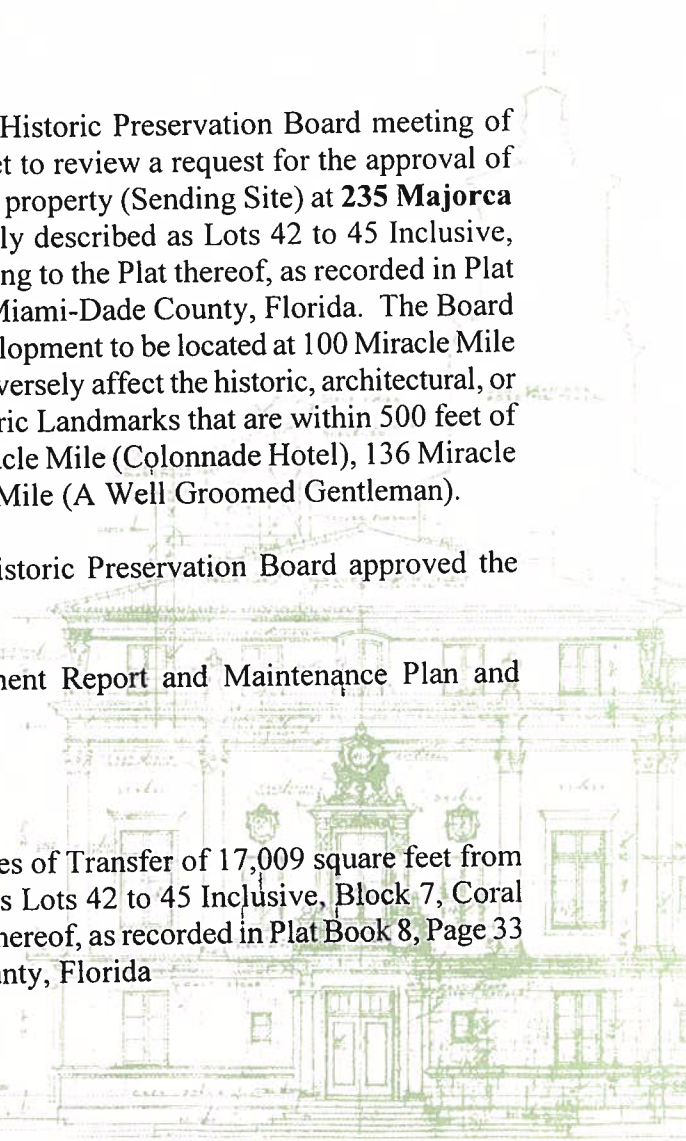
We are pleased to inform you that the Historic Preservation Board approved the following:

APPROVAL of the Conditions Assessment Report and Maintenance Plan and Schedule

AND

APPROVAL of the issuance of Certificates of Transfer of 17,009 square feet from **235 Majorca Avenue**, legally described as Lots 42 to 45 Inclusive, Block 7, Coral Gables Section "K," according to the Plat thereof, as recorded in Plat Book 8, Page 33 of the Public Records of Miami-Dade County, Florida

AND



A RECOMMENDATION TO THE CITY COMMISSION that no building permit for the receiving site proposal at 100 Miracle Mile is to be issued until the remedial work is completed on the historic property.

The Historic Preservation Board also determined that the proposed development at 100 Miracle Mile will not adversely affect the historic, architectural, or aesthetic character of the Local Historic Landmarks within 500 feet of the property.

Please note that a Restrictive Covenant is required on both the sending and receiving properties outlining any and all applicable conditions of approval. The Restrictive Covenant shall require review and approval by the City Attorney prior to recordation. The Certificates of Transfer of Development Rights are valid for up to two years from the date of issuance.

Please do not hesitate to contact this office if you have any further questions in regard to this matter.

Sincerely,



Kara Kautz

Interim Historical Resources and Cultural Arts Director

cc: File TDR 2020-001 - 100 Miracle Mile
File TDR 2019-003 - 235 Majorca Avenue
PonceCat Miracle Mile, LLC, 2990 Ponce de Leon Blvd., #500, Coral
Gables, FL 33134
RGS LLC, 2000 Ponce de Leon Boulevard, #651, Coral Gables, FL
33134
Ariela Holdings, Inc., 1820 NE 163 Street, Suite 100, North Miami Beach,
FL 33162
Namsier LLC, 975 Harbor View South, Hollywood, FL 33019
Miriam Soler Ramos, Esq. City Attorney
Gustavo Ceballos, Assistant City Attorney
Suramy Cabrera, Development Services Director
Devin Cejas, Deputy Development Services Director
Ramon Trias, Planning & Zoning Director



