



**City of Coral Gables  
CITY COMMISSION MEETING  
March 12, 2019**

**ITEM TITLE:**

A Resolution authorizing encroachments consisting of installation of wing walls and pavers at the intersection of Cocoplum Road and Los Pinos Boulevard and new signage at the Cartagena Circle entrance, subject to requirements of the Public Works Department.

**DEPARTMENT HEAD RECOMMENDATION:**

No objections.

**BRIEF HISTORY:**

On January 22, 2013, the City Commission approved encroachments at Cocoplum Road and Los Pinos Boulevard consisting of new stone signs replacing the existing wood signs within the public right-of-way.

On January 10, 2019, the Board of Architects (BOA) denied the design of the Applicant's proposed improvements at the entrance of Cartagena Circle and at Cocoplum Road and Los Pinos Boulevard. This decision was appealed by the Applicant. On February 6, 2019, in accordance with the Zoning Code and the BOA Rules of Procedure, a Conflict Resolution meeting was held and resulted in a settlement agreement. The Cocoplum Civic Association (Cocoplum 1) has appealed the settlement agreement.

The Resolution for consideration by the Islands of Cocoplum Homeowners Association (Cocoplum 2) requests approval of encroachments consisting of installation of wing walls and pavers at the intersection of Cocoplum Road and Los Pinos Boulevard and new signage at the Cartagena Circle entrance, subject to requirements of the Public Works Department.

The Public Works Department does not object to the request to encroach into the public right-of-way at the aforementioned locations, subject to the following conditions:

- a. The design of the proposed improvements receive ultimate approval as part of the BOA appeals process;
- 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, at the Applicant's expense;
- c. The Applicant shall maintain the proposed encroachments in good condition at all times at Applicant's expense;
- d. The Applicant shall meet with the City Attorney for the purpose of providing all information necessary for preparation of a maintenance agreement to be executed by the Applicant, which states, in addition to the aforementioned requirements, 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. Copies of the maintenance agreement, when fully executed and filed, together with the required certificate of insurance, shall be provided by the Applicant to the Public Works Department; and permits thereafter shall be obtained from that Department;
- f. The proposed encroachments shall be constructed in accordance with the Florida Building Code and all other pertinent Codes;
- g. In the event the Public Works Department must issue a permit for a utility cut in the future within the area in which the encroachments are approved, the Applicant shall replace the proposed encroachments cut by the utility at the Applicant’s expense;
- h. The proposed encroachment shall be maintained in accordance with the City Zoning Code, Section 5-1406, requiring that all visual obstructions be kept within a maximum height of thirty inches (30”) within the visibility triangle.

**ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):**

<b>Date</b>	<b>Board/Committee</b>	<b>Comments (if any)</b>
January 10, 2019	Board of Architects	Denied – decision appealed January 18, 2019
February 6, 2019	Conflict Resolution Meeting	Updated plans approved by Settlement Agreement
February 19, 2019	Appeal of Settlement Agreement	Pending appeal before City Commission

**ATTACHMENT(S):**

1. Draft Resolution
2. Letter of Request (February 28, 2019)
3. Proposed-updated plans 2-8-19
4. Resolution No. 2013-06