

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2008-196

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES AMENDING PREVIOUSLY APPROVED RESOLUTION NO. 2005-231 WHICH GRANTED APPROVAL OF THE FOLLOWING FOR PROPERTIES REFERENCED AS 2701 LEJEUNE ROAD, CORAL GABLES, FLORIDA: 1) SPECIAL LOCATIONAL SITE PLAN REVIEW PURSUANT TO ZONING CODE SECTION 28-6, FOR PROPERTIES ADJACENT TO R AND D USE DISTRICTS, TO ALLOW MEDITERRANEAN ARCHITECTURAL BONUSES FOR PROPERTIES REFERENCED AS PARCEL 1 (CRAFTS SECTION, BLOCK 16, LOTS 1-11 AND LOTS 39-48) AND PARCEL 2 (CRAFTS SECTION, BLOCK 17, LOTS 1-5 AND WEST 24 FEET OF LOT 6 AND LOTS 43-48); AND, 2) CONDITIONAL USE REVIEW PURSUANT TO ZONING CODE SECTION 6-3, FOR A PROPOSED DRIVE-THRU BANK TELLER FACILITY FOR PARCEL 2 (CRAFTS SECTION, BLOCK 17, LOTS 1-5 AND WEST 24 FEET OF LOT 6 AND LOTS 43-48), CORAL GABLES, FLORIDA; WHEREAS CITY NATIONAL BANK DESIRES TO AMEND THE CONDITION REQUIRING THE INSTALLATION AND OPERATION OF SECURITY GATES AT BOTH ENTRANCE AND EXIT OF THE DRIVE-THRU BANK FACILITY; AND THE APPROVAL AND ALL OTHER CONDITIONS OF APPROVAL CONTAINED IN RESOLUTION NO. 2005-231 SHALL REMAIN IN EFFECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, after notice duly published and notification of all property owners of record within 1,000 feet, the Planning and Zoning Board held a public hearing on November 30, 2005 to consider the special locational site plan and conditional use; and

WHEREAS, after due consideration the Planning and Zoning Board at a meeting held on November 30, 2005 recommended approval (vote: 5-0) of the special locational site plan and conditional use subject to conditions; and

WHEREAS, after notice of public hearing was duly published, and notification of all property owners of record within 1,000 feet, a public hearing was held before the City Commission on December 13, 2005, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, on December 13, 2005 the City Commission approved the special location site plan and conditional use for a bank drive-thru teller facility (vote: 5-0) with conditions; and

WHEREAS, City National Bank proposes to provide 24 hour a day ATM access within the approved bank drive-thru teller and ATM facility that will require unrestricted customer access; and

WHEREAS, City National Bank requested an amendment to the conditions of approval, specifically the removal of the requirement for the installation and operation of security gates at both entrance and exit of the drive-thru bank facility; and

WHEREAS, after due consideration the Planning and Zoning Board at a meeting held on May 28, 2008 recommended approval (vote: 5-0) of the proposed amendment to the conditions of approval with the condition that all other previously required conditions of approval shall remain in effect; and

WHEREAS, the City Commission on November 18, 2008, approved the request (vote: 4-0) with the condition that all other previously required conditions of approval shall remain in effect; now therefore;

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

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That a request for approval to permit the construction of the proposed commercial development, consisting of two separate buildings located across from "D", Duplex zoned property and including a four (4) lane drive-thru bank teller and ATM facility on Lots 1-11 and Lots 39-48, Block 16, and Lots 1-5 and west 24 feet of Lot 6 and Lots 43-48, Block 17, Crafts Section, Coral Gables, Florida, as set forth in Application No(s). 05-05-350-P and 08-05-388-P. The application shall be and it is hereby granted subject to the following conditions:

- a. Application/supporting documentation. Construction of the project shall be in conformance with the following:
 - 1) Site plan, building elevations and building program prepared by Nichols Brosch Wurst Wolfe and Associates, Inc., dated 10.30.05.
 - 2) Landscape Plan prepared by Fuster Design Associates, P.A., dated 03.30.05 and 11.02.05.
 - 3) Traffic Study and Stacking Analysis prepared by David Plummer and Associates, Inc., dated April 2005, with addendum dated 05.27.05.
 - 4) Improvements and/or conditions contained herein, unless otherwise specified herein, shall be completed prior to receipt of final Certificate of Occupancy (CO).
 - 5) All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated 11.17.05.
 - 6) All representations proffered by the applicant's representatives provided during public hearing review.
 - 7) Changes to the plans required by the City Commission as part of the review of this application at public hearings.
- b. Revisions to plans, elevations and all supporting documents.
 - 1) Modification to all applicable documents that are necessary as a part of the public hearing review and approval of the application shall be submitted to the Planning Department within 60 days of final approval for Department verification that all conditions of approval are satisfied.

- c. The applicant, successors or assigns shall advise the Planning Department in writing of any applicable changes to the approved plans and drawings as a part of building permit review approval process. The Planning Director shall determine if any applicable changes may require Planning and Zoning Board and City Commission review and approval.
- d. Affidavit. Improvements and/or conditions contained herein otherwise specified shall be completed at receipt of final CO. Prior to the issuance of a CO for the principal building, the applicant shall provide an affidavit that all conditions of approval by the City Commission are satisfied.
- e. Restrictive Covenant. Within 30 days of approval of the application, the applicant, its successors or assigns shall submit to the City Attorney a draft restrictive covenant outlining all conditions of approval granted by the City Commission. Failure to submit the draft restrictive covenant within the specified time frame shall render the approval void.
- f. Traffic calming. Within 6 months of City Commission approval, the applicant agrees to provide funding of \$150,000.00 dollars for the preparation of the following:
 - 1) Traffic study for determining potential traffic calming alternatives for the residential areas west and south of the project.
 - 2) Design and installation of all traffic calming devices based upon the final recommendations of the study.

The allocation of the \$150,000.00 dollars and type of improvements shall be subject to the Public Works Director review and approval.

- g. Mitigation measures. Prior to the issuance of a building permit for the project, the applicant, its successors, or assigns, shall complete the following:
 - 1) Traffic improvements. The applicant agrees to secure funding for the design and construction of the below listed traffic improvements to Segovia Street from Bird Road to Coral Way with the use of the applicants required Miami-Dade County Road Impact fees:
 - a) Median, street, sidewalk, drainage and other infrastructure improvements.
 - b) Landscaping and other associated improvements, and
 - c) Associated traffic calming measures in the vicinity of Segovia Street.The allocation of funds and the type of improvements is subject to Public Works Director review and approval. If the applicant cannot utilize the County traffic impact fees, the applicant shall fund the above referenced improvements up to the maximum amount the applicant would have paid in County Road Impact Fees.
 - 2) Neighborhood parking. The applicant shall coordinate with the City the removal of "Parking permitted" signs on those neighborhood streets west of LeJeune Road and the implementation of a residential permit program for the residential neighborhoods surrounding the project site. The residential permit program shall not include the posting of "no parking" signs to restrict users of the proposed buildings from parking along the surrounding residential streets. All costs associated with the removal of signs and implementation of the residential permit parking program shall be the responsibility of the applicant subject to Public Works Director and Parking Director review and approval.
 - 3) Revise the site plan, landscape plan, elevations, etc. to include the following:
 - a) Street level landscape improvements. Install the following improvements on those streets surrounding the sites to include:
 - 1. Shade trees, shrubs, ground cover, tree grates, landscape islands and drainage improvements and other improvements as identified in the City's citywide streetscape master plan, which as a minimum shall include shade trees (i.e., Mahogany or Oak trees) spaced an average of 40-50 feet on center, a minimum of 14 -16 feet in height

(minimum 3 inch caliper) at time of installation.

