



City of Coral Gables Planning and Zoning Staff Report

Property:	<u>Alexan Crafts</u>
Applicant:	Maple Multi-Family Land SE, L.P.
Application:	Planned Area Development (PAD) and Conditional Use Site Plan Review
Public Hearing:	Planning and Zoning Board / Local Planning Agency
Date & Time:	February 9, 2022, 6:00 – 9:00 p.m.
Location:	City Commission Chambers, City Hall 405 Biltmore Way, Coral Gables, Florida, 33134

1. APPLICATION REQUEST

Application request for Planned Area Development (PAD) and Conditional Use Site Plan review for a mixed-use project referred to as “Alexan Crafts” located in the recently rezoned Crafts Section, generally bounded by Le Jeune Road to the west, Salzedo Street to the east, Catalonia Avenue to the north, and Malaga Avenue to the south.

The request requires three public hearings, including review and recommendation by the Planning and Zoning Board, and 1st and 2nd Reading before the City Commission. The Ordinance and Resolution under consideration include the following:

- 1. 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 mixed-use project referred to as “Alexan Crafts” on property legally described as lots 5 thru 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; 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 granting approval for Conditional Use Mixed-Use Site Plan pursuant to Zoning Code Section 2-200 “Mixed Use Districts” for a mixed-use project referred to as “Alexan Crafts” on property legally described as lots 5 thru 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; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date.*

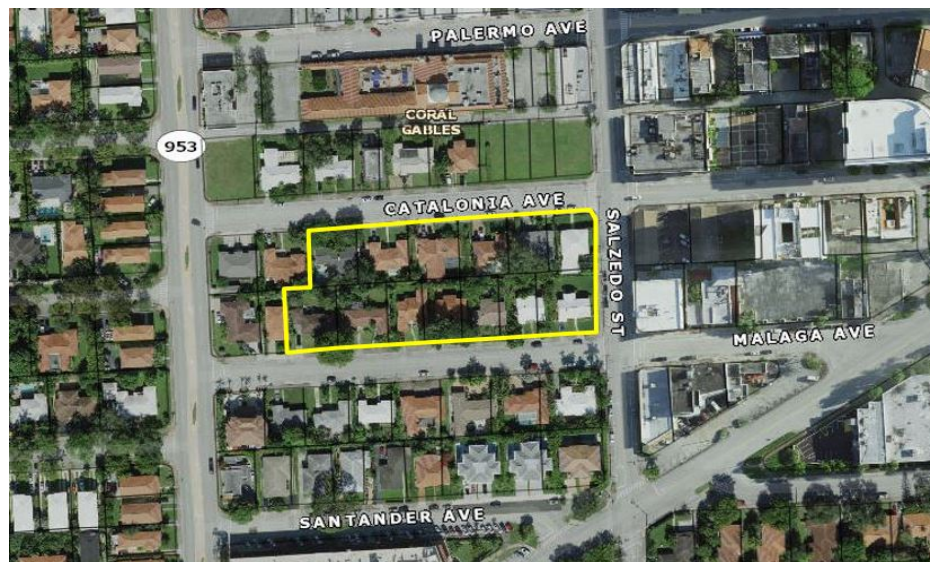
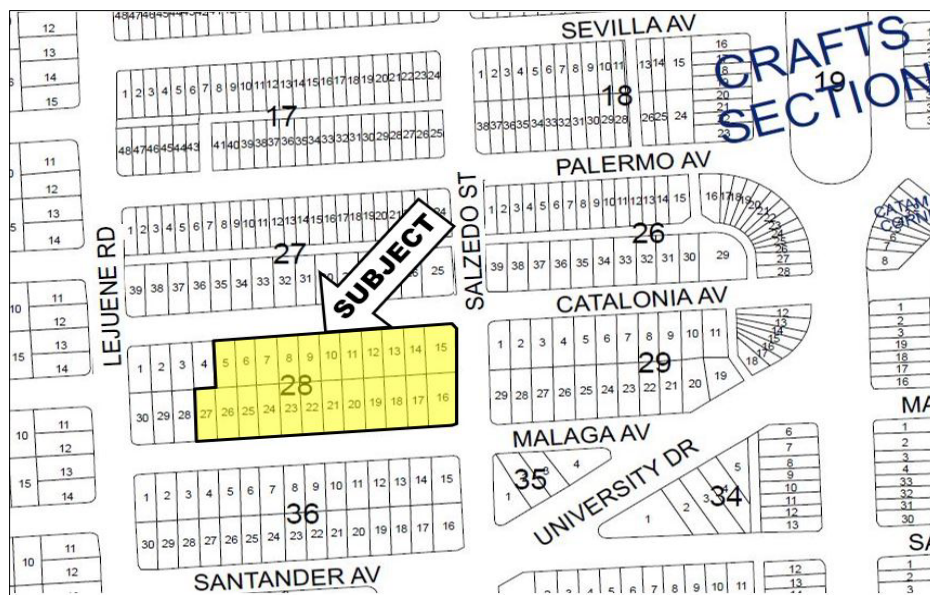
2. APPLICATION SUMMARY

Project Information

The applicant seeks to redevelop this area of the Crafts Section, proposing a mixed-use project containing 263 residential units and 22 live work units, with 364 parking spaces. The proposed building height is 77 feet at 7-stories. The application package submitted by the Applicant is provided as Attachment A.

Site Area	2.11 acres (91,933 square feet)
FAR	3.39 FAR (311,352 square feet)
Height	7-stories at 77 feet
Program	<ul style="list-style-type: none"> • 22 live-work units • 263 residential units • 26,036 square feet of landscaped open space (28.32%)
Parking	364 parking spaces

The project site comprised of lots 5 through 27, Block 28 of the Coral Gables Crafts Section, totaling approximately 91,933 square feet or 2.11 acres. There are existing single-family homes on site as this area was recently rezoned from Single-Family Residential to Mixed Use 1 (MX-1) District. Location map and aerial shown below:



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

Existing Property Designations

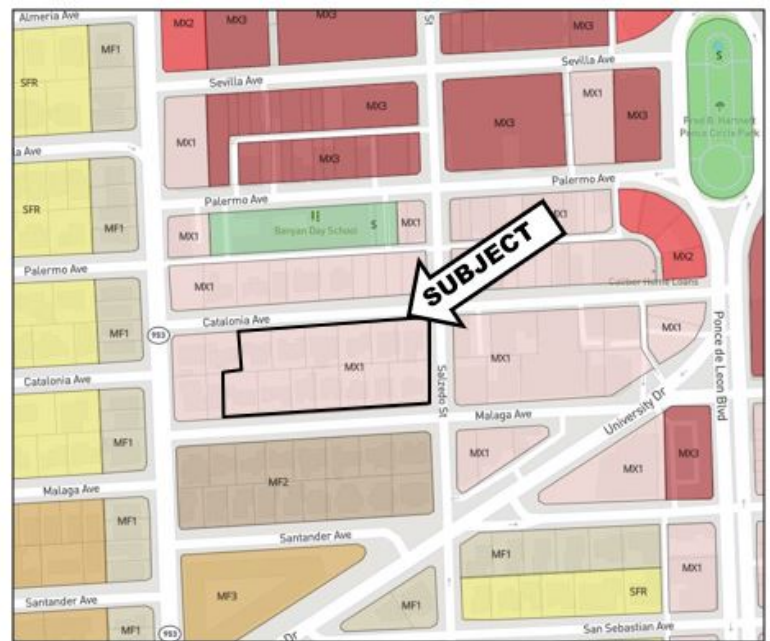
Comprehensive Plan Map designation	Commercial Low-Rise Intensity
Zoning Map designation	MX-1
Within a designated Mixed-Use Overlay District (MXOD)	No
Mediterranean Architectural District (citywide)	Yes
Within Coral Gables Redevelopment Infill District (GRID)	Yes

Surrounding Land Uses

Location	Existing Land Uses	CP Designations	Zoning Designations
North	Single-Family building/ Vacant	Commercial Low-Rise Intensity	MX-1
South	Single Family	Multi-Family Medium Density	MF2
East	Commercial building	Commercial Low-Rise Intensity	MX-1
West	Duplex	Multi-Family Duplex Density	MF-1



Future Land Use Map



Zoning Map

3. REVIEW TIMELINE / PUBLIC NOTICE

City Review Timeline

The submitted applications have undergone the following City reviews:

REVIEW COMMITTEES AND BOARDS	DATE
Development Review Committee	05.28.21
Board of Architects (Preliminary Design and Mediterranean Bonus)	08.19.21;11.18.21;12.09.21
Planning and Zoning Board	02.09.22
City Commission	TBD

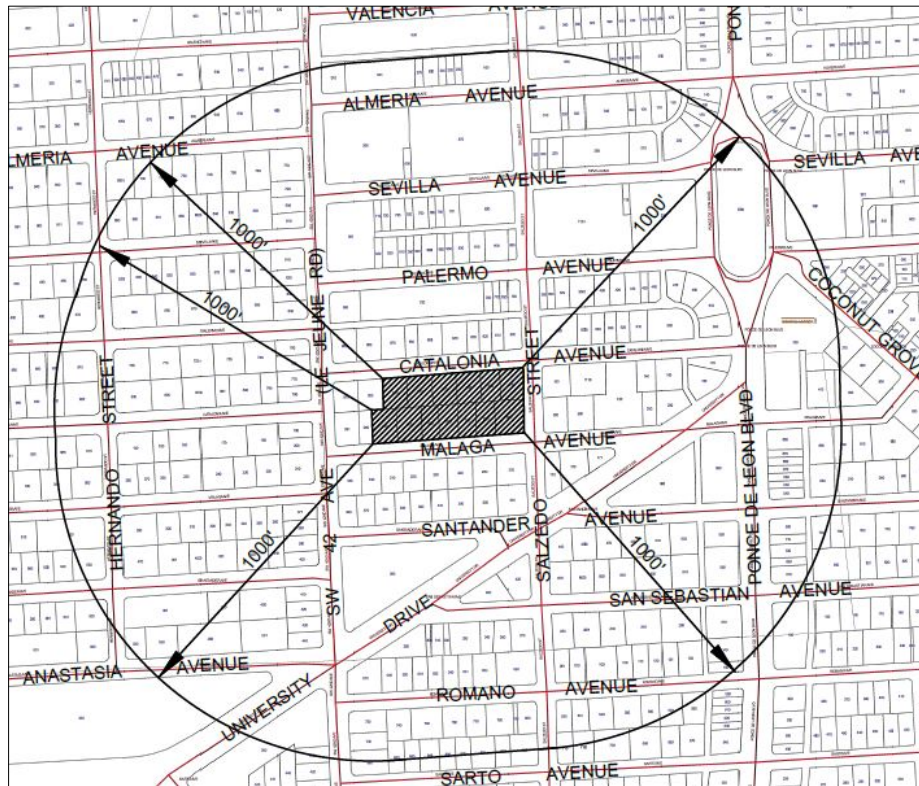
STAFF REVIEW			
Department	DRC 05.28.21	Board of Architects 08.19.21;11.18.21;12.09.21	Comments Provided?
Historical Resources and Cultural Arts			No
Art in Public Places	X		Yes
Parking	X		No
Public Service	X		Yes
Police			No
Fire	X		Yes
Public Works	X		Yes
Zoning	X		Yes
Board of Architects	X	X	Yes
Planning	X	X	Yes
Building	X		Yes

Public Notification and Comments

The Applicant held the mandatory neighborhood meeting on December 16, 2021 with notification to all property owners within 1,000 of the property. A copy of the meeting invitation and attendance list is on file with the Planning Division.

The Zoning Code requires notification be provided to all property owners within 1,000 feet of the property. The notification was sent on January 25, 2022. 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. There were 443 notices mailed. A copy of the legal advertisement and notice are provided as Attachments E and F, respectively. A map of the notice radius is provided below.

Notification Radius Map



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

PUBLIC NOTICE	DATE
Applicant neighborhood meeting	December 26, 2021
Notification	January 25, 2022
Sign posting of property	January 25, 2022
Legal advertisement	January 28, 2022
Posted agenda on City web page/City Hall	February 4, 2022
Posted Staff report on City web page	February 4, 2022

This property falls within the Gables Redevelopment Infill District (GRID), which is generally located along the Ponce de Leon Boulevard corridor and US1. The City’s GRID allows development within its boundaries to move forward regardless of a roadway’s level of service (LOS). The City does, however, require all developments within the GRID that increase intensity/density to complete a Traffic Impact Analysis report and provide appropriate traffic mitigation to help offset the impacts. A Traffic Impact Study was prepared by Caltran Engineering, provided in Attachment B, it was reviewed and accepted by Public Works Department.

Gables Redevelopment Infill District (GRID)



4. APPLICANT'S PROPOSAL

PLANNED AREA DEVELOPMENT (PAD)

Planned Area Development (PAD) is a development option in the City of Coral Gables for the purpose of allowing creative and imaginative development while providing substantial additional public benefit. In addition, PAD provides some flexibility in terms of massing, design, location of paseos and open spaces, etc. Typically PAD sites are contiguous unified parcel with a minimum lot width of two hundred (200) feet and minimum lot depth of one hundred (100) feet and a minimum site area of no less than an acre.

Purpose and Objectives

Section 2-500 of the Zoning Code states the purpose of the PAD is as follows:

- a. *Allow opportunities for more creative and imaginative development than generally possible under the strict applications of these regulations so that new development may provide substantial additional public benefit.*
- b. *Encourage enhancement and preservation of lands which are unique or of outstanding scenic, environmental, cultural and historical significance.*
- c. *Provide an alternative for more efficient use and, safer networks of streets, promoting greater opportunities for public and private open space, and recreation areas and enforce and maintain neighborhood and community identity.*
- d. *Encourage harmonious and coordinated development of the site, through the use of a variety of architectural solutions to promote Mediterranean architectural attributes, promoting variations in bulk and massing, preservation of natural features, scenic areas, community facilities, reduce land utilization for roads and separate pedestrian and vehicular circulation systems and promote urban design amenities.*
- e. *Require the application of professional planning and design techniques to achieve overall coordinated development eliminating the negative impacts of unplanned and piecemeal developments likely to result from rigid adherence to the standards found elsewhere in these regulations.*

Findings of Fact – Planned Area Development (PAD)

Section 14-206 of the Zoning Code states the required findings for a proposed PAD project is as follows:

- A. *In what respects the proposed plan is or is not consistent with the stated purpose and intent of the PAD regulations.*
Staff comments: The proposed project is consistent with the stated purpose and intent of the PAD regulations to provide high quality development and mix of uses and densities through flexible guidelines. It provides greater opportunities for a variety of uses with ground-level, publicly accessible open space in an urban environment.
- B. *The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.*

Staff comments: The Applicant is proposing a PAD designation to allow flexibility in the requirements of the underlying zoning district of Mixed Use 1 (MX-1), particularly the number of stories. While the project is 7 stories where only 6 stories is allowed, it is within the maximum allowable height of 77 feet. Such departure from the zoning code regulations allows the project to reduce the ground floor building coverage and building massing thereby creating additional opportunities for additional landscape open space areas for public benefit.

The maximum height is based upon the Comprehensive Plan Map designation, per Section 5-201.C. The Land Use designation of the subject property is Commercial Low-Rise Intensity which allows a maximum height of “up to 50’ maximum (no limitation on floors), or up to 77’ maximum (with a maximum of 2 additional floors) with architectural incentives per the Zoning Code.” As proposed, seven (7) stories is allowed only through PAD, as stated by the City Attorney’s opinion #CAO 2019-029 provided in attachment D. In addition, the City is also considering an amendment to the Comprehensive Plan to clarify that the maximum number of floors shall not apply to any PAD.

C. *The extent to which the proposed plan meets the requirements and standards of the PAD regulations.*

Staff comments: The proposed plan meets the requirements and standards of the PAD regulations such as contiguous unified parcel with a minimum lot width of two hundred (200) ft. and minimum lot depth of one hundred (100) ft. and a minimum site area of no less than an acre. It meets the underlying zoning regulations of MX-1 district, except for the number of stories. While the project is 7 stories, it is within the maximum allowable height of 77 feet. Seven (7) stories is allowed only through a PAD, as stated by the City Attorney’s opinion #CAO 2019-029 provided in attachment D.

