	<b>City of Coral Gables Planning and Zoning Staff Recommendation</b>
<b>Applicant:</b>	<b>Bahamian Village, LLC</b>
<b>Application:</b>	<b>Review of Planned Area Development (PAD) and Change of Zoning</b>
<b>Property:</b>	<b>280 South Dixie Highway (Gables Pointe Plaza)</b>
<b>Public Hearing - Dates/Time/Location:</b>	<b>Planning and Zoning Board May 14, 2014, 6:00 – 9:00 p.m., City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134</b>

### Application Request.

Review of a Planned Area Development (PAD) and change of zoning for a proposed project referred to as "Gables Pointe Plaza", as follows:

1. *An Ordinance of the City Commission of Coral Gables, Florida requesting review of a Planned Area Development (PAD) pursuant to Zoning Code Article 3, "Development Review", Division 5, "Planned Area Development (PAD)", for the proposed project referred to as the "Gables Pointe Plaza" on the property legally described as Lots 7-27, Block 1B, MacFarlane Homestead and St. Alban's Park Section (280 South Dixie Highway), Coral Gables, Florida; including required conditions; providing for severability, repealer and an effective date. (Legal description on file at the City)*
2. *An Ordinance of the City Commission of Coral Gables, Florida requesting a change of zoning pursuant to Zoning Code Article 3, "Development Review", Division 14, "Zoning Code Text and Map Amendments" from Commercial Limited District (CL) to Commercial District (C) for the property legally described as Lot 13 and Lots 17-23, Block 1B, MacFarlane Homestead and St. Alban's Park Section (280 South Dixie Highway), Coral Gables, Florida; and providing for severability, repealer and an effective date. (Legal description on file at the City)*

Review of a Planned Area Development (PAD) and change of zoning require review and recommendation by the Planning and Zoning Board and City Commission consideration at two (2) advertised public hearings (Ordinance format).

**Summary of Application.**

Bahamian Village, LLC (hereinafter referred to as “Applicant”), has submitted an application (hereinafter referred to as the “Application”) for review of a proposed Planned Area Development (PAD) and change of zoning for consideration in accordance with the public hearing process. The application package submitted by the Applicant is provided as Attachment A.

This property is located on the northeast corner of U.S. 1 and Grand Avenue, and is approximately 1.3 acres (57,969 sq. ft.) in size. George W. Carver School is located across Grand Avenue to the south, and the MacFarlane Homestead Historic District and residential community is located to the north and east. An existing linear park/open space is located along U.S. 1 on the west side of the property. The area of the linear park/open space is owned by the Applicant, but the improvements, including landscaping, sidewalk and perimeter masonry wall were constructed and are maintained by the City. No changes are proposed to the linear park/open space.

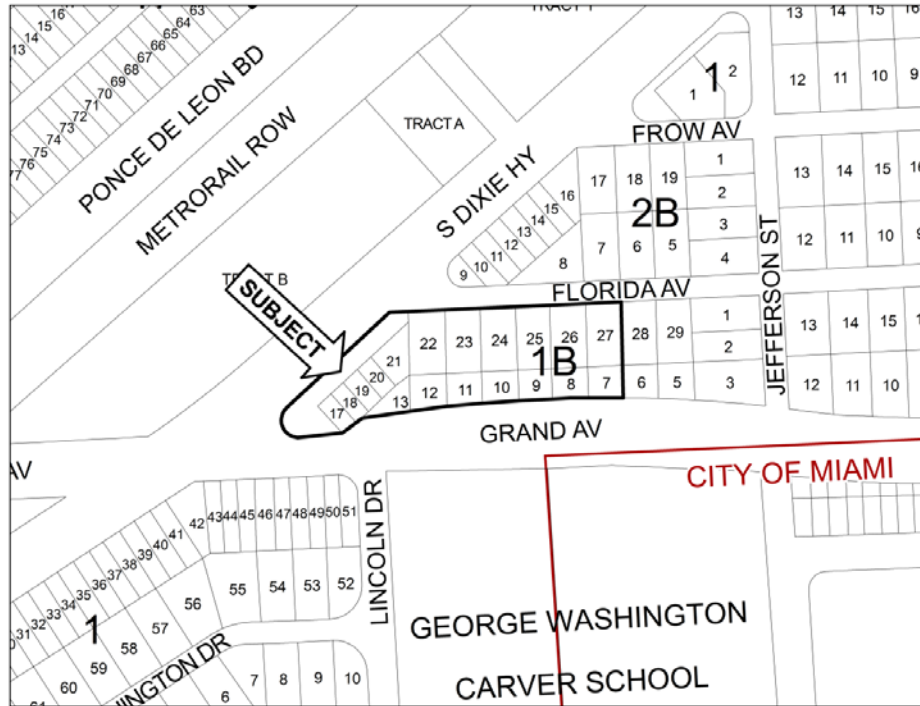
The proposed project, referred to as “Gables Pointe Plaza”, consists of two (2) separate one (1) story buildings. One building is a proposed 6,196 sq. ft. restaurant located on the west side of the property adjacent to U.S. 1, and the other building is a 2,450 sq. ft. community center facility located on the east side of the property. The community center includes 1,100 sq. ft. of office space. The proposed restaurant includes a bar and an outdoor dining area which faces south onto Grand Avenue. Eighty-one (81) on-site parking spaces are provided and are located generally in the center of the site and separate the two buildings.

Change of land use, rezoning and site plan approvals were previously granted for this property in 2005 and 2008 for a project referred to as the “Bahamian Village”. The currently approved plan (2008) consists of 21,000 sq. ft. of primarily office use within a two (2) story commercial building and 79 surface parking spaces. A variance for twenty (20) required parking spaces was granted for the previously approved project. Since a new site plan is now being proposed with a different site configuration and building program, the previously approved site plan and variance would no longer be valid if the new site plan is approved.

The entire property is currently zoned Commercial Limited (CL), except for the linear park/open space along U.S. 1, which is zoned Special Use (S). The Zoning Code only permits one building per building site, and only allows nighttime uses as a conditional use on property zoned Commercial Limited (CL) that is located within 150’ of a residentially zoned district. The Applicant is requesting a PAD site plan review, which allows for two (2) buildings on one (1) building site. The Applicant is also requesting a change of zoning from the existing Commercial Limited (CL) designation to Commercial (C) for the portion of property on which the restaurant is located, which would allow nighttime uses (between 8:00 p.m. and 6:00 a.m.) within 150’ of a residentially zoned district as a permitted use, not a conditional use. Also, nighttime requirements for a restaurant within a Commercial (C) zoned district are less restrictive than those required within a Commercial Limited (CL) zoned district. Outdoor decks, dining, drinking facilities and live music are prohibited as a nighttime use in a Commercial Limited (CL) zoned district, but not in a Commercial (C) zoned district.

The property is bounded by Florida Avenue (north), Grand Avenue (south) and South Dixie Highway (U.S. 1) (west), as shown on the following location map and aerial photo:

**Block, Lot and Section Location Map**



**Aerial**



<b>Site Data and Project Timeline.</b>
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**Site Data and Surrounding Uses**

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

**Existing Property Designations**

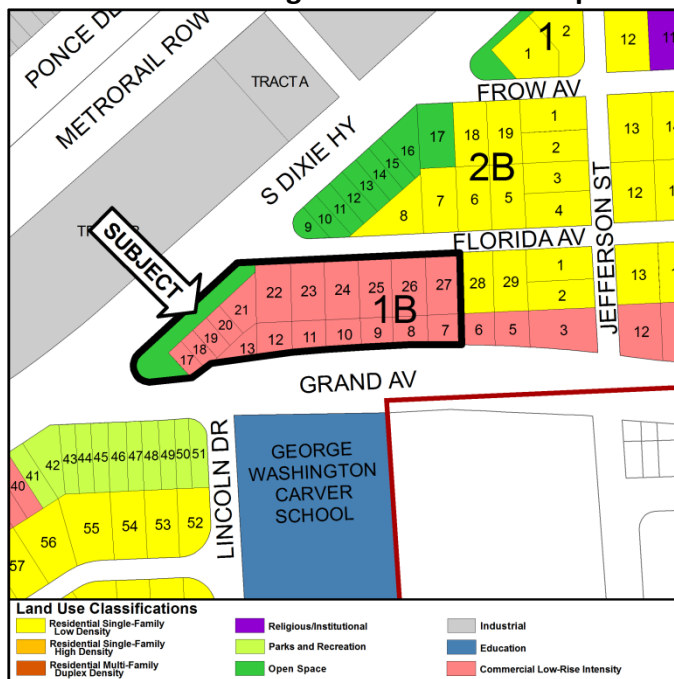
Comprehensive Plan Map designation	"Commercial Low-Rise Intensity" and "Open Space"
Zoning Map designation	Commercial Limited District (CL) and Special Use District (S)
Within Central Business District	No
Within a designated Mixed-Use Overlay District (MXOD)	No
Mediterranean Architectural District (citywide)	Yes
Within Coral Gables Redevelopment Infill District (GRID)	Yes

**Surrounding Land Uses**

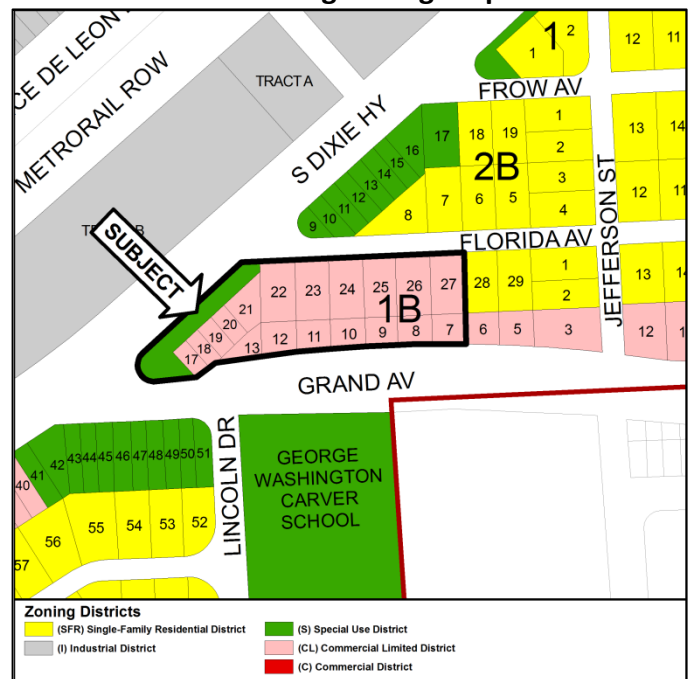
Location	Existing Land Uses	CP Designations	Zoning Designations
North	Linear City park and single-family residences	"Open Space" and "Residential Single-Family Low Density"	Single Family Residential (SFR) and Special Use District (S)
South	City park and George W. Carver School public elementary/middle school	"Parks and Recreation" and "Education"	Special Use District (S)
East	1 story commercial building and 1 story single-family residence	"Residential Single-Family Low Density" and "Commercial Low-Rise Intensity"	Single Family Residential (SFR) and Commercial Limited District (CL)
West	Linear City park / landscaped open space	"Open Space"	Special Use District (S)

The subject property currently has the existing land use and zoning designations, as illustrated in the following maps:

