



**City of Coral Gables
CITY COMMISSION MEETING
JULY 7, 2009**

ITEM TITLE:

Appearance of W. Tucker Gibbs, Attorney, on behalf of 396 Alhambra Plaza, LLC, requesting encroachments consisting of precast decorative cornices and moldings, balconies and decorative lighting fixtures adjacent to 396 Alhambra Plaza, Coral Gables.

CITY MANAGER'S RECOMMENDATION:

That the request for encroachments, consisting of precast decorative cornices and moldings, balconies and decorative lighting fixtures adjacent to 396 Alhambra Plaza, be approved, subject to the requirements of the Public Works Department.

BRIEF HISTORY:

The request for encroachments was made by W. Tucker Gibbs; Attorney, on behalf of 396 Alhambra Plaza, LLC. The approval is subject to the following requirements of the Public Works Department.

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

AGENDA ITEM NO. _____

ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
November 20,2008	Board of Architects	Approved

APPROVED BY:

Department Director	City Attorney (If Applicable)	City Manager

ATTACHMENT(S):

1. Draft Resolution
2. Back-up from W. Tucker Gibbs, Esq., for **396 Alhambra Plaza, LLC**
3. Plans