D. *The physical design of the proposed PAD and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, provide for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.*

Staff comments: The physical design of the proposed PAD results in a publicly-accessible ground-floor open space, including courtyards and arcades that are fronted by commercial uses. All vehicular parking for the project and service access is within the confines of the building. The project’s ground floor pedestrian amenities enhance the redevelopment of the area. The project will be required to underground all overhead utilities. In addition, the proposal includes a public park of approximately 7,000 square feet, public realm improvements (i.e., landscaping, pedestrian benches, bicycle racks, waste receptacles, etc.) that will provide amenities for pedestrians.

E. *The compatibility of the proposed PAD with the adjacent properties and neighborhood as well as the current neighborhood context including current uses.*

Staff comments: The project is located within the Crafts Section which was recently rezoned to the least intense designation for mixed-use development (MX-1). The proposed mixed-use project is compatible and complies with the intent of the Zoning Code Mixed Use and PAD requirements and performance standards. It serves as an orderly transition from the Central Business District (CBD) to residential neighborhood.

F. *The desirability of the proposed PAD to physical development of the entire community.*

Staff comments: The redevelopment of this property fulfills the objective of the City to attract mix of

uses with public open spaces in an urban environment.

G. *The conformity of the proposed PAD with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Plan.*

Staff comments: The proposed PAD is “consistent” with the CP’s Goals, Objectives and Policies that address the City’s objectives for encouraging high quality, creative design and site planning that is compatible with the City’s architectural heritage, surrounding development, public spaces, and open spaces.

CONDITIONAL USE FOR MIXED USE SITE PLAN

The purpose of the Mixed-Use District is to encourage the construction of residential mixed-use projects that support a pedestrian-friendly environment within urban areas of Coral Gables. The Applicant benefits from the option to construct residential development in urban areas, while the City benefits from mandatory architectural features that enhance the beauty and the walkability of those urban areas.

Mediterranean Architectural Style

The proposed project received preliminary approval which included Mediterranean architectural style approval from the Board of Architects on December 16, 2021.

5. FINDINGS OF FACT

This section of the report presents City Staff’s evaluation of the Application and Findings of Facts. The City’s responsibility is to review the Application for consistency with the City’s Comprehensive Plan Goals, Objectives and Policies and compliance with the Zoning Code and City Code.

To provide an overview of the purpose and intent of the Conditional Use provisions, Zoning Code Section 14-203, “Purpose and Applicability” provides for the following:

“The purpose of providing for conditional uses within each zoning district is to recognize that there are uses which may have beneficial effects and serve important public interests, but which may, but not necessarily, have adverse effects on the environment, particularly residential areas, overburden public services, or change the desired character of an area. Individualized review of these uses is necessary due to the potential individual or cumulative impacts that they may have on the surrounding area or neighborhood. The review process allows the imposition of conditions to mitigate identified concerns or to deny the use if concerns cannot be resolved.”

Staff’s Findings: Based upon the Findings of Facts provided herein, Staff finds the Application satisfies the provisions of the Zoning Code for the Conditional Use Site Plan Review for the proposed mixed-use project containing 263 residential units and 22 live-work units, with 364 parking spaces. Staff review finds that the proposed plans and Staff’s recommended conditions of approval incorporate measures to mitigate potentially negative impacts that could have adverse effects on neighboring properties.

Site Data

Standard	Required/Permitted	Proposed
Building Site	10,000 sq. ft.	91,933 sq. ft.
	1 acre for PAD which shall be contiguous and unified parcel	2.11 acres
Landscaped Open Space (ground-level outdoor area, which is open to the sky)	Landscaped open space required for a PAD shall be not less than (20%) of the PAD site.	21.1% open to sky 7.20% covered 28.32% total
Density	125 units per acre	263 units (125 units per acre)
FAR (Site Area of 91,933 sq. ft.)	3.0 = 275,799 sq. ft.	3.39 = 311,352 sq. ft.
FAR w/ Med Bonus I	3.2 =294,185 sq. ft.	
FAR w/ Med Bonus II	3.5 = 321,766 sq. ft.	
Setback	Required/Permitted	Proposed
Principal front	0	0 (Catalonia)
Side interior	0	11'-8" (West)
Side Street	0	1'-1" (Malaga)
Side Street	0	4'-1" (Salzedo)
Rear no alley	10	10
Stepback	Required/Permitted	Proposed
Principal front	10	10' (Catalonia)
Side Interior	10	16'-10" (West)
Side Street	10	10' (Malaga)
Side Street	10	10' (Salzedo)
Rear no alley	10	11'-4"
Building Height		
Principal Building	50 feet (per the Comprehensive Plan)	
Med Bonus I	5 stories/63.5 feet	
Med Bonus II	6 stories/77 feet	7 stories/77 feet (per PAD)
Parking	357 per shared parking analysis	364
Studio @1/unit (12 units)	12	
1BR @1/unit (165 units)	165	
2BR @1.75/unit (75 units)	131	
3BR @2.25/unit (11 units)	25	
Livework @1/unit + 1/350 (22 units)	22 + 22	

A Conditional Use site plan review must comply with Zoning Code Section 14-203.8, “Standards for Review” as follows:

STANDARD	STAFF EVALUATION
1. The proposed conditional use is consistent with and furthers the goals, objectives and policies of the Comprehensive Land Use Plan and furthers the purposes of these regulations and other City ordinances and actions designed to implement the Plan.	Yes. The proposed project meets the CP’s Goals, Objectives and Policies by encouraging mixed use development in a major corridor.
2. The available use to which the property may be put is appropriate to the property that is subject to the proposed conditional use and compatible with existing and planned uses in the area.	Yes. The proposed mixed-use project is permitted in the zoning district. It is a compatible transition between the Central Business District to the north and residential multi-family neighborhoods towards the south and west.
3. The proposed conditional use does not conflict with the needs and character of the neighborhood and the City	Yes. There are existing single-family homes on site. Redevelopment of this property to a mixed-use project adds density and fulfills the objectives of the City to provide greater housing opportunities in the area.
4. The proposed conditional use will not adversely or unreasonably affect the use of other property in the area.	Yes. The Applicant’s proposal of a mixed-use building is consistent with the underlying zoning designation. It will not adversely or unreasonably affect the use of other adjoining, adjacent and contiguous properties in the area.
5. The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures	Yes. The proposed mixed-use project is a compatible transition between the Central Business District to the North and the recently rezoned multi-family residential neighborhoods towards the South and West.
6. The parcel proposed for development is adequate in size and shape to accommodate all development features.	Yes. The project site comprises lots 5 through 27, Block 28 of the Coral Gables Crafts Section. It is approximately 91,933 square feet (2.11acres) in size which accommodates all development features.
7. The nature of the proposed development is not detrimental to the health, safety and general welfare of the community.	Yes. The proposed project is consistent with the stated goals and objectives for mixed use redevelopment in the area. The redevelopment of this property as a mixed use project fulfills the objective of the City to attract retail, office, and residential developments to the area and to create a pedestrian oriented urban environment.
8. The design of the proposed driveways, circulation patterns and parking is well defined to promote vehicular and pedestrian circulation.	Yes. All vehicular parking for the project is located within the confines of the building. Service access and areas are enclosed. Pedestrian circulation is well defined, enhanced by a midblock paseo and public open space.
9. The proposed conditional use satisfies the concurrency standards of Section 14-218 and will not adversely burden	Yes. A Traffic Impact Study (TIS) was done by Caltran Engineering Group and was reviewed and accepted by Public Works Department. Based on the TIS findings, the traffic impact associated to the proposed project

STANDARD	STAFF EVALUATION
public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner.	<p>concluded that the project is not expected to have a negative impact in the surrounding roadway network.</p> <p>There is no sewer capacity on site, however, the Applicant is working with Public Works Department for solution.</p>

Consistency Evaluation of the Comprehensive Plan (CP) Goals, Objectives and Policies

This section provides those CP Goals, Objectives and Policies applicable to the Application and the determination of consistency:

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
1	Goal FLU-1. Protect, strengthen, and enhance the City of Coral Gables as a vibrant community ensuring that its neighborhoods, business opportunities, shopping, employment centers, cultural activities, historic value, desirable housing, open spaces, and natural resources make the City a very desirable place to work, live and play.	Complies
2	Objective FLU-1.1. Preserve Coral Gables as a “placemaker” where the balance of existing and future uses is maintained to achieve a high quality living environment by encouraging compatible land uses, restoring and protecting the natural environment, and providing facilities and services which meet or exceed the minimum Level of Service (LOS) standards and meet the social and economic needs of the community through the Comprehensive Plan and Future Land Use Classifications and Map (see FLU-1: Future Land Use Map).	Complies
3	<p>Policy FLU-1.7.2. The City shall continue to enforce the Mediterranean architectural provisions for providing incentives for infill and redevelopment that address, at a minimum, the impact on the following issues:</p> <ul style="list-style-type: none"> • Surrounding land use compatibility. • Historic resources. • Neighborhood Identity. • Public Facilities including roadways. • Intensity/Density of the use. • Access and parking. • Landscaping and buffering. 	Complies
4	Objective FLU-1.11. Maintain a pattern of overall low density residential use with limited medium and high density residential uses in appropriate areas to preserve the low intensity and high quality character of the residential neighborhoods.	Complies
5	Policy FLU-1.11.1. Maintain and enforce effective development and maintenance regulations through site plan review, code enforcement, and design review boards and committees.	Complies
6	Goal DES-1. Maintain the City as a livable city, attractive in its setting and dynamic in its urban character.	Complies
7	Objective DES-1.1. Preserve and promote high quality, creative design and site planning that is compatible with the City’s architectural heritage, surrounding development, public spaces and open spaces.	Complies
8	Policy DES-1.1.5. Promote the development of property that achieves unified civic design and proper relationship between the uses of land both within zoning districts and surrounding	Complies

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
	districts, by regulating, limiting and determining the location, height, density, bulk and massing, access to light and air, area of yards, open space, vegetation and use of buildings, signs and other structures.	
9	Policy DES-1.1.6. Maintain the character of the residential and nonresidential districts, and their suitability for particular uses.	Complies
10	Policy DES-1.2.1. Continue the award of development bonuses and/or other incentives to promote Coral Gables Mediterranean design character providing for but not limited to the following: creative use of architecture to promote public realm improvements and pedestrian amenities; provide a visual linkage between contemporary architecture and the existing and new architectural fabric; encourage landmark opportunities; and creation of public open spaces.	Complies
11	Policy DES-1.2.2. Require that private development and public projects are designed consistent with the City’s unique and historical Mediterranean appearance in balance with contemporary architecture.	Complies
12	Policy DES-1.1.5. Promote the development of property that achieves unified civic design and proper relationship between the uses of land both within zoning districts and surrounding districts, by regulating, limiting and determining the location, height, density, bulk and massing, access to light and air, area of yards, open space, vegetation and use of buildings, signs and other structures.	Complies
13	Objective MOB-1.1. Provide solutions to mitigate and reduce the impacts of vehicular traffic on the environment, and residential streets in particular with emphasis on alternatives to the automobile including walking, bicycling, public transit and vehicle pooling.	Complies
14	Policy MOB-1.1.2. Encourage land use decisions that encourage infill, redevelopment and reuse of vacant or underutilized parcels that support walking, bicycling and public transit use.	Complies
15	Policy MOB-1.1.3. Locate higher density development along transit corridors and near multimodal stations.	Complies
16	Policy MOB-1.1.5. Improve amenities within public spaces, streets, alleys and parks to include the following improvements: seating; art; architectural elements (at street level); lighting; bicycle parking; street trees; improved pedestrian crossing with bulb-outs, small curb radii, on-street parking along sidewalks, pedestrian paths and bicycle paths to encourage walking and cycling with the intent of enhancing the feeling of safety.	Complies
17	Policy MOB-2.7.1. The City shall, via the review of development projects and city transportation improvement projects, conserve and protect the character and livability of all residential neighborhoods by preventing the intrusion of through vehicles on local and collector streets. The City shall discourage through traffic in neighborhoods and may incorporate traffic management and calming measures including, but not limited to, signage, landscape design, traffic calming devices and roadway design.	Complies

Staff Comments: Staff’s determination that this application is consistent with the CP Goals, Objectives and Policies that are identified above is based upon compliance with conditions of approval recommended by Staff. It provides mixed of uses and greater housing opportunities within close proximity to transit, employment centers, parks and schools. The Applicant’s plans address the City’s objectives for encouraging development near multi-modal transportation nodes. It also provides public amenity opportunities such as enhanced pedestrian environments and usable open spaces such as the 6,800 sq. ft. public park designed to the active enjoyment of the local neighborhood.

Staff Recommendation and Conditions of Approval.

The Planning Division based upon the complete Findings of Fact contained within this Report recommends **approval, with conditions** of the following subject to all of the conditions of approval as specified herein:

1. *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 mixed-use project referred to as "Alexan Crafts" on property legally described as lots 5 thru 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; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date.*
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Conditions of Approval

In furtherance of the Comprehensive Plan's Goals, Objectives and Policies, and all other applicable Zoning Code and City Code provisions, the recommendation for approval of the proposed project is subject to all of the following conditions of approval. Additional conditions of approval may be added to this list prior to Commission review.

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 Greenberg Traurig, P.A. and Corwill Architects to include:
 - i. Maximum building height shall not to exceed 77 feet
 - ii. 3.39 FAR (311,352 sq. ft.)
 - iii. 263 multi-family units
 - iv. 364 parking spaces
 - v. 26,036 sq. ft. (28.32%) landscape open space
 - b. All representations proffered by the Applicant's representatives as a part of the review of the Application at public hearings.
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 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 3, Division 21, Section 3-2103(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 buildings shall continue to be designed to optimize pedestrian activity.
- f. **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 Santillane Avenue with sidewalks to remain open throughout construction.
- g. **Traffic Improvements.** There will be no pick-up and drop-off allowed on either Malaga Avenue and Catalonia Avenue. All proposed traffic flow modifications including street design, width, sight triangles, cross walks, diverters, etc. shall require written conceptual approval of Miami-Dade County and the City prior to the issuance of the first City permit for vertical construction. If any components of the proposed modifications are not approved, the traffic study shall be revised and additional community involvement may be required.
- h. **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.
- i. **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.
- j. **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.

- k. **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.
- l. **Sustainability Certification.** Prior to the Temporary Certificate of Occupancy, 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.

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

- a. **Underground utilities.** Submit all necessary plans and documents and complete the undergrounding of all new utilities along all public rights-of-way surrounding and adjacent project boundary (between south side of Santillane Avenue and the north side of Calabria Avenue), subject to review and approval by the Directors of Public Works, Landscape Services and Planning and Zoning.
- b. **Utility Upgrades.** Water and Sewer system upgrades and all associated right-of-way improvements may be required at the Applicant's expense.
- c. **Art in Public Places.** The Applicant shall comply with all City requirements for Art in Public Places.
- d. **Bicycle/Pedestrian Plan.** The bicycle and pedestrian paths shall comply with the City's Bicycle Pedestrian Master Plan along Salzedo Street, subject to review and approval by Public Works Department.
- e. **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, subject to review and approval by the Directors of Public Works, Landscape Services, Planning and Zoning, and Parking. 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.

5. 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.

6. ATTACHMENTS

- A. Applicant's submittal package
- B. Traffic Impact Study
- C. Neighborhood Meeting summary
- D. City Attorney's Legal Opinion regarding story limitation
- E. Legal ad
- F. Notice mailed to all property owners within 1,000 feet of the property
- G. Powerpoint Presentation

Please visit the City's webpage at www.coralgables.com to view all Application 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 and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134.

Respectfully submitted,



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for Planning and Zoning
City of Coral Gables, Florida