Existing Future Land Use Map



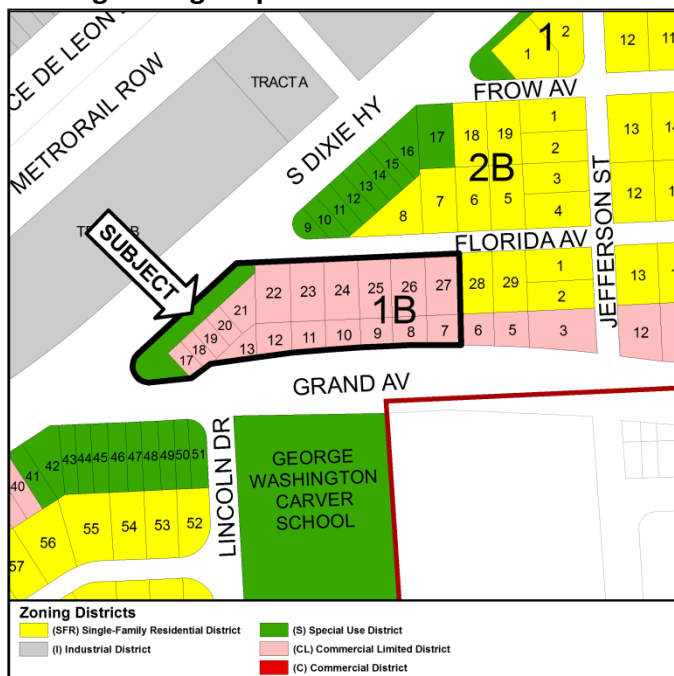
Existing Zoning Map



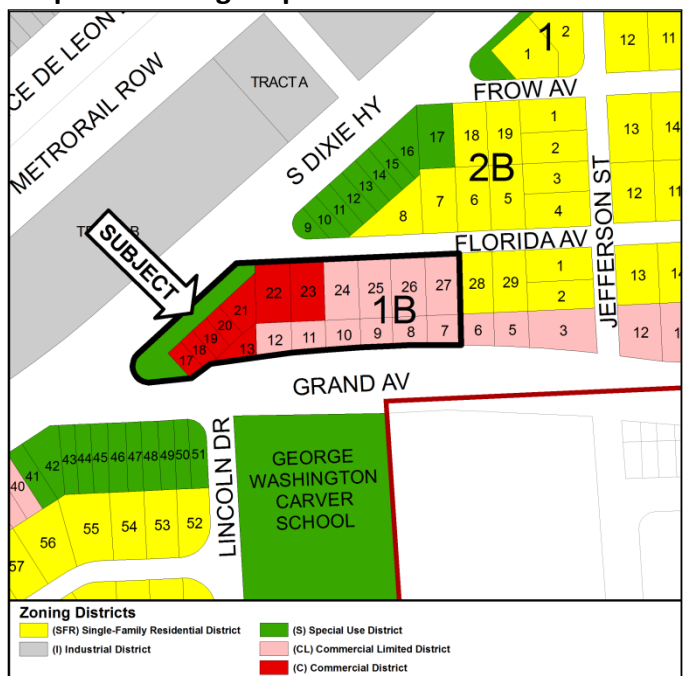
## Proposed Change in Zoning

The Applicant is requesting a change of zoning for the property from the existing Commercial Limited (CL) to Commercial (C) for the portion of property on which the restaurant is located. The change in zoning is required to allow nighttime uses as a permitted use, not a conditional use. A comparison of the existing Zoning Map designations and the Applicant's requested designations is noted on the following mapping:

Existing Zoning Map



Proposed Zoning Map



The Zoning Code's description of the Commercial District (C) designation is as follows:

City of Coral Gables Zoning Code – "Article 4 - Zoning Districts"			
Designation	Description	Density / Intensity	Height
Commercial District (C)	The purpose of the Commercial (C) District is to provide convenient access to higher intensity goods and services throughout the City in conjunction with providing economic stability without adversely impacting the integrity of residential neighborhoods, diminishing the scenic quality of the City or negatively impacting the safe and efficient movement of people and things within the City.	When multiple uses are incorporated into a development of four (4) or more stories in height, the floor area ratio (F.A.R.) for each use shall be individually determined and the highest of the individual F.A.R. shall be applied to the entire development.	The maximum permitted height is as follows: a. Pursuant to the Comprehensive Land Use Plan Map designation and/or Site Specific Zoning regulations. b. C properties shall have a height limitation of three (3) floors or forty-five (45) feet, whichever is less, within 100 feet of an adjacent, abutting or contiguous (including streets, waterways, or alleys) SFR and/or MF1 property, as measured from the C property line.

## City Review Timeline

The proposal has undergone the following City reviews:

Type of Review	Date	Results of Review
Development Review Committee	09.27.13 and 02.28.14	Comments provided to Applicant
Board of Architects	05.01.14 and 05.08.14	Preliminary approval with a condition
Board of Adjustment	N/A	N/A
Historic Preservation Board	N/A	N/A
Local Planning Agency	N/A	N/A
Planning and Zoning Board	05.14.14	TBD
City Commission (1 <sup>st</sup> reading)	06.10.14	TBD
City Commission (2 <sup>nd</sup> reading)	TBD	TBD

**Proposed Project.****Legislative History**

Change of land use, rezoning and site plan approvals were previously granted for this property in 2005 and 2008 for a project referred to as the “Bahamian Village”. The currently approved plan (2008) consists of 21,000 sq. ft. of primarily office use within a two story commercial building and 79 surface parking spaces. A variance for twenty (20) required parking spaces was granted for the previously approved project. The following ordinances were approved for that project, and copies are provided with this Staff report as Attachment B:

1. Ordinance No. 2005-03 (adopted 01.25.05) – Approved change of land use from “Residential Use (Single-Family) Low Density” to “Commercial Use, Low-Rise Intensity” for Lots 22, 23, 25, 26 and 27, which are all platted lots on the north half of the property that front on Florida Avenue. The change of land use was required to permit the project originally approved in 2005 consisting of a one (1) story commercial building with both retail and restaurant uses (11,583 sq. ft.) and a community center located on the southeast corner of the site.
2. Ordinance No. 2005-04 (adopted 01.25.05) – Approved change of zoning from “R-1-2”, Residential Single-Family to “CB”, Commercial for Lots 22, 23, 25, 26 and 27 required to be consistent with the change of land use, and site plan approval of the originally proposed project described above. Site plan approval was subject to conditions.
3. Ordinance No. 2008-07 (adopted 03.25.08) – Approved change of land use from “Residential Use (Single-Family) Low Density” to “Commercial Use, Low-Rise Intensity” for Lot 24, which was an out parcel obtained by the applicant located in the center of the property that was not included in the original site plan approved in 2005.
4. Ordinance No. 2008-08 (adopted 03.25.08) – Approved change of zoning from “R-1-2”, Residential Single-Family to “CB”, Commercial for Lot 24 required to be consistent with the change of land use, and approved proposed amendments to previous site plan approved in 2005 by approximately doubling the total square footage with the addition of a second story (21,000 sq. ft.) with retail, restaurant and office uses on the first floor and only office use on the second floor. The previously approved community center located on the southeast corner of the site was eliminated. Site plan approval was subject to conditions.

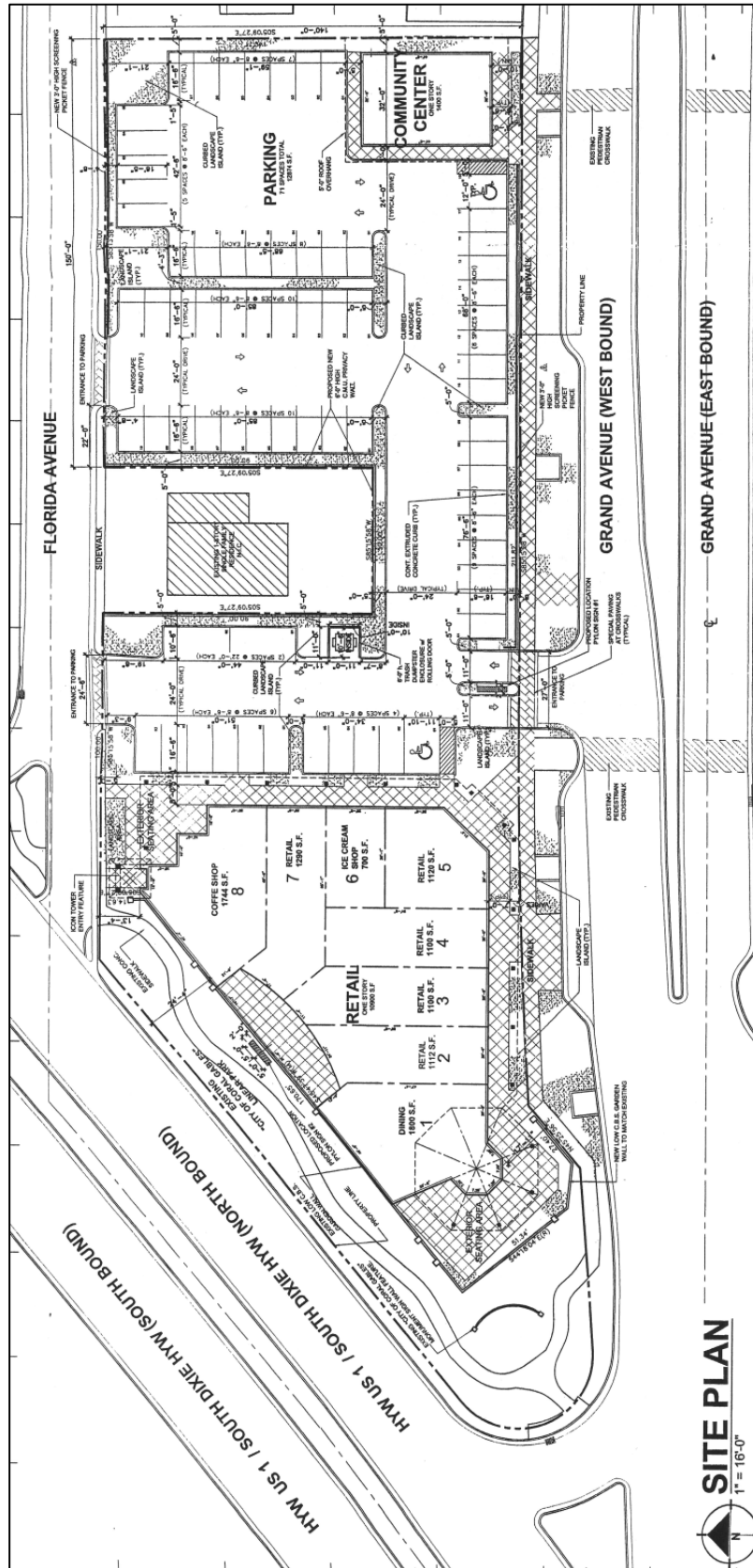
The following is a comparison of the building programs for the two previously approved site plans and the proposed project:

Type	2005 Approved Site Plan	2008 Approved Site Plan	2014 Proposed Site Plan
Total building (sq. ft.)	11,583 sq. ft.	21,000 sq. ft.	8,646 sq. ft.
- Restaurant use	4,244 sq. ft.	3,100 sq. ft.	6,196 sq. ft.
- Retail use	5,926 sq. ft.	2,476 sq. ft.	0 sq. ft.
- Office use	0 sq. ft.	15,424 sq. ft.	1,050 sq. ft.
- Community Center	1,413 sq. ft.	0 sq. ft.	1,400 sq. ft.
Floor Area Ratio (FAR)	0.20 FAR	0.36 FAR	0.15 FAR
Number of buildings	2 buildings	1 building	2 buildings
Building height (stories)	1 story	2 stories	1 story
On-site parking			
- Required parking	85 spaces	99 spaces	79 spaces
- Proposed parking	71 spaces	79 spaces	81 spaces
- Net parking gain/(loss)	(14 spaces)*	(20 spaces)*	2 spaces