2. Include additional plant materials (i.e., shrubs, ground covers, vines, etc.) on both sites at the street level, elevated portions of the buildings and exterior building façades of all sides to further “green” the buildings.
3. All plant materials shall be Florida Number One or better.
4. Install structural soil within all planter areas.
5. Install underground irrigation to provide 100% plant material coverage within the subject properties and adjoining public rights-of-ways.

The above improvements and installation shall not reduce the amount of proposed on-street parking as presented on the approved site plan, and shall be subject Public Service Director, Public Works and Planning Director final review and approval.

- b) Drive-thru bank teller facility. Provide the following:
 - ~~1. Security gates at the both entrances and exist of the facility to restrict public use of the facility and insure public safety when the facility is closed. Gates shall be locked/closed at close of business of the bank.~~
 1. Vehicular directional signage.
 2. Pedestrian safety devices indicating vehicular entrance and exits of the drive-thru facility.
- h. Construction activities. In addition to the preparation of a construction staging plan, the following limitations shall apply to all construction activity until issuance of a Certificate of Occupancy for both sites:
 - 1) Construction parking. All parking and/or vehicle storage as a result of the construction of the sites (i.e., construction workers, etc) shall be limited to the internal confines of the sites or other off-site facilities. No construction vehicle parking/storage shall be permitted as a result of the construction activity in the surrounding residential neighborhoods.
 - 2) Construction vehicle access. All constructions vehicles shall be prohibited from directly access LeJeune Road from the subject properties. Construction vehicles shall be prohibited from utilizing/traversing all surrounding residential serving streets.
 - 3) Construction information/contact. The applicant shall complete the following to advise as to the construction status of the project:
 - a) Provide the neighborhood immediately west of LeJeune Road a specific liaison/contact person including a contact name, contact telephone number and email, etc. to allow easy communication of potential concerns, construction activity progress, etc.
 - b) Provide a minimum of 72 hour written notice to those residents impacted by any proposed partial street closures of any surrounding streets as a result of the projects construction activity. Full closure of streets shall be prohibited.
 - c) Develop an email subscription/distribution list to allow communication between adjacent neighbors or interested parties to assist in communication.
- i. Illumination. The following illumination standards shall apply to the buildings on both sites:
 - 1) Onsite and building signage. All signage (including but not limited to building, facade, tenant, freestanding, window, street level, etc.) located and/or facing west or on LeJeune Road shall not be illuminated.
 - 2) Building illumination. No external illumination of any portion of the buildings shall be permitted.
 - 3) Illumination necessary to satisfy applicable emergency, building code, and life/safety requirements shall be exempt from the above prohibitions.
- j. Tandem parking. All tandem parking spaces shall be a maximum of two (2) parking spaces

deep.

SECTION 3. That the applicant shall further be required to comply with all applicable zoning regulations and any changes to the submitted plans in connection with the conditional use herein granted shall require a recommendation from the Planning and Zoning Board and approval by the City Commission.

SECTION 4. That this resolution shall become effective immediately upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS EIGHTEENTH DAY OF NOVEMBER, A.D., 2008.

(Moved: Anderson / Seconded: Withers)

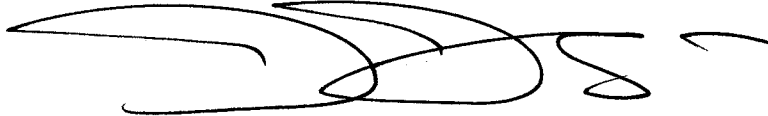
(Yeas: Withers, Anderson, Cabrera, Kerdyk)

(Absent: Slesnick)

(Majority: 4-0 Vote)

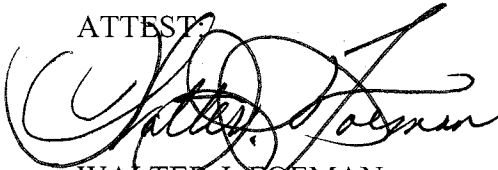
(Agenda Item: E-5)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY