

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA AMENDING ORDINANCE NO. 2022-14 WHICH APPROVED A PLANNED AREA DEVELOPMENT FOR THE PROPERTY LEGALLY DESCRIBED AS LOTS 5 THROUGH 27, BLOCK 28, CORAL GABLES CRAFTS SECTION (340, 330, 322, 314, 310, 300, CATALONIA AVENUE, 301, 309, 317, 323, 325, 333, 341 MALAGA AVENUE), CORAL GABLES, FLORIDA TO ALLOW FOR CERTAIN WORK TO BE COMPLETED AFTER THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY SUBJECT TO THE TERMS OF A PERFORMANCE BOND

WHEREAS, pursuant to Ordinance No. 2022-14 and Resolution No. 2022-81, the City approved a mixed-use project, including required conditions of approval, for the “Alexan Crafts” project located at 330 Catalonia Avenue (the “Project”), including the undergrounding of certain public utilities; and

WHEREAS, Section 10 of the Conditions of Approval attached as Attachment “A” to Ordinance No. 2022-14, provides in relevant part that prior to issuance of the first certificate of occupancy or temporary certificate of occupancy, certain conditions must be satisfied, including undergrounding of certain public utilities, right of way improvements, and construction of public park enhancements; and

WHEREAS, Developer has obtained a building permit from the City, under permit number PAFF-22-09-0068, and associated sub-permits, for, among other things, (1) utility work, including undergrounding; (2) right-of-way and bike lane improvements along Salzedo Avenue; (3) streetlight installation; (4) construction of bump out along portions of Catalonia & Malaga fronting the project; (5) completion of the improvements related to a 6,805 +/- SF public open space that will be dedicated to the City; and (6) final pavement restoration work along the south side of University Blvd. (the “Remaining Work”); and

WHEREAS, in accordance with the permitting process and approved Ordinance and Resolution, the Developer is completing outstanding work that has been delayed by circumstances beyond its control; and

WHEREAS, the costs of the Remaining Work has been calculated to be One Million Twenty Seven Thousand Seven Hundred Twenty Two and 15/100 Dollars (\$1,027,722.15); and

WHEREAS, the Developer has retained a contractor that is actively performing the park and right-of-way improvements associated with the Remaining Work, and has made a payment to Florida Power & Light (FPL) for the completion of related utility work, but while most of the

Remaining Work will be completed within sixty (60) days, the Remaining Work will be fully completed within one hundred fifty (150) days; and

WHEREAS, Developer seeks to apply to the City for a temporary certificate of occupancy for the Project; and

WHEREAS, as more fully set forth in the Performance Bond Agreement attached hereto as Exhibit A, the Developer has agreed to post a Performance Bond to allow for the issuance of the temporary certificate of occupancy, while ensuring the construction and completion of the Remaining Work as described therein; and

WHEREAS, the City Commission has reviewed and considered the request and finds that the request to approve the Performance Bond to allow for the issuance of the temporary certificate of occupancy.

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

SECTION 1. That 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 the hereof.

SECTION 2. That the City Commission authorizes the City Manager to accept the Performance Bond, in substantially the form attached as Exhibit A, with such modifications approved by the City Manager and City Attorney consistent with the Commission’s intent, to allow for the issuance of the temporary certificate of occupancy.

SECTION 3. That Ordinance No. 2022-14 is amended to allow for the Remaining Work to be completed within 150 days of the issuance of the Temporary Certificate of Occupancy, subject to the terms set forth in the Performance Bond. All other provisions of Ordinance No. 2022-14 remain unchanged and in full force and effect.

SECTION 4. That the City Commission authorizes the City Manager and the City Attorney to approve an amended restrictive covenant consistent with the amended conditions approved in this Ordinance, if necessary.

SECTION 5. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 6. If any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, then said holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. That this Ordinance shall become effective immediately upon its passage and adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2025.

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

BILLY URQUIA
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

CRISTINA M. SUÁREZ
CITY ATTORNEY