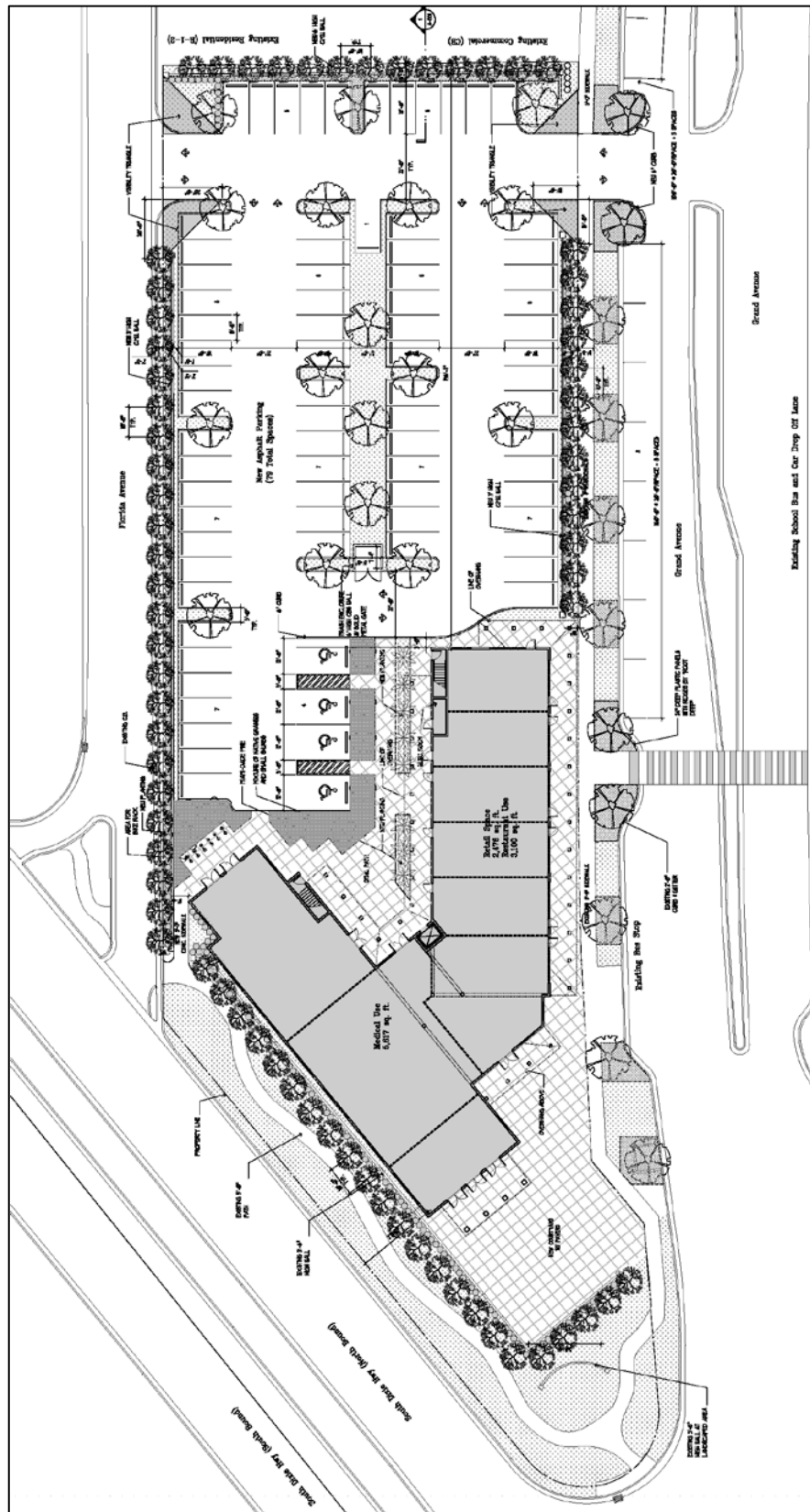
\* Variance granted

The site plans approved in 2005 and 2008 are provided for comparison with the currently proposed site plan on the following pages:

## 2005 Approved Site Plan



# 2008 Approved Site Plan



## Applicant's Proposal

The Application package submitted by the Applicant includes the following (see Attachment A):

- 1) Statement of Use;
- 2) Planning application;
- 3) Aerial;
- 4) Photographs of property, adjacent uses and streetscape;
- 5) Plat and survey of property;
- 6) Zoning Map amendment justification;
- 7) Existing and proposed Zoning Maps;
- 8) Existing Future Land Use Map;
- 9) Site plan;
- 10) Architectural building elevations and floor plans;
- 11) Landscape plan and vegetation survey;
- 12) Lighting plan;
- 13) Traffic Study – Executive summary and conclusions; and,
- 14) Background - ordinances and resolutions.

### *Board of Architects Review and Approval*

The proposed project received preliminary approval from the Board of Architects on 05.08.14 with a condition. The condition of preliminary approval is as follows:

- The Applicant shall modify the layout and elevations in ways acceptable to Staff prior to the Planning and Zoning Board meeting, and that the revised plans shall be reviewed by the Board of Architects on May 15, 2014.

The illustrations included in the Staff report will be supplemented with improved plans at the Board meeting that reflect the Board of Architects conditions pertaining to the floor plans and elevations. Final review and approval shall be required prior to the issuance of a building permit.

A Preliminary Zoning Analysis (PZA) was prepared by the Planning and Zoning Division to determine compliance with the Zoning Code. That analysis indicates that the proposed project meets all applicable Zoning Code requirements with conditions of approval as recommended within this Staff report. A copy of the PZA is provided as Attachment C. A summary of the project is provided in the following tables.

### *Site Plan Information:*

Type	Permitted	Proposed
Total site area	59,623 sq. ft. (1.4 acres)	59,623 sq. ft. (1.4 acres)
Floor area ratio (FAR)	3.5 FAR*	0.15 FAR
FAR x total site area =	202,892 sq. ft.	---
Total square footage of buildings	---	8,646 sq. ft.
Building height	3 floors/ 45'-0"***	1 floor/31'-6"

Type	Permitted	Proposed
Restaurant	---	6,196 sq. ft.
Retail	---	0 sq. ft.
Office		1,050 sq. ft.
Community Center	---	1,400 sq. ft.

\* Includes permitted architectural bonus for qualifying Mediterranean style projects.

\*\* Maximum permitted height adjacent to SFR zoning district

#### Setbacks:

Type	Zoning Code Requirement	Proposed
Setbacks:		
- Front: US 1 / S. Dixie Hwy (restaurant/bar)	10 ft.	25+ ft.
- Front: Florida Avenue (community center)	10 ft.	10 ft.
- Side street: Florida Avenue (restaurant/bar)	15 ft.	15 ft.
- Side street: Grand Avenue (restaurant/bar)	20 ft.*	15 ft.**
- Side interior (community center)	0 ft.	5 ft.
- Rear	N/A	N/A

\* Site specific Zoning Code requirement.

\*\*Setback requirement may be reduced for a PAD if approved by the City Commission.

#### Parking:

Uses	Required	Proposed
Restaurant	69 spaces	71 spaces
Retail	N/A	N/A
Office	4 spaces	4 spaces
Community Center	6 spaces	6 spaces
Total provided off-street parking	79 spaces	81 spaces
Off-street parking net gain/(loss)	---	2 spaces

#### Landscaping:

Type/location	Required	Provided
Landscape open space (on-site)	Must comply with ZC Section 5-1104.A.1 thru 11	Complies with Zoning Code requirements.
Landscape open space (rights-of-way)	Must meet City Streetscape Master Plan requirements	Complies with Zoning Code requirements.

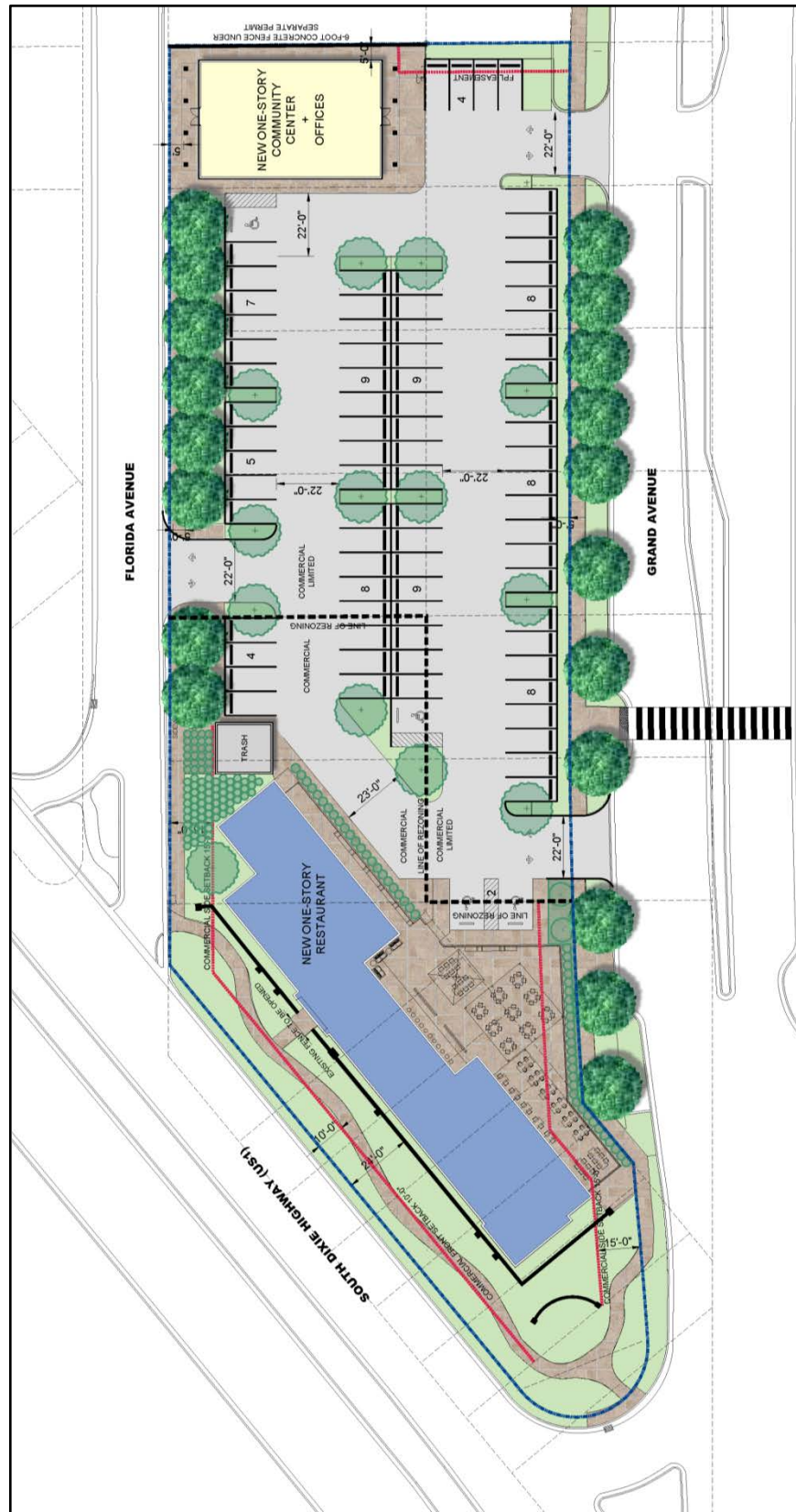
*Preliminary Zoning Analysis Findings*

Review of the Zoning Code and the Preliminary Zoning Analysis (PZA) prepared by the Planning and Zoning Division (see Attachment C) identifies a number of unresolved issues regarding the plans submitted with the Application. These issues will need to be addressed by the Applicant and plans and support information submitted to the City for administrative review and approval. City review and approval of each issue has been included as a recommended condition of approval with this Staff report. The following is a list of the issues that must be satisfactorily resolved:

1. A Restrictive Covenant shall be filed reserving within the parking lot the required off-street parking spaces for each of the buildings as required by Zoning Code Section 3-502.C.13.
2. Provision for the off-street parking of bicycles shall be provided as required by Zoning Code Section 3-502.C.13.
3. A Sign Plan shall be prepared and submitted that indicates the number, size, character, location and orientation of all signs for the PAD in accordance with Zoning Code Article 5, Division 19 as required by Zoning Code Sections 3-502.C.16 and 3-502.D.3.h.
4. Provide detailed plan and elevation drawings for the proposed trash room and proposed screening around the perimeter of the structure as required by Zoning Code Section 3-502.C.17.
5. Submit a Utilities Plan showing that all utilities within and around the perimeter of the project have been installed underground, and a statement indicating proposed arrangements with appropriate agencies for the provision of needed utilities as required by Zoning Code Sections 3-502.C.22 and 3-502.D.3.i.
6. Provide a plan of pedestrian and vehicular circulation showing the proposed circulation system of surrounding streets and driveway access to the property, vehicular circulation within the property, and pedestrian and transit systems as required by Zoning Code Sections 3-505.D.3.b.
7. All design and buffering provisions for night time uses shall be provided as required in Zoning Code Sections 4-301.E and 4-302.D.6.
8. Outdoor dining. The outdoor dining area shall not occupy an area of more than thirty (30%) percent of the public indoor dining area of the restaurant, as required by Zoning Code Section 5-119.A.3.
9. On-street parking. Payment shall be provided by Applicant, its successors or assigns according to established City requirements for the loss of on-street parking spaces as a result of the project.
10. Trash room. The proposed trash room shall be air conditioned, as required by Zoning Code Section 5-1701.

The Applicant's proposed site plans, floor plans, landscape plan, and building elevations are provided on the following pages:

# Proposed Site Plan



**Restaurant Rendering (to be reviewed by Board of Architects on May 15<sup>TH</sup>)**



**PROPOSED SOUTH DIXIE VIEW**

SCALE: N.T.S.



**PROPOSED GRAND AVE VIEW**

SCALE: N.T.S.

**Community Center Rendering (to be reviewed by Board of Architects on May 15<sup>th</sup>)**



**Findings of Fact.**

This section of the Report presents City Staff's evaluation of the Application and Findings of Fact. The City's responsibility is to review the Application for consistency with the City's Comprehensive Plan (CP) Goals, Objectives and Policies, compliance with the Zoning Code and other applicable portions of the City Code.

**Findings of Fact- Planned Area Development***Planned Area Development (PAD) Purpose and Objectives*

The stated purpose of the Zoning Code's PAD provisions is to encourage the construction of Planned Area Developments (PAD) by providing greater opportunity for construction of quality development on tracts and/or parcels of land through the use of flexible guidelines which allow the integration of a variety of land uses and densities in one development. A copy of Zoning Code Article 3, Division 5, "Planned Area Development", which provides the requirements for a PAD, is provided as Attachment D. Zoning Code Section 3-501 states that a proposed PAD project must comply with the following:

1. *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.*
2. *Encourage enhancement and preservation of lands which are unique or of outstanding scenic, environmental, cultural and historical significance.*
3. *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.*
4. *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.*
5. *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.*

*Staff comments:* The compliance of the Applicant's plans with the PAD requirements and performance standards set out in the Zoning Code have been evaluated and is provided in the Preliminary Zoning Analysis prepared by the Planning and Zoning Division as Attachment C. That analysis indicates that the proposal satisfies the Code's requirements for a PAD project with the conditions of approval as recommended within this Staff report.

Section 3-503 of the Zoning Code states the required findings for a proposed PAD project is as follows:

*The Planning and Zoning Board shall recommend to the City Commission the approval, approval with*

*modifications, or denial of the plan for the proposed PAD and shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth with particularity in what respects the proposal would or would not be in the public interest. These findings shall include, but shall not be limited to the following:*

- 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 Applicant's plans comply with the purpose and applicability for a PAD set out in Zoning Code Section 3-501 as specified in the evaluation presented in Staff's report and the following findings of fact. The requirements and performance standards set out in the Zoning Code for a PAD have been evaluated and are provided in the Preliminary Zoning Analysis prepared by the Planning and Zoning Division (see Attachment C). That analysis and compliance with the purpose and applicability for a PAD indicate that the proposal satisfies the Code's requirements for a PAD project with conditions of approval as recommended within this Staff report.

- 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 proposed project is generally in compliance with the zoning and subdivision regulations regarding density, size, area, bulk and use. The Applicant is requesting a PAD site plan review to allow two (2) buildings on one building site, which would otherwise not be permitted by Code. The redevelopment of this property is beneficial and fulfills the objective of the City to attract infill development and improve a currently vacant property. The introduction of the commercial business will create jobs and provide economic support for the surrounding commercial and retail uses, and the community center will serve the needs of the surrounding residential neighborhood. The redevelopment of the currently vacant site as proposed will also enhance pedestrian activity and encourage further redevelopment of the area and provide improvements to the deteriorating streetscape around the perimeter of the property.

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

*Staff comments:* A Preliminary Zoning Analysis (PZA) was prepared by Planning and Zoning Division Staff to determine compliance with all applicable provisions and requirements within the Zoning Code for a proposed PAD. The PZA indicates that the proposed project meets the applicable provisions and requirements within the Zoning Code with conditions of approval as recommended within this Staff report, and is included as Attachment C.

- 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:* All vehicular parking for the commercial project and community center is on the property and physically separates the two separate uses located at opposite ends of the site. Pedestrian circulation is accommodated around the perimeter of the project. The redevelopment of

the currently vacant site as proposed enhances pedestrian activity and encourages further redevelopment of the area. The project will beautify and improve the landscaping in the neighborhood, and provide improvements to the deteriorating streetscape around the perimeter of the property.

- 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 planned redevelopment of this property as proposed is compatible and complies with the intent of the Zoning Code PAD requirements and performance standards. The proposed project's height and massing is consistent with the George W. Carver School located south of the project site, and the existing commercial uses along Grand Avenue and residential properties located to the east and north. The proposal is consistent with the property's underlying "Commercial, Low-Rise Intensity" land use and Commercial Limited (CL) and proposed Commercial (C) zoning designations. The subject property is located adjacent to the MacFarlane Homestead Historic District, and the project is complimentary to the existing scale and character of the District.

- 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 infill development and improve a currently vacant property. The introduction of the commercial business will create jobs and provide economic support for the surrounding commercial and retail uses, and the community center will serve the needs of the surrounding residential neighborhood. The subject property is located within the MacFarlane Homestead Historic District, and the project is complimentary to the existing scale and character of the District.

- 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 property's existing "Commercial Low-Rise Intensity" land use designation is the appropriate designation for the proposed project. As concluded in this report, this Application is "consistent" with the CP's Goals, Objectives and Policies with the recommended conditions of approval and site plan provisions incorporated by the Applicant which address the City's objectives for encouraging infill development in the City.

## **Findings of Fact - Change of Zoning**

Zoning Code Section 3-1404 provides the standards for review of applicant-initiated zoning district boundary changes (change of zoning), as follows:

- A. An applicant-initiated district boundary change shall be approved if it is demonstrated that the application satisfies all of the following:*
- 1. It is consistent with the Comprehensive Land Use Plan in that it:*
    - a. Does not permit uses which are prohibited in the future land use category of the parcel proposed for development.*

- ### Staff Recommendation

### Staff Recommendation

### *Commercial Nighttime Uses*

Nighttime commercial use is defined by the Zoning Code as “business activities and operations which take place between the hours of 8:00 p.m. and 6:00 a.m., not including ordinary janitorial activities.” The Zoning Code only allows nighttime uses as a conditional use on property zoned Commercial Limited (CL) within 150’ of a residentially zoned district. The Applicant is requesting a change of zoning from the existing Commercial Limited (CL) designation to Commercial (C) for the portion of property on which the restaurant is located, which would allow nighttime uses within 150’ of a residentially zoned district as a permitted use, not a conditional use. Also, nighttime requirements for a restaurant within a Commercial (C) zoned district are less restrictive than those required within a Commercial Limited (CL) zoned district. Outdoor decks, dining, drinking facilities and live music are prohibited in a Commercial Limited (CL) zoned district, but not in a Commercial (C) zoned district.

As proposed, the project’s community center building, which would be designated Commercial Limited (CL), would be required to implement all performance standards and operational requirements for nighttime uses as specified in Zoning Code Section 4-301.E. The project’s restaurant building, which would be designated Commercial (C), would be required to implement all performance standards and operational requirements for nighttime uses as specified in Zoning Code Section 4-302.D.6. The specific performance standards and operational requirements as referenced for each of those zoning districts are provided in the Preliminary Zoning Analysis (PZA) prepared by the Planning and Zoning Division to determine compliance with the Zoning Code and provided as Attachment C. Compliance with those provisions is included as a recommended condition of approval.

### *Traffic Study*

The property is located in the Gables Redevelopment Infill District (GRID), which was created to encourage infill development by exempting projects from concurrency analysis for traffic capacity. A Traffic Study was submitted with the Application prepared by David Plummer and Associates and dated February, 2014. The Traffic Study has been reviewed by the Public Works Department, and the Public Works Department recommends the following traffic circulation improvements:

- 1) Provide directional median opening on Grand Avenue preventing vehicles exiting the development from making left-turns onto Grand Avenue due to the proximity to the school crosswalk. Eastbound left-turn movement on Grand Avenue will be provided allowing vehicles to access the development.
- 2) Right-turn only pavement markings and signs shall be installed at the southern driveways’ exits to Grand Avenue.
- 3) Driveway on north side of project must comply with the City of Coral Gables Public Works sight distance requirements.
- 4) Prepare and submit a directional sign and markings plan.
- 5) All work on Grand Avenue will require approval from the Miami Dade County Public Works Department.

*Concurrency Management*

This project has been reviewed for compliance with the City's Concurrency Management program. The Concurrency Impact Statement (CIS) for the project indicates that there is adequate infrastructure available to support the project. The CIS is on file with the City and available for review.

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

This section provides a detailed analysis of the CP providing a basis of consistency, and finds the following CP Goals, Objectives and Policies are consistent:

<b>Ref. No.</b>	<b>CP Goal, Objective and Policy</b>	<b>Staff Review</b>
1.	<b>Goal FLU-1.</b> Protect, strengthen, and enhance the City 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.	<b>Objective FLU-1.1.</b> 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.	<b>Objective FLU-1.2.</b> Efforts shall continue to be made to control blighting influences, and redevelopment shall continue to be encouraged in areas experiencing deterioration.	Complies
4.	<b>Policy FLU-1.3.2.</b> All development applications in residential neighborhoods shall continue to be reviewed by applicable boards and committees to ensure the protection from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic. The City will continue to enforce the adopted restrictive design standards; historic preservation policies and the applicable performance standards of the Commercial Limited designation in the Zoning Code.	Complies
5.	<b>Policy FLU-1.3.3.</b> Non-residential uses designated in the Comprehensive Plan which cause significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic, shall provide buffering such as landscaping, walls and setbacks, when located adjacent to or across the street from incompatible uses such as residential uses.	Complies
6.	<b>Policy FLU-1.11.1.</b> Maintain and enforce effective development and maintenance regulations through site plan review, code enforcement, and design review boards and committees.	Complies

Ref. No.	CP Goal, Objective and Policy	Staff Review
7.	<b>Objective FLU-1.13.</b> The City shall enforce the recently adopted Zoning Code which creates, preserves and maintains scenic vistas in keeping with the classic traditions as embodied in the original city plan.	Complies
8.	<b>Objective FLU-1.14.</b> The City shall enforce Zoning Code provisions which continue to preserve and improve the character of neighborhoods.	Complies
9.	<b>Policy FLU-1.14.1.</b> The City shall enforce Zoning Code provisions which continue to address the location and extent of residential and non-residential land uses consistent with the Future Land Use Map in order to preserve the character of existing neighborhoods.	Complies
10.	<b>Goal FLU-3.</b> The City as a part of its development review process shall engage public/community participation and collaboration to provide for a transparent development review process.	Complies
11.	<b>Objective FLU-3.1.</b> The City shall continue its efforts to notify stakeholders, residents, property owners and neighborhood associations of pending development reviews to provide transparency within the development process.	Complies
12.	<b>Policy FLU-3.1.1.</b> The Planning Department shall, when necessary, assist in the dissemination of information of applications to surrounding properties with the intent of supporting all the goals, objective and policies of the Comprehensive Plan. Specifically as it relates to ensuring residential areas are protected from potential impacts which may include noise, light, traffic, and vehicular access.	Complies
13.	<b>Policy FLU-3.2.2.</b> The Planning Department, when receiving a development proposal for property that adjoins a single-family residential district, shall facilitate the contact and discussion between applicants and known organized neighborhood groups and neighborhood associations to provide the opportunity to resolve potential neighborhood issues prior to City review at public hearings. The necessity to complete further collaboration and consensus decision making to mitigate or resolve identified issues may be conducted by the City's Planning Department or outside mediation services such as the South Florida Regional Planning Council, Institute for Community Collaboration.	Complies
14.	<b>Goal DES-1.</b> Maintain the City as a livable city, attractive in its setting and dynamic in its urban character.	Complies
15.	<b>Objective DES-1.1.</b> 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
16.	<b>Policy DES-1.1.3.</b> Ensure that the design of buildings and spaces in historic areas of the City complements, is compatible with, does not attempt to imitate and does not undermine the City's historic character.	Complies
17.	<b>Policy DES-1.1.5.</b> 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

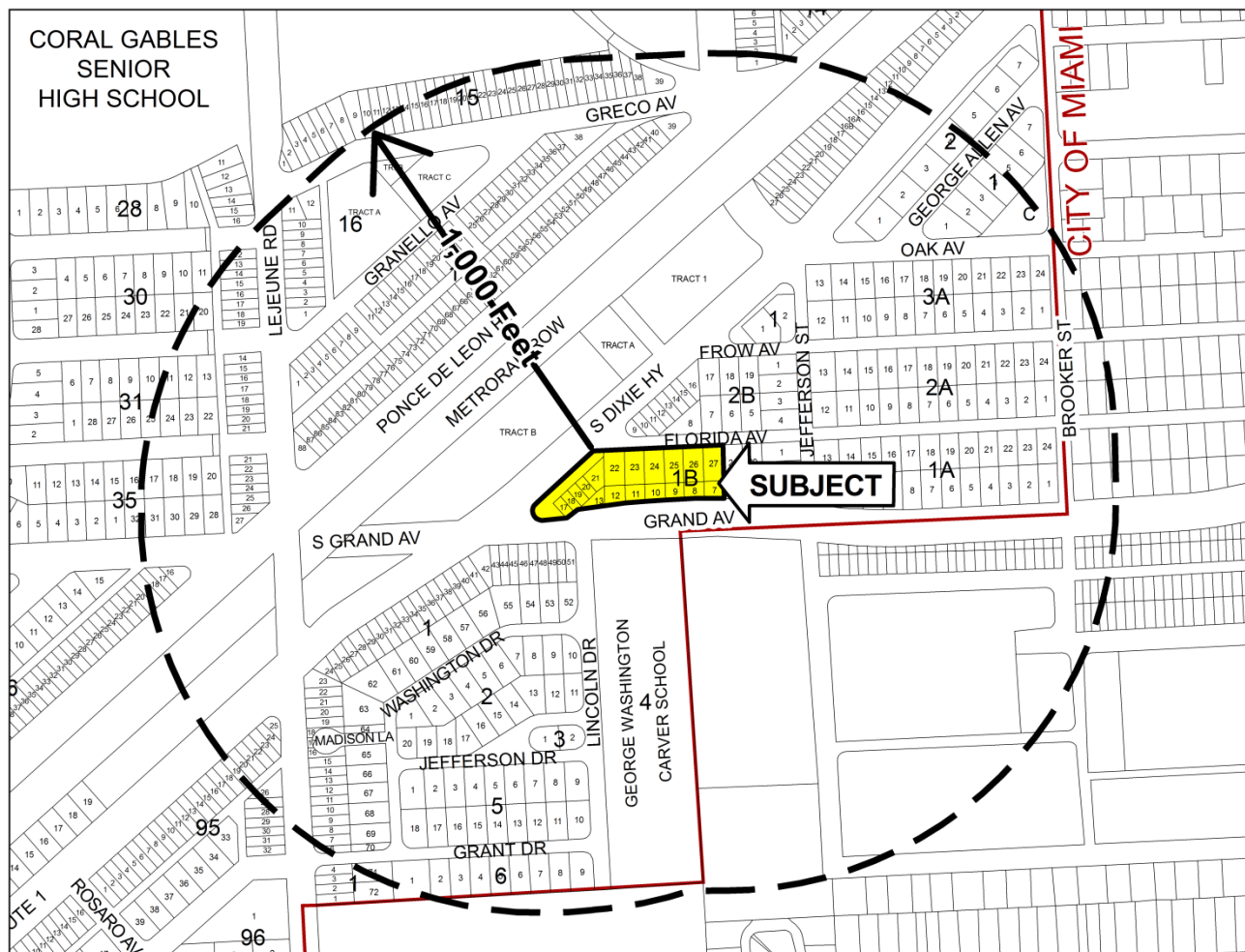
Ref. No.	CP Goal, Objective and Policy	Staff Review
18.	<b>Policy DES-1.1.6.</b> Maintain the character of the residential and nonresidential districts, and their peculiar suitability for particular uses.	Complies
19.	<b>Objective DES-1.3.</b> Encourage high quality signage that is attractive, appropriately located and scaled, and balances visibility with aesthetic needs.	Complies
20.	<b>Objective MOB-1.1.</b> 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
21.	<b>Policy MOB-1.1.2.</b> Encourage land use decisions that encourage infill, redevelopment and reuse of vacant or underutilized parcels that support walking, bicycling and public transit use.	Complies
22.	<b>Policy MOB-1.1.3.</b> Locate higher density development along transit corridors and near multimodal stations.	Complies
23.	<b>Policy MOB-1.1.5.</b> 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
24.	<b>Policy MOB-1.1.8.</b> Protect residential areas from parking impacts of nearby nonresidential uses and businesses and discourage parking facilities that intrude, impact and increase traffic into adjacent residential areas.	Complies
25.	<b>Policy MOB-2.7.1.</b> 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
26.	<b>Policy MOB-2.8.1.</b> The City shall continue implementation and further strengthen the City's existing land development regulations requiring the placement of landscaping within rights-of-way to complete the following: <ul style="list-style-type: none"> <li>•Promote expansion of the City's existing tree canopy.</li> <li>•Provide screening of potentially objectionable uses.</li> <li>•Serve as visual and sound buffers.</li> <li>•Provide a comfortable environment for pedestrian walking (walkability)/activities.</li> <li>•Improve the visual attractiveness of the urban and residential areas.</li> </ul>	Complies

*Staff Comments:* Staff's has determined the Application is "consistent" with the CP's Goals, Objectives and Policies identified herein. Compliance is achieved subject to the conditions of approval recommended by Staff and satisfaction of all applicable Zoning Code and Comprehensive Plan requirements.

## Public Notification and Comments.

The Applicant completed the mandatory neighborhood meeting on 05.07.14 with notification to all property owners within 1,000 feet of the property boundary. The Zoning Code requires courtesy notification be provided to all property owners within 1,000 feet of the PAD project boundary (see below map). The notice identifies the application filed, proposed public hearing dates/times, opportunity to submit comments and location where the application file can be reviewed. A total of 286 notices were mailed. Public comments received shall be provided to the Board at the public hearing. A copy of the legal advertisement and courtesy notice are provided as Attachments E and F.

### Courtesy Notification Radius Map



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

**Public Notice**

Type	Date
Applicant neighborhood meeting	05.07.14
Courtesy notification - 1,000 feet of the property	05.02.14
Posting of property	05.02.14
Legal advertisement	05.02.14
Posted agenda on City web page/City Hall	05.09.14
Posted Staff report on City web page	05.09.14

**Staff Recommendation and Conditions of Approval.**

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

1. *An Ordinance of the City Commission of Coral Gables, Florida requesting review of a Planned Area Development (PAD) pursuant to Zoning Code Article 3, "Development Review", Division 5, "Planned Area Development (PAD)", for the proposed project referred to as the "Gables Pointe Plaza" on the property legally described as Lots 7-27, Block 1B, MacFarlane Homestead and St. Alban's Park Section (280 South Dixie Highway), Coral Gables, Florida; including required conditions; providing for severability, repealer and an effective date. (Legal description on file at the City)*
2. *An Ordinance of the City Commission of Coral Gables, Florida requesting a change of zoning pursuant to Zoning Code Article 3, "Development Review", Division 14, "Zoning Code Text and Map Amendments" from Commercial Limited District (CL) to Commercial District (C) for the property legally described as Lot 13 and Lots 17-23, Block 1B, MacFarlane Homestead and St. Alban's Park Section (280 South Dixie Highway), Coral Gables, Florida; and providing for severability, repealer and an effective date. (Legal description on file at the City)*

**Summary of the Basis for Approval**

Staff's support of the Application is based on compliance with the Comprehensive Plan (CP) Goals, Objectives and Policies, Zoning Code and other applicable Codes as enumerated in the complete Findings of Fact presented within this Staff Report.

**Conditions of Approval**

In furtherance of the Comprehensive Plan's Goals, Objectives and Policies, Zoning Code and other applicable City provisions, the recommendation for approval of the PAD site plan referred to as "Gables Pointe Plaza" is subject to all of the following conditions of approval:

1. Application/supporting documentation. Construction of the proposed project shall be in substantial conformance with the following:

- a. Applicant's Plan Submittal Package dated 05.14.14.
  - b. Site plan and architectural drawings prepared by Studio X Architects and submitted with Applicant's Plan Submittal Package dated 05.14.14.
  - c. Landscape plan prepared by Bell-la Landscape Architecture and dated 03.28.14.
  - d. Traffic Impact Study, dated February, 2014 prepared by David Plummer and Associates.
  - e. Initial Application submittal as amended via the City review process and all representations proffered by the Applicant's representatives as a part of the review of the Application at public hearings.
2. Restrictive covenant. Within 30 days of approval, the property owner, its successors or assigns shall submit a draft restrictive covenant for City Attorney review/approval outlining all conditions of approval as approved by the City Commission. Failure to submit the covenant within the specified time frame shall render the approval void unless said time frame for submittal of the covenant is extended by the City Attorney after good cause as to why the time frame should be extended.
  3. Prior to the issuance of a City Building Permit for the project, the Applicant, property owner(s), its successors or assigns, shall satisfy the following conditions:
    - a. A Restrictive Covenant shall be filed reserving within the parking lot the required off-street parking spaces for each of the buildings as required by Zoning Code Section 3-502.C.13, subject to review and approval by the City Attorney and Director of Planning and Zoning.
    - b. Provision for the off-street parking of bicycles shall be provided as required by Zoning Code Section 3-502.C.13, subject to review and approval by the Director of Planning and Zoning.
    - c. A Sign Plan shall be prepared and submitted that indicates the number, size, character, location and orientation of all signs for the PAD in accordance with Zoning Code Article 5, Division 19 as required by Zoning Code Sections 3-502.C.16 and 3-502.D.3.h, subject to review and approval by the Director of Planning and Zoning.
    - d. Provide detailed plan and elevation drawings for the proposed trash room and proposed screening around the perimeter of the structure as required by Zoning Code Section 3-502.C.17, subject to review and approval by the Directors of Public Service and Planning and Zoning.
    - e. Submit a Utilities Plan showing that all utilities within and around the perimeter of the project have been installed underground, and a statement indicating proposed arrangements with appropriate agencies for the provision of needed utilities as required by Zoning Code Sections 3-502.C.22 and 3-502.D.3.i, subject to review and approval by the Directors of Public Works and Planning and Zoning.
    - f. Provide a plan of pedestrian and vehicular circulation showing the proposed circulation system of surrounding streets and driveway access to the property, vehicular circulation within the property, and pedestrian and transit systems as required by Zoning Code Sections 3-505.D.3.b, subject to review and approval by the Directors of Public Works, Public Service and Planning and Zoning.
    - g. All design and buffering provisions for night time uses shall be provided as required in Zoning Code Sections 4-301.E and 4-302.D.6, subject to review and approval by the Directors of Public Works and Planning and Zoning.
    - h. Outdoor dining. The outdoor dining area shall not occupy an area of more than thirty (30%) percent of the public indoor dining area of the restaurant, as required by Zoning Code Section 5-119.A.3., subject to review and approval by the Director of Planning and Zoning.

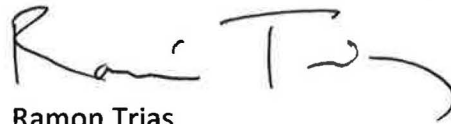
- i. On-street parking. Payment shall be provided by Applicant, its successors or assigns according to established City requirements for the loss of on-street parking spaces as a result of the project.
  - j. Proposed landscaping plan shall require review and approval by the Directors of Public Service and Planning and Zoning.
  - k. Trash room. The proposed trash room shall be air conditioned, as required by Zoning Code Section 5-1701, subject to review and approval by the Director of Planning and Zoning.
4. Prior to the issuance of the final Certificate of Occupancy (CO) for the project, the Applicant, property owner, its successors or assigns shall complete the following:
  - a. Right-of-way and public realm improvements. Installation of all right-of-way improvements and all landscaping, public realm and streetscape improvements identified on the Applicant's plans, subject to review and approval by the Directors of Public Works, Public Service and Planning and Zoning.
  - b. Traffic circulation improvements. The property owner, its successors or assigns shall complete and install the following traffic circulation improvements, as recommended by the Public Works Department, subject to review and approval by the Director of Public Works:
    - 1) Provide directional median opening on Grand Avenue preventing vehicles exiting the development from making left-turns onto Grand Avenue due to the proximity to the school crosswalk. Eastbound left-turn movement on Grand Avenue will be provided allowing vehicles to access the development.
    - 2) Right-turn only pavement markings and signs shall be installed at the southern driveways' exits to Grand Avenue.
    - 3) Driveway on north side of project must comply with the City of Coral Gables Public Works sight distance requirements.
    - 4) Prepare and submit a directional sign and markings plan.
    - 5) All work on Grand Avenue will require approval from the Miami Dade County Public Works Department.
5. The project's community center building shall be required to implement and meet all performance standards and operational requirements for nighttime uses as specified in Zoning Code Section 4-301.E, subject to review and approval by the Director of Planning and Zoning and regulation by Code Enforcement.
6. The project's restaurant building shall be required to implement and meet all performance standards and operational requirements for nighttime uses as specified in Zoning Code Section 4-302.D.6, subject to review and approval by the Director of Planning and Zoning and regulation by Code Enforcement.
7. Changes to right-of-way and public realm improvements. Changes to and departures from the right-of-way and public realm improvements identified on the Applicant's plans and associated detail plans and specifications via the permitting process shall be subject to review and approval by Directors of Public Works, Public Service, Parking and Planning and Zoning.

<b>Attachments.</b>
---------------------

- A. Applicant's Submittal Package.
- B. Ordinances No. 2005-03, 2005-04, 2008-07 and 2008-08.
- C. 04.28.14 Planning and Zoning Division Preliminary Zoning Analysis.
- D. Zoning Code Article 3, Division 5, Planned Area Development.
- E. 05.02.14 Legal notice published.
- F. 05.02.14 Courtesy notice mailed to all property owners within 1,000 feet of the MXD project boundary.

Please visit the City's webpage at [www.coralgables.com](http://www.coralgables.com) to view all Application plans and 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 Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134.

Respectfully submitted,



Ramon Trias  
Director of Planning and Zoning  
City of Coral Gables, Florida

GABLES POINTE PLAZA

PLANNING & ZONING

MAY 14, 2014

WITH REVISED PLANS FOR  
CITY COMMISSION MEETING

August 26, 2014

## Table of Contents

- a. Statement of Use
- b. Planning application
- c. Aerial
- d. Photographs of property, adjacent uses and streetscape
- e. Plat and survey of property
- f. Zoning Map amendment justification
- g. Existing and proposed Zoning Maps
- h. Existing Future Land Use Map
- i. Site plan and Phase Plan
- j. Phase I: Architectural building elevations and floor plans  
Phase II: Elevations for Illustrative purposes only
- k. Landscape plan and vegetation survey
- l. Lighting plan
- m. Traffic Study – Executive summary, Conclusion and Addendum
- n. Background – Ordinances, Resolutions and Park Easement

## **STATEMENT OF USE**

Bahamian Village, LLC, (a public private joint venture with Redevco Grand, LLC (“Redevco”) and The LBW Homeowners, Inc. (“LBW”)) is the owner of the irregularly shaped vacant parcel of land located at 280 South Dixie Highway, Coral Gables, Florida, bordered by Grand Avenue, Florida Avenue, and U.S. 1.

As way of background, Bahamian Village, LLC (“BV”) obtained site plan approval for a project in 2005, which was then amended in 2008. Due to third parties’ utility encroachments, the developer was prevented from moving forward with this project.

BV is proposing a new site plan with a new name – Gables Pointe Plaza. BV proposes to develop the property in two phases as part of its PAD/Site Plan application. BV is also requesting a Change in Zoning District for a portion of the subject property. This new site plan is substantially scaled down from the 2008 approval.

### **Phase I:**

Phase One will consist of the Community Center/Office building, its respective parking and landscaping along the Florida Avenue perimeter on either side of the Florida Avenue driveway. Phase Two will be a future restaurant(s) use tenant(s) with outdoor seating with its respective parking as reflected on the plans, removal of the wall on U.S. 1 in the City’s park easement and landscaping along Grand Avenue.

The Community Center/Office building will be located at the far northeastern corner of the property fronting Florida Avenue. It will house LBW and the offices of Redevco. As required by the Zoning Code for commercial uses abutting and adjacent to residential uses, the site will be heavily landscaped on Florida Avenue and Grand Avenue.

### **Phase II:**

BV proposes a restaurant use footprint along U.S. 1 with outdoor dining along the Grand Avenue side with a sidewalk connecting the outdoor dining to the park. The property is currently zoned Commercial Limited (CL). BV is requesting to change

the zoning to Commercial (C) on a portion of the property along U.S. 1. The rezoning will allow the operation of a full-service restaurant with outdoor dining and nighttime hours. CL zoning allows for the restaurant and outdoor dining but restricts the nighttime operations and use of music across from residential use. The proposed restaurant footprint has been oriented away from the residential neighborhood and adjacent to the City park easement along U.S. 1 and across the street from park areas on both Grand and Florida Avenues. The outdoor dining is oriented toward Grand Avenue and the interior parking lot. The LBW Homeowners Association and numerous residents support this project as submitted.

The renderings for Phase II are for illustrative purposes only. When BV brings forward a tenant and its respective floor plan, BV will work with Planning & Zoning staff and the Board of Architects.

As part of the PAD site plan application, the applicant requests to rescind the existing Declarations of Restrictive Covenants filed with the prior projects and the previous site plan ordinances.

The applicant proffers the following conditions on the proposed site plan approval:

1. No overflow parking intrusion into the residential neighborhood.
2. Restrict nighttime outdoor dining hours to midnight seven days a week.
3. Full service restaurant with liquor licenses shall have hours of operation as set forth below (less than permitted by City Code):
  - a. Sunday – Thursday            9:00 am to 1:00 am – the following day
  - b. Friday & Saturday            9:00 am to 2:00 am – the following day
4. Outdoor dining shall not occupy more than 30% of the public indoor dining area.

BV has worked diligently with City and County staff to address all issues and concerns.



# City of Coral Gables Planning Division Application

305.460.5211

planning@coralgables.com

www.coralgables.com

## Application request

The undersigned applicant(s)/agent(s)/property owner(s) request City of Coral Gables consideration and review of the following application(s) (please check all that apply):

- ☐ Abandonment and Vacations
- ☐ Annexation
- ☐ Coral Gables Mediterranean Architectural Design Special Locational Site Plan
- ☐ Comprehensive Plan Map Amendment - Small Scale
- ☐ Comprehensive Plan Map Amendment - Large Scale
- ☐ Comprehensive Plan Text Amendment
- ☐ Conditional Use - Administrative Review
- ☐ Conditional Use without Site Plan
- ☐ Conditional Use with Site Plan
- ☐ Development Agreement
- ☐ Development of Regional Impact
- ☐ Development of Regional Impact - Notice of Proposed Change
- ☐ Mixed Use Site Plan
- ☒ Planned Area Development Designation and Site Plan
- ☐ Planned Area Development Major Amendment
- ☐ Restrictive Covenants and/or Easements
- ☐ Site Plan
- ☐ Separation/Establishment of a Building Site
- ☐ Subdivision Review for a Tentative Plat and Variance
- ☐ Transfer of Development Rights Receiving Site Plan
- ☐ University Campus District Modification to the Adopted Campus Master Plan
- ☒ Zoning Code Map Amendment
- ☐ Zoning Code Text Amendment
- ☐ Other: \_\_\_\_\_

## General information

Street address of the subject property: 280 South Dixie Highway

Property/project name: Gables Pointe Plaza

Legal description: Lot(s) See Exhibit "A" attached hereto and made a part hereof

Block(s) \_\_\_\_\_ Section (s) \_\_\_\_\_

Property owner(s): Bahamian Village, LLC

Property owner(s) mailing address: 11098 Biscayne Blvd., Suite 103, Miami, Florida 33161-7486

Telephone: Business 305-891-0888 Fax \_\_\_\_\_

Other \_\_\_\_\_ Email dsk @ redevco.org



Applicant(s)/agent(s): Laura L. Russo, Esq.

Applicant(s)/agent(s) mailing address: 2655 LeJeune Road, Suite PH 2-B, Coral Gables, FL 33134

Telephone: Business 305-476-8300 ext. 17 Fax 305-476-8383

Other Cell: 305-801-9002 Email Laura @ Laurarussolaw.com

## Property information

Current land use classification(s): Commercial Low Rise Intensity / Open Space

Current zoning classification(s): Commercial Limited / Special Use District

Proposed land use classification(s) (if applicable): N/A

Proposed zoning classification(s) (if applicable): Commercial for a portion of property abutting U.S. 1

## Supporting information (to be completed by Planning Staff)

A Preapplication Conference is required with the Planning Division in advance of application submittal to determine the information necessary to be filed with the application(s). Please refer to the Planning Division Development Review Process Handbook, Section 3.0, for an explanation of each item. If necessary, attach additional sheets to application. The Planning Division reserves the right to request additional information as necessary throughout the entire review process.

- ☒ Aerial.
- ☒ Affidavit providing for property owner's authorization to process application.
- ☐ Annexation supporting materials.
- ☒ Application fees.
- ☒ Application representation and contact information.
- ☐ Appraisal.
- ☒ Architectural/building elevations.
- ☒ Building floor plans.
- ☐ Comprehensive Plan text amendment justification.
- ☐ Comprehensive Plan analysis.
- ☒ Concurrency impact statement.
- ☐ Encroachments plan.
- ☐ Environmental assessment.
- ☐ Historic contextual study and/or historical significance determination.
- ☒ Landscape plan.
- ☒ Lighting plan.
- ☐ Massing model and/or 3D computer model.
- ☒ Miami-Dade County Conflict of Interest and Code of Ethics Lobbyist form.
- ☒ Ordinances, resolutions, covenants, development agreements, etc. previously granted for the property.
- ☐ Parking study.
- ☒ Photographs of property, adjacent uses and/or streetscape.
- ☒ Plat.
- ☒ Property survey and legal description.



- ☒ Property owners list, notification radius map and two sets of labels.
- ☐ Public Realm Improvements Plan for mixed use projects.
- ☐ Public school preliminary concurrency analysis (residential land use/zoning applications only).
- ☐ Sign master plan.
- ☒ Site plan and supporting information.
- ☒ Statement of use and/or cover letter.
- ☐ Streetscape master plan.
- ☐ Traffic accumulation assessment.
- ☐ Traffic impact statement.
- ☒ Traffic impact study.
- ☐ Traffic stacking analysis.
- ☐ Utilities consent.
- ☐ Utilities location plan.
- ☒ Vegetation survey.
- ☐ Video of the subject property.
- ☐ Zoning Analysis ( Preliminary).
- ☒ Zoning Code text amendment justification.
- ☒ Warranty Deed.
- ☐ Other: \_\_\_\_\_

## Application submittal requirements

1. Hard copies. Sixteen (16) hard copies of the entire application shall be submitted including all items identified in the preapplication conference.
2. Digital media copies. Two (2) compact discs (CD ROMs) of the entire application including all the items identified in the Preapplication Conference. Each document shall be separated into PDF files (i.e., application; site plan, landscape plan; etc.). Please include a "Table of Contents" identifying all PDF file name(s). Each PDF file size shall not exceed 10 Mb. All discs shall be labeled with the applicant(s) name, project name and date of submittal.

## Applicant/agent/property owner affirmation and consent

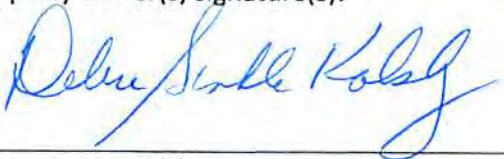
(I) (We) affirm and certify to all of the following:

1. Submission of the following:
  - a. Warranty deed/tax record as proof of ownership for all properties considered as a part of the application request; or
  - b. Authorized as the applicant(s)/agent(s) identified herein to file this application and act on behalf of all current property owner(s) and modify any valid City of Coral Gables entitlements in effect during the entire review process.
2. This request, application, application supporting materials and all future supporting materials complies with all provisions and regulations of the Zoning Code, Comprehensive Land Use Plan and Code of Ordinances of the City of Coral Gables unless identified and approved as a part of this application request or other previously approved applications. Applicant understands that any violation of these provisions renders the application invalid.
3. That all the information contained in this application and all documentation submitted herewith is true to the best of (my) (our) knowledge and belief.
4. Understand that the application, all attachments and fees become a part of the official records of the City of Coral Gables and are not returnable.



# City of Coral Gables Planning Division Application


5. Failure to provide the information necessary pursuant to the established time frames included but not limited to application submittal, submission of revised documents, etc. for review by City Staff and the designated reviewing entity may cause application to be deferred without further review until such time the requested information is submitted.
6. All representatives of the application have registered with and completed lobbyist forms for the City of Coral Gables City Clerk's office.
7. Understand that under Florida Law, all the information submitted as part of the application are public records.
8. Additional costs in addition to the application fees may be assessed associated with the review of applications by the City. These are costs that may be incurred by the applicant due to consultant fees paid by City to review the application. The types of reviews that could be conducted may include but are not limited to the following: property appraisals; traffic impact analyses; vegetation/environmental assessments; archeological/historic assessments; market studies; engineering studies or reports; and legal fees. Such fees will be assessed upon finalization of the City application review.

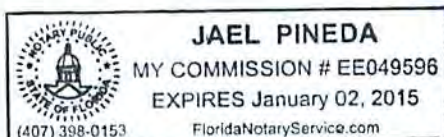
Property owner(s) signature(s): 	Property owner(s) print name: Bahamian Village, LLC Redevco Grand, LLC, Managing Member Debra Sinkle-Kolsky, Manager of Redevco Grand, LLC	
Property owner(s) signature(s):	Property owner(s) print name:	
Property owner(s) signature(s):	Property owner(s) print name:	
Address: 11098 Biscayne Blvd., Suite 103, Miami, FL 33161		
Telephone: 305-981-0888	Fax: 305-891-0003	Email: dsk@redvco.org

## NOTARIZATION

STATE OF FLORIDA/COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 14 day of March 2014 by Debra Sinkle-Kolsky

(Signature of Notary Public - State of Florida) 



(Print, Type or Stamp Commissioned Name of Notary Public)

☒ Personally Known OR ☐ Produced Identification; Type of Identification Produced \_\_\_\_\_



Contract Purchaser(s) Signature:	Contract Purchaser(s) Print Name:
Contract Purchaser(s) Signature:	Contract Purchaser(s) Print Name:

Address:

Telephone:	Fax:	Email:
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NOTARIZATION

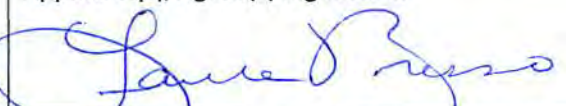
STATE OF FLORIDA/COUNTY OF

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ by \_\_\_\_\_

(Signature of Notary Public - State of Florida)

(Print, Type or Stamp Commissioned Name of Notary Public)

☐ Personally Known OR ☐ Produced Identification; Type of Identification Produced \_\_\_\_\_

Applicant(s)/Agent(s) Signature: 	Applicant(s)/Agent(s) Print Name: Laura L. Russo
--	---


Address: 2655 LeJeune Road, Suite PH 2-B  
Coral Gables, FL 33134

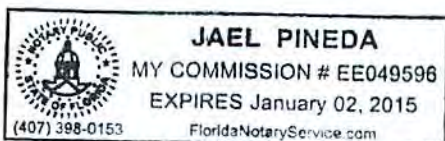
Telephone: 305-476-8300 x. 17	Fax: 305-476-8383	Email: Laura@Laurarussolaw.com
-------------------------------	-------------------	--------------------------------

NOTARIZATION

STATE OF FLORIDA/COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 2 day of April, 2014 by Laura L. Russo

(Signature of Notary Public - State of Florida) 



(Print, Type or Stamp Commissioned Name of Notary Public)

☒ Personally Known OR ☐ Produced Identification; Type of Identification Produced \_\_\_\_\_

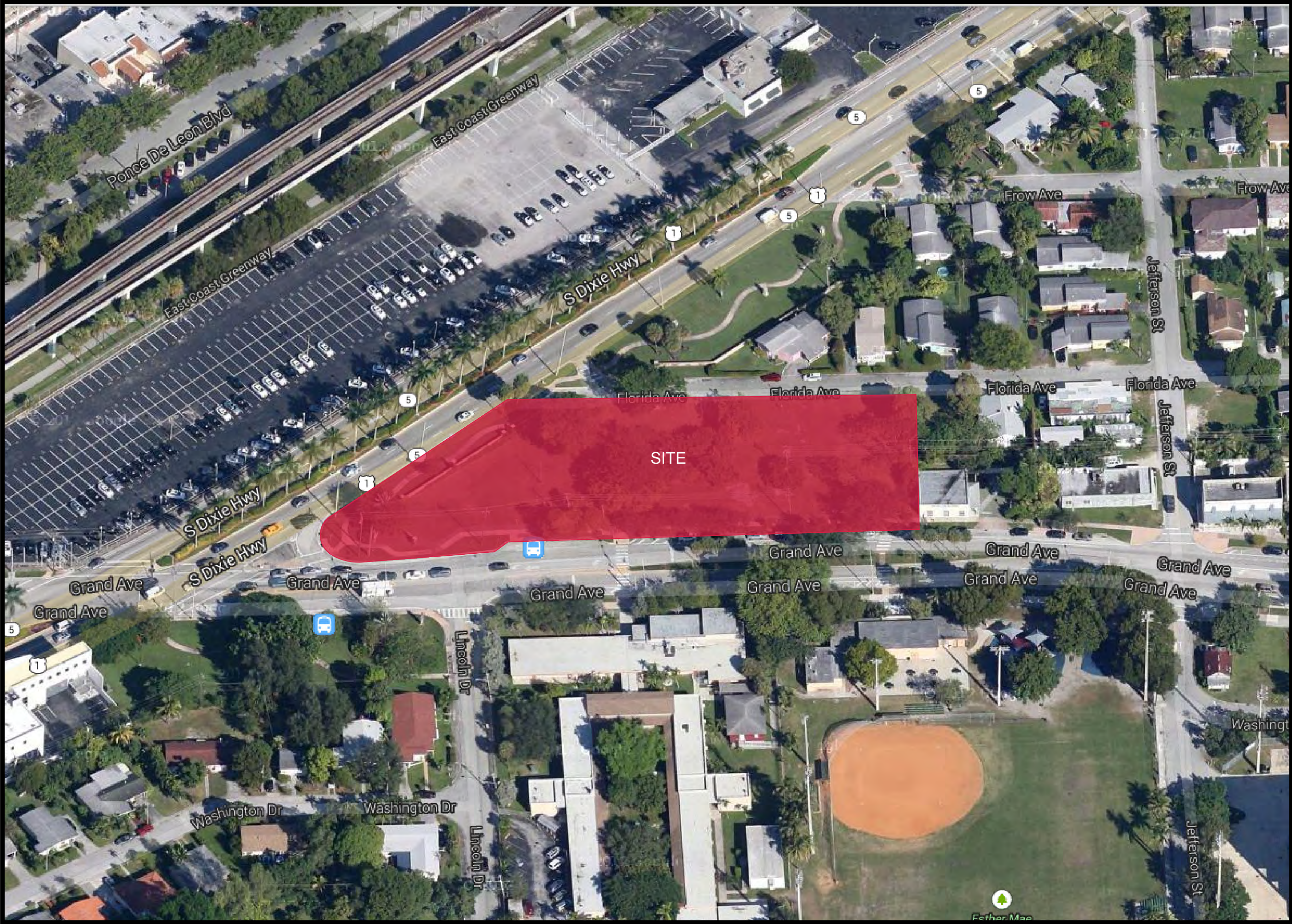
## **EXHIBIT "A"**

### Legal Description:

Lots 7 through 27, Block 1B, of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, according the Plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida;

LESS that portion of Lots 14 through 21, Block 1B, of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, according to the Plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida, lying North of the Southerly Right-of-Way line of State Road 5 (US-1), according to Map No. 87030-2109 of the Florida Department of Transportation of Miami-Dade County, Florida;

AND LESS that portion of Lots 7 through 13, Block 1B, of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, according to the Plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida, lying South of the Northerly Right-of-Way line of Grand Avenue, according to the R.P.B. 101, Page 58, Miami-Dade County Right of Way Division, Sheet 2 of 2.



GABLES POINTE  
BAHAMIAN VILLAGE LLC  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FLORIDA



AERIAL IMAGE

1" = 75'-0"

A-0.0



GABLES POINTE  
BAHAMIAN VILLAGE LLC  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FLORIDA



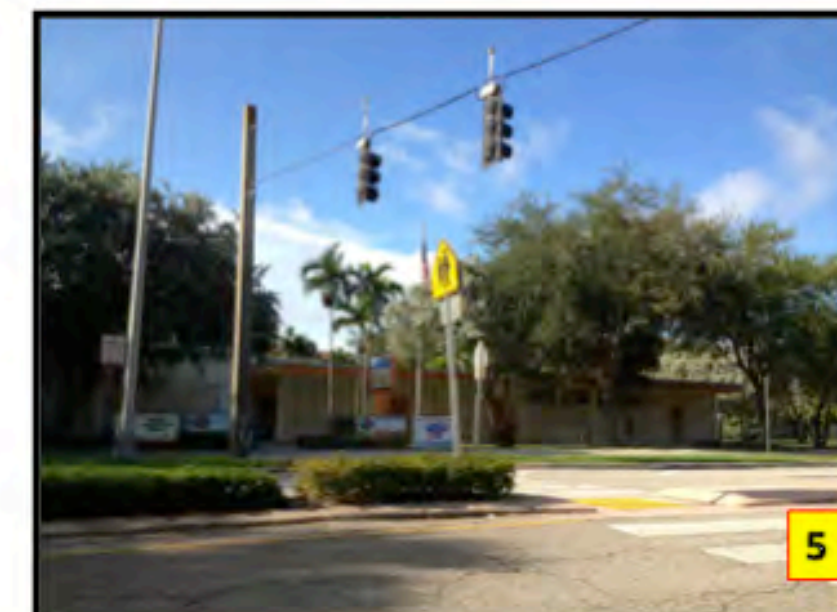
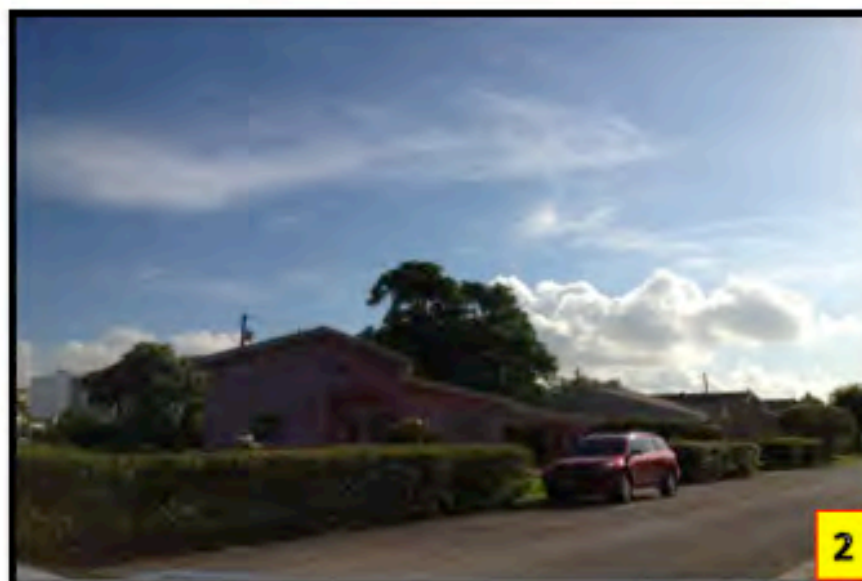
Date: 05.14.14

AERIAL SITE CONTEXT PLAN

SCALE: NTS

A-0.4

## Photos of Property Adjacent Properties



5-8/10

4. *Mathematical models of the system*



The case was worked by the County Engineer, Deas County, Florida  
 1942-1943  
 1944-1945  
 1946-1947  
 1948-1949  
 1950-1951  
 1952-1953  
 1954-1955  
 1956-1957  
 1958-1959  
 1960-1961  
 1962-1963  
 1964-1965  
 1966-1967  
 1968-1969  
 1970-1971  
 1972-1973  
 1974-1975  
 1976-1977  
 1978-1979  
 1980-1981  
 1982-1983  
 1984-1985  
 1986-1987  
 1988-1989  
 1990-1991  
 1992-1993  
 1994-1995  
 1996-1997  
 1998-1999  
 2000-2001  
 2002-2003  
 2004-2005  
 2006-2007  
 2008-2009  
 2010-2011  
 2012-2013  
 2014-2015  
 2016-2017  
 2018-2019  
 2020-2021  
 2022-2023  
 2024-2025

For an affidavit concerning  
the spelling of MacDougal see  
above in this Olds See Book  
Book 1422, Page 179.  
E. L. Litchman, Clerk  
By: M. B. Litchman, Sec.

This property described as:

Lots 7 through 27, Block 1B, of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, according to the Plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida.

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AND LESS that portion of Lots 7 through 13, Block 1B, of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, according to the Plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida, lying South of the Northerly Right-of-Way line of Grand Avenue, according to the R.P.D. 101, Page 58, Miami-Dade County Right of Way Division, Sheet 2 of 2.

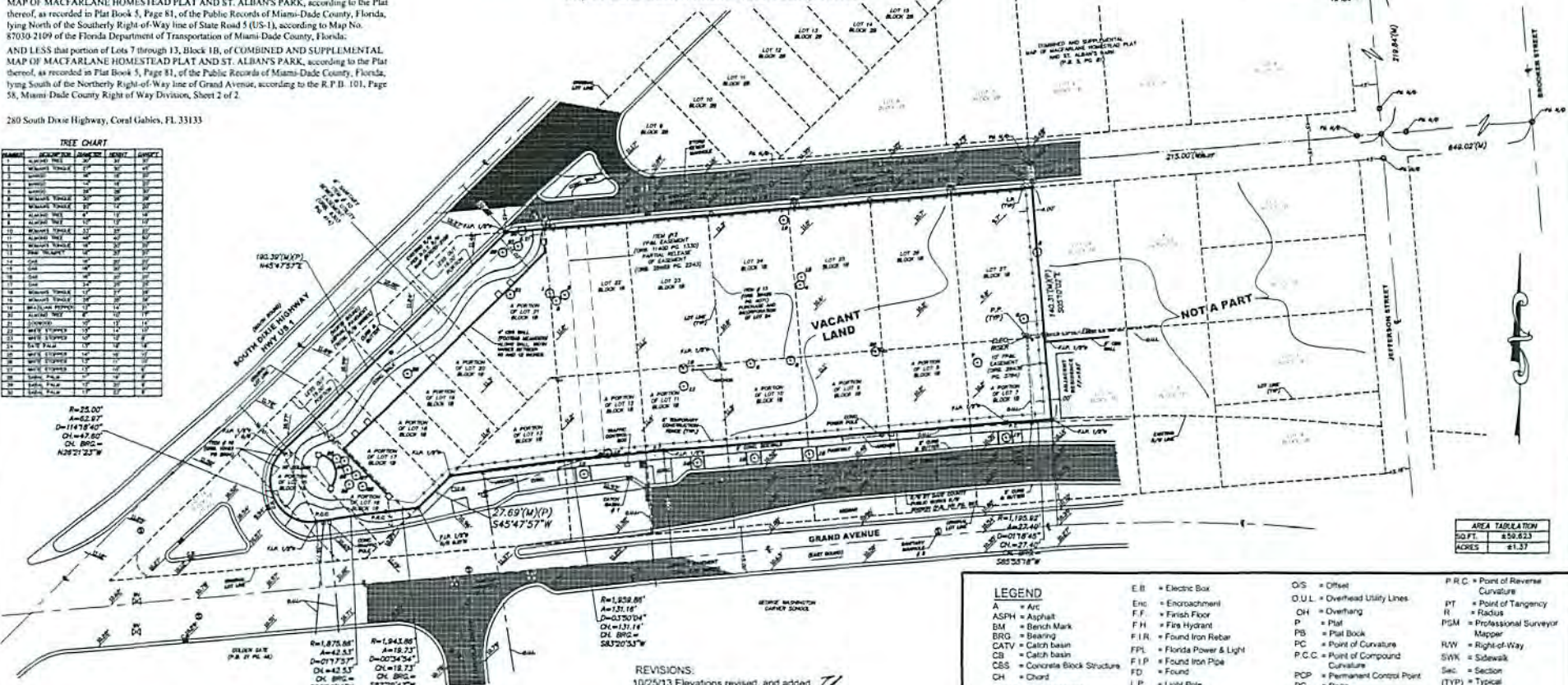
280 South Dixie Highway, Coral Gables, FL 33133

## BOUNDARY SURVEY

A portion of land in the N.E. 1/4 of Section 20, Township 54 South, Range 41 East  
City of Coral Gables, Miami-Dade County, Florida.

**TREE CHART**

NUMBER	REMARKS	DATE	BY
1	ASPH	03/13/13	AA
2	BM	03/13/13	AA
3	BRG	03/13/13	AA
4	CATV	03/13/13	AA
5	CB	03/13/13	AA
6	CSS	03/13/13	AA
7	CH	03/13/13	AA
8	CH	03/13/13	AA
9	CH	03/13/13	AA
10	CH	03/13/13	AA
11	CH	03/13/13	AA
12	CH	03/13/13	AA
13	CH	03/13/13	AA
14	CH	03/13/13	AA
15	CH	03/13/13	AA
16	CH	03/13/13	AA
17	CH	03/13/13	AA
18	CH	03/13/13	AA
19	CH	03/13/13	AA
20	CH	03/13/13	AA
21	CH	03/13/13	AA
22	CH	03/13/13	AA
23	CH	03/13/13	AA
24	CH	03/13/13	AA
25	CH	03/13/13	AA
26	CH	03/13/13	AA
27	CH	03/13/13	AA



Bearing, if any, shown based on Assumed meridian (reference) NORTH  $\angle N 85^{\circ} 15' 58'' E$

### NOTE:

- All clearances and/or encroachments shown hereon are of the apparent physical use, fence legal ownership not determined.
- The issue of this survey is only for the exclusive and specific use of those persons, parties or institutions in the certification.
- Code restrictions and site search not reflected in this survey.
- Underground utilities, improvements, findings and encroachments, if any not located.
- The flood information shown hereon does not imply that the subject property will or will not be free from flooding or damage and does not create liability on the part of the firm or employee thereof, for any damage that occurs from reliance on said information.
- Lands depicted hereon were surveyed per legal description provided by client and no claims as to ownership or matters of title are made or implied.

- All roads shown hereon are public unless otherwise noted.
- No identification cap found on property corners unless otherwise noted.
- Distance along boundary are recorded and measured unless otherwise indicated.
- The graphic portions of this document are intended to be displayed at the graphic scale as depicted. Said scale may be altered in reproductions and as such, should be considered when obtaining scaled data.
- Accuracy: The expected use of land as classified in the minimum technical standards (S17 FAC) is "Suburban". The Minimum relative distance accuracy for the type of boundary survey is 1 foot in 7,500 feet. The accuracy obtained by measurement and calculation of a closed geometric figure was to exceed this requirement.
- Contact the appropriate authorities prior to any design work or excavation on the herein described parcel for building, zoning information and utilities location.

**"THIS SURVEY DECLARATION IS MADE ON THE FIELD DATE INDICATED, TO THE OWNER(S) LISTED. IT IS NOT TRANSFERABLE TO ADDITIONAL INTERESTS OR SUBSEQUENT OWNERS."**

FLOOD ZONE	COMM. No	PANEL No	SUFFIX
X	120639	0457	L
F.I.R.M. DATE	F.I.R.M. INDEX	BASE ELEV.	
09/11/09	09/11/09	* N/A N.G.V.D.	

ELEVATION NOTE: (IF APPLICABLE)
L.F. Elev = N/A (lowest habitable floor elevation)
Elevation shown hereon refer to N.G.V.D. 1929
Lowest adjacent grade elevation = N/A
BM # P-709 (Miami-Dade) Elev. = 12.02'
Garage Elev. = N/A Etp. = N/A

Not valid unless it bears the signature and the original raised seal of Florida licensed Surveyor and Mapper.

### LEGEND

A = Arc	Enc = Encroachment	OS = Offset
ASPH = Asphalt	F.F. = First Floor	O.U.L. = Overhead Utility Lines
BM = Bench Mark	F.H. = Fire Hydrant	OH = Overhang
BRG = Bearing	F.I.R. = Found Iron Rebar	P = Plat
CATV = Catch basin	FPL = Florida Power & Light	PB = Plat Book
CB = Catch basin	F.I.P. = Found Iron Pipe	PC = Point of Curvature
CSS = Concrete Block Structure	FD = Found	P.C.C. = Point of Compound Curvature
CH = Chord	LP = Light Pole	PCP = Permanent Control Point
Chatta = Chattahoochee	M = Measured	PG = Page
C = Center Line	M.F. = Metal Fence	P.I. = Point of Intersection
CLF = Chain Link Fence	M.H. = Manhole	E = Property Line
CL = Chain	M = Monument Line	PL = Planter
CONC = Concrete	N/A = Not Applicable	P.O.B. = Point of Beginning
D = Delta	N.D. = Nail & Disc	P.O.C. = Point of Commencement
DI = Drill Hole	NTS = Not to Scale	P.P. = Power Pole
		P.R.M. = Permanent Reference Monument

BOUNDARY AND TOPOGRAPHIC SURVEY.  
I HEREBY CERTIFY: that this survey meets the minimum technical standards as set forth by the FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS in Chapter 51-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

RENE AGUIEVES 03/13/13  
PROFESSIONAL SURVEYOR AND  
MAPPER No. 4327, State of Florida.

Alvarez, Aguiresvives and Associates, Inc.  
Surveyors, Mappers and Land Planners  
5701 S.W. 107th Avenue #204, Miami, FL 33173  
Phone 305.220.2424 Fax 305.552.8181  
L.B. No. 6867 / E-mail: aaasurvey@aol.com

Field Date	Scale:	Drawn by:	Drwg. No.
03/07/13	1"=60'	D.G.	07-11454

This property described as:

Lots 7 through 27, Block 1B, of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, according to the Plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida;

LESS that portion of Lots 14 through 21, Block 1B, of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, according to the Plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida, lying North of the Southerly Right-of-Way line of State Road 5 (US-1), according to Map No. 87030-2109 of the Florida Department of Transportation of Miami-Dade County, Florida;

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280 South Dixie Highway, Coral Gables, FL 33133

TREE CHART				
NUMBER	DESCRIPTION	DIAMETER	HEIGHT	CANOPY
1	ALMOND TREE	30"	30'	30'
2	WOMANS TONGUE	27"