

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2022-283 (AS AMENDED)

A RESOLUTION OF THE CITY COMMISSION 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 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.

WHEREAS, an Application was submitted requesting conditional use with utilization of remote parking to allow a mixed-use project on property zoned Mixed-Use 2 District legally described as Lots 36 through 43, Block 5, "Industrial Section" (4311 and 4225 Ponce de Leon Boulevard), Coral Gables, Florida to remote park; and

WHEREAS, the Application has been submitted concurrently with an application for Conditional Use for Mixed-Use Site Plan; and

WHEREAS, the Application requires City of Coral Gables conditional use with remote parking review and public hearing consideration pursuant to the Zoning Code Article 14, "Process," Section 14-203, and Article 10, "Parking & Access," Section 10-109; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand (1,000) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on October 12, 2022, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the Planning and Zoning Board's October 12, 2022 meeting, the Board recommended approval regarding the proposed conditional use for remote parking (vote: 6-0) 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 (1,000) feet, a public hearing was held before the City Commission on November 9, 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 November 9, 2022, approved the requested conditional use for remote parking; 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 remote parking 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 remote parking review for a mixed-use project on property zoned Mixed-Use 2 District legally described as Lots 36 through 43, Block 5, “Industrial Section” (4311 and 4225 Ponce de Leon Boulevard), 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 Arquitectonica to include:
 - i. Maximum building height shall not to exceed 109’ feet and 8 stories.
 - ii. 3.48 FAR (69,709 sq. ft.)
 - iii. 3 multi-family units with the ability to convert said units to commercial space subject to compliance with applicable Zoning Code regulations.
 - iv. 81 parking spaces on-site; 123 remote parking spaces (incl. 25% minimum payment-in-lieu)
 - v. 2,565 sq. ft. (12.8%) open space, on-site and within the right-of-way
 - b. All representations proffered by the Applicant’s representatives as a part of the review of the Application at public hearings.
- 2. Prior to issuance of the first Building Permit, Applicant shall:**
 - a. Final Remote Parking Application.** Prior to the issuance of the first Building Permit, the Applicant shall either:
 - i. Present the Development Services Director with the complete Remote Parking application in compliance with the requirements of Section 10-109 of the Zoning Code and include a minimum of the following: 1) A survey showing the exact location, traffic flow, and current physical layout of the proposed remote parking spaces; 2) Documentation and sworn affidavits from the owner of the remote parking spaces certifying spaces are in excess of those parking spaces required to serve any onsite development; 3) An executed lease, or similar legal instrument, for the required remote parking spaces subject to approval by the City Attorney; and 4) The corresponding public benefit contribution via payment-in-lieu of 25% of the total required 204 parking spaces; or

Present the Development Services Director with the complete Remote Parking application in compliance with the requirements of Section 10-109 of the Zoning

Code and include a minimum of the following: 1) A survey showing that the exact location, traffic flow, and current physical layout of the proposed remote parking spaces will be at a parking garage in the Village of Merrick Park; 2) Documentation from the City certifying that Applicant is leasing a portion of the 400 spaces controlled by the City in the lease with the Village of Merrick Park; 3) An executed lease with the City, in its propriety capacity, for the required remote parking spaces; and 4) The corresponding public benefit contribution via payment-in-lieu of 25% of the total required 204 parking spaces plus \$10,000 for each space being leased at the Village of Merrick Park; or

- ii. If the Applicant is unable to secure the required Remote Parking via one of the above-referenced options, a payment-in-lieu for the total required remote parking spaces shall be provided in accordance with the current regulations in Chapter 74 of the City Code.

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 NINTH DAY OF NOVEMBER, A.D., 2022.

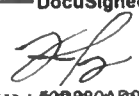
(Moved: Mena / Seconded: Menendez)

(Yeas: Anderson, Fors, Jr., Mena, Menendez, Lago)

(Unanimous: 5-0 Vote)


(Agenda Item: F-7)

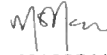
APPROVED:

DocuSigned by:

VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

DocuSigned by:

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DocuSigned by:

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BILLY Y. URQUIA
CITY CLERK

MIRIAM SOLER RAMOS
CITY ATTORNEY