June 16, 2022

Historical Resources &
Cultural Arts

2327 SALZEDO STREET
CORAL GABLES
FLORIDA 33134

☎ 305-460-5093
✉ hist@coralgables.com

Mario Garcia-Serra
Gunster
600 Brickell Avenue, Suite 3500
Miami, FL 33131

Re: Transfer of Development Rights - **118 Menores Avenue**, legally described as Lot 7, Block 36, Coral Gables Douglas Section, according to the Plat thereof, as recorded in Plat Book 25, Page 69 of the Public Records of Miami-Dade County, Florida.

Dear Mr. Garcia-Serra:

This letter is to confirm the results of the Historic Preservation Board meeting of Wednesday, June 15, 2022. The board met to review a request for the approval of the Stabilization / Maintenance Plan for the property (Sending Site) at **118 Menores Avenue**, a Local Historic Landmark, legally described as Lot 7, Block 36, Coral Gables Douglas Section, according to the Plat thereof, as recorded in Plat Book 25, Page 69 of the Public Records of Miami-Dade County, Florida. The Receiving Site, 290 Valencia Avenue, was previously approved by the Historic Preservation Board (Case File TDR 2022-001) on February 16, 2022.

We are pleased to inform you that the Historic Preservation Board approved the following:

APPROVAL of the Conditions Assessment Report and Maintenance Plan and Schedule

AND

APPROVAL of the issuance of Certificates of Transfer of 4,714 square feet from **118 Menores Avenue**, legally described as Lot 7, Block 36, Revised Plat of Coral Gables Douglas Section according to the Plat thereof, as recorded in Plat Book 25 at Page 69 of the Public Records of Miami-Dade County, Florida.

AND

A RECOMMENDATION TO THE CITY COMMISSION that the Certificate of Transfer for the receiving site proposal at 290 Valencia Avenue is not to be issued until after the remedial work is completed on the historic property.

Please note that a Restrictive Covenant is required on both the sending and receiving properties outlining any and all applicable conditions of approval. The Restrictive Covenant shall require review and approval by the City Attorney prior to recordation. The Certificate of Transfer of Development Rights is valid for up to two years from the date of issuance.

Please do not hesitate to contact this office if you have any further questions regarding this matter.

Sincerely,



Warren Adams

Historical Resources and Cultural Arts Director

cc: File TDR 2022-003

Olga Ramudo, LOD, Inc., 1825 Ponce de Leon Blvd., #390, Coral Gables,
FL 33134

File TDR 2022-001 – 290 Valencia Avenue

Joe Jimenez, Codina Partners, 2020 Salzedo Street, 5th Floor, Coral Gables, FL 33134

Miriam Soler Ramos, Esq. City Attorney

Gustavo Ceballos, Assistant City Attorney

Suramy Cabrera, Development Services Director



rdr miami | public hearing notification services

certified lists of property owners within a specific radius + radius maps + mailing labels + mailouts + notice of public hearing site posting
rdrmiami.com | diana@rdrmiami.com | 305.498.1614

May 9, 2022

City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134

Re: Property owners within 1,500 feet of:

SUBJECT: 1505 Ponce de Leon Boulevard, Coral Gables, FL 33134

FOLIO NUMBER: 03-4108-009-3690

ABBREV. LEGAL DESCRIPTION: CORAL GABLES DOUGLAS SEC PB 25-69 LOTS 1 THRU 3
INC & 17 THRU 22 INC BLK 36

SUBJECT: 126 Menores Avenue, Coral Gables, FL 33134

FOLIO NUMBER: 03-4108-009-3720

ABBREV. LEGAL DESCRIPTION: CORAL GABLES DOUGLAS SEC PB 25-69 LOTS 4 & 5 BLK
36

SUBJECT: 122 Menores Avenue, Coral Gables, FL 33134

FOLIO NUMBER: 03-4108-009-3730

ABBREV. LEGAL DESCRIPTION: CORAL GABLES DOUGLAS SEC PB 25-69 LOT 6 BLK 36

This is to certify that the attached ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 1,500 feet radius of the external boundaries of the subject property listed above, including the subject property. This reflects the most current records on file in the Miami-Dade County Property Appraisers' Office.

The MDCPS Office of the Superintendent, the Principal of the MDCPS physically located within the notice area, the District 6 School Board Member, the School Board Chair and Vice Chair have been added to the list and mailing labels as per City of Coral Gables Res. 2020-245, if applicable.

Sincerely,

Diana B. Rio

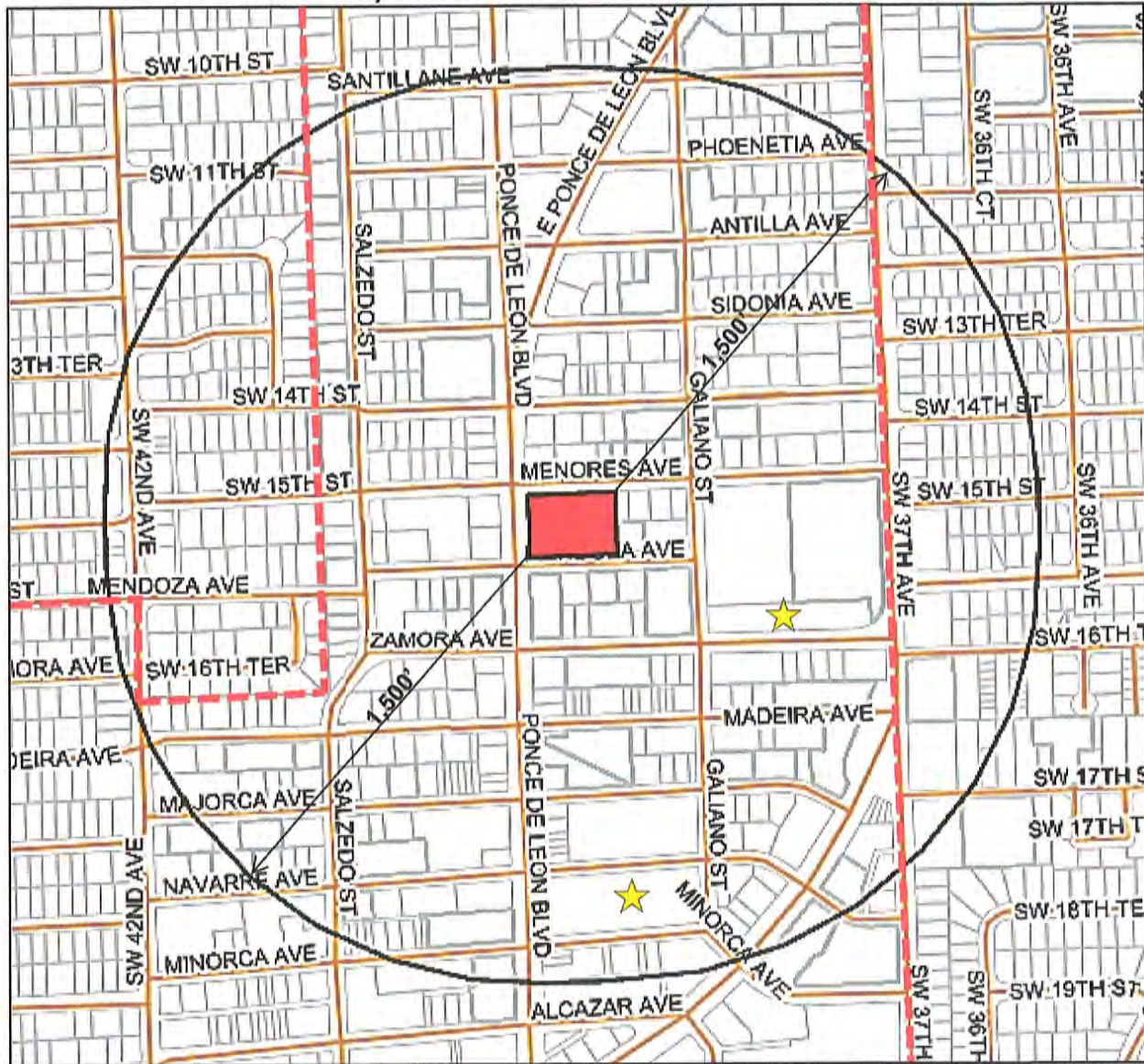
Total number of property owners without repetition: **1,478, including 7 international**
(Includes the MDCPS Office of the Superintendent, the Principal of the MDCPS physically located within the notice area, the District 6 School Board Member, the School Board Chair and Vice Chair have been added to the list and mailing labels as per City of Coral Gables Res. 2020-245)



rdr miami | public hearing notification services

certified lists of property owners within a specific radius + radius maps + mailing labels + mailouts + notice of public hearing site posting
rdmiami.com | diana@rdmiami.com | 305.498.1614

1,500' RADIUS MAP



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FOLIO NUMBER: 03-4108-009-3730

LEGEND, IF APPLICABLE:

CITY OF CORAL GABLES BOUNDARY

MDCPS

	City of Coral Gables Notice of Public Hearing	
Applicant:	Location Acquisitions, LLC	
Application:	Receipt of Transfer of Development Rights (TDRs)	
Property:	1505 Ponce de Leon Blvd, 126 and 122 Menores	
Public Hearing - Date/Time/ Location:	Planning & Zoning Board Wednesday, October 12, 2022, 6:00 p.m. City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134 e-comments: www.CoralGables.GranicusIdeas.com/meetings	

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Planning & Zoning Board will conduct a Public Hearing on **Wednesday, October 12, 2022**.

On July 25, 2022, the City Commission approved the mixed-use project known as "1505 Ponce," a 16-story mixed-use and planned area development consisting of a total of 297,027 square feet of floor area, of which 59,405 square feet of floor area are required to be obtained pursuant to the utilization of Transfer of Development Rights (TDRs). Therefore, the Applicant is now requesting approval of TDRs to continue to the permitting process.

The request requires two public hearings, including review and recommendation by the Planning and Zoning Board and approval from the City Commission.

A Resolution of the City Commission of Coral Gables, Florida 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 "1505 Ponce" on the property legally described as Lots 1 through 6 and Lots 17 through 22, Block 36, "Douglas Section" (1505 Ponce de Leon Boulevard, 126 and 122 Menores Avenue), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date.

Additional information may be found at www.coralgables.com. Please forward to other interested parties.

The meeting will also be via Zoom at www.zoom.us/j/83788709513. A dedicated phone line will also be available by dialing: (305) 461-6769, Meeting ID: 837 8870 9513.

The public may also comment on an item on the agenda by sending an email to planning@coralgables.com prior to the meeting.

Sincerely,

City of Coral Gables, Florida

MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF CORAL GABLES - PUBLIC HEARING - LOCAL PLANNING AGENCY / PLANNING AND ZONING BOARD - OCT. 12, 2022

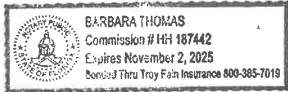

in the XXXX Court, was published in said newspaper by print in the issues of and/or by publication on the newspaper's website, if authorized, on

09/30/2022

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Sworn to and subscribed before me this 30 day of SEPTEMBER, A.D. 2022

(SEAL)
MARIA MESA personally known to me

**CITY OF CORAL GABLES, FLORIDA
NOTICE OF PUBLIC HEARING
HYBRID MEETING ON ZOOM PLATFORM**

City Public Hearing Dates/Times Local Planning Agency / Planning and Zoning Board
Wednesday, October 12, 2022, 6:00 p.m.

Location City Commission Chamber, City Hall
405 Biltmore Way, Coral Gables, FL 33134

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Local Planning Agency (LPA)/ Planning and Zoning Board (PZB) will conduct Public Hearing on the following:

1. A Resolution of the City Commission of Coral Gables, Florida approving Mixed-Use Site Plan and Conditional Use review pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for a proposed Mixed-Use project referred to as "4311 Ponce" on the property legally described as Lots 36 through 43, Block 5, "Industrial Section" (4311 and 4225 Ponce de Leon Boulevard), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date.
2. A Resolution of the City Commission of Coral Gables, Florida approving Remote Parking (Section 10-109) and Conditional Use review pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for proposed Remote Parking associated with the Mixed-Use project referred to as "4311 Ponce" on the property legally described as Lots 36 through 43, Block 5, "Industrial Section" (4311 and 4225 Ponce de Leon Boulevard), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date.
3. 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 "1505 Ponce" on the property legally described as Lots 1 through 6 and Lots 17 through 22, Block 36, "Douglas Section" (1505 Ponce de Leon Boulevard, 126 and 122 Menores Avenue), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date.

City of Coral Gables.

4. An Ordinance of the City Commission amending the City of Coral Gables Zoning Code, Article 6 "Landscape," Section 6-104 "Landscape Requirements for Public Rights-of-Way: to amend planting height and various other provisions, providing for a repealer provision, severability clause, codification, and providing for an effective date.
5. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 14, "Process," Section 14-102.3, "Meetings: Quorum; Required Vote" to amend the requirement of four (4) affirmative votes for recommendations relating to Comprehensive Plan amendments; providing for severability, repealer, codification, and an effective date.
6. An Ordinance of the City Commission amending the City of Coral Gables Zoning Code Article 15 "Notices", Section 15-104 "Quasi-Judicial Procedures" and amending Section 2-79 of Chapter 2, Article III of the City Code, titled "Order of Business" to clarify definitions of documentary evidence, and amend the Order of Presentation for Quasi-Judicial Hearings, providing for a repealer provision, severability clause, codification, and providing for an effective date.

The Planning and Zoning Board will be holding its regular board meeting on Wednesday, October 12, 2022, commencing at 6:00 p.m. Pursuant to Resolution No. 2021-118, the City of Coral Gables has returned to traditional in-person meetings. Accordingly, any individual wishing to provide sworn testimony shall be present physically in the City Commission Chambers. However, the City Commission has established the ability for the public to provide comments (non-sworn and without evidentiary value) virtually. Accordingly, only individuals who wishes to provide public comment in this format, may appear and provide those comments via Zoom.

Members of the public may join the meeting via Zoom at (<https://zoom.us/j/83788709513>). In addition, a dedicated phone line will be available so that any individual who does not wish (or is unable) to use Zoom may listen to and participate in the meeting by dialing: (305) 461-6769 Meeting ID: 837 8870 9513. The public may comment on an item using the City's E-Comment function which may be found on the City's website at (<https://coralgables.granicusideas.com/meetings>) once the meeting's agenda is published, or by sending an email to planning@coralgables.com prior to the meeting.

The meeting will also be broadcasted live for members of the public to view on the City's website (www.coralgables.com/cqtv) as well as Channel 77 on Comcast.

Sincerely,
City of Coral Gables, Florida
9/30

22-58/0000623118M

2/2



1505 Ponce

RECEIPT OF TRANSFER OF DEVELOPMENT RIGHTS (TDRS)

PLANNING & ZONING BOARD
OCTOBER 12, 2022



1

BACKGROUND



APPROVED ON JULY 25, 2022 UNDER RESOLUTION 2022-185 297,027 SQUARE FEET OF FLOOR AREA, OF WHICH 59,405 SQUARE FEET WAS INCLUDED FOR THE FUTURE USE OF TRANSFER OF DEVELOPMENT RIGHTS (TDRS).

2

SENDING SITES



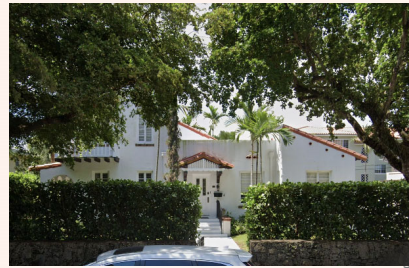
24,089 SF FROM 235 MAJORCA



3,227 SF FROM 118 MENORES



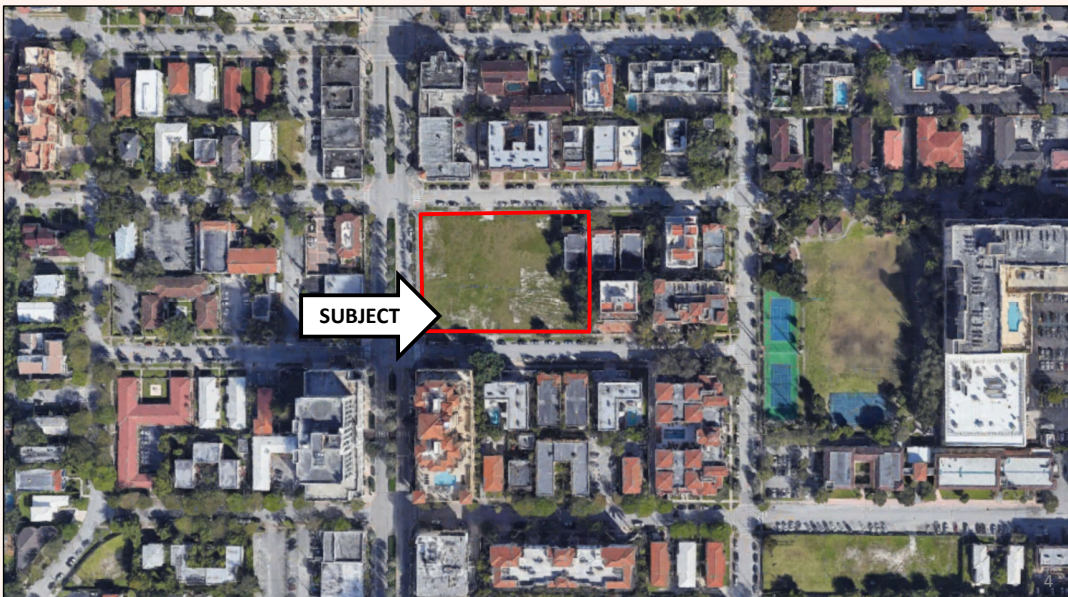
30,592 SF FROM 301 MAJORCA



1,497 SF FROM 36 PHOENETIA

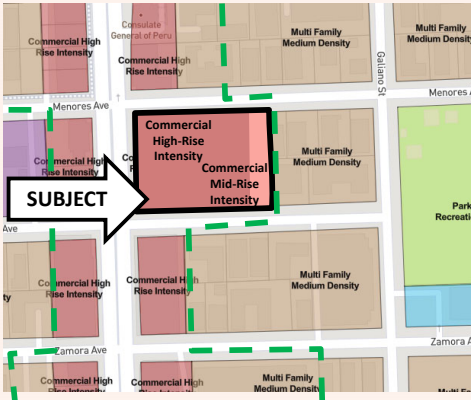
3

LOCATION

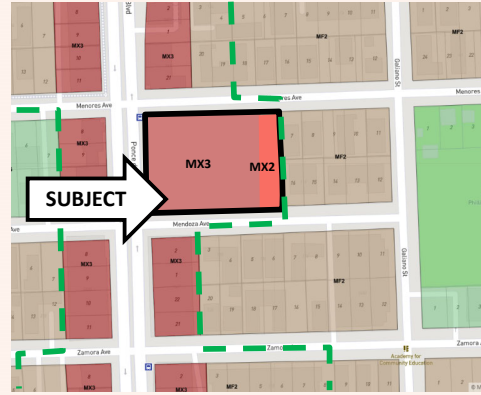


4

EXISTING CONDITIONS



Future Land Use Map



Zoning Map

PROPOSED BUILDING WITHIN CONTEXT



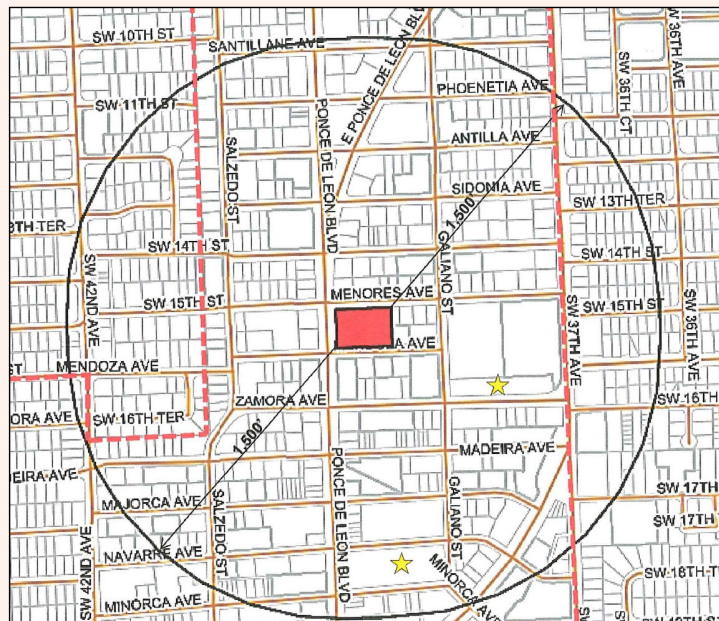
PUBLIC NOTIFICATION

2 TIMES	LETTERS TO PROPERTY OWNERS PZB, HISTORIC PRESERVATION BOARD
2 TIMES	PROPERTY POSTING PZB, HISTORIC PRESERVATION BOARD
1 TIME	WEBSITE POSTING PZB
2 TIMES	NEWSPAPER ADVERTISEMENT PZB, HISTORIC PRESERVATION BOARD

7

7

LETTERS TO PROPERTY OWNERS (1,500 FT)



8

8

STAFF RECOMMENDATION



STAFF'S DETERMINATION IS THAT THIS APPLICATION IS CONSISTENT WITH THE COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES.

STAFF RECOMMENDS APPROVAL.

9



1505 Ponce

RECEIPT OF TRANSFER OF DEVELOPMENT RIGHTS (TDRs)

PLANNING & ZONING BOARD
OCTOBER 12, 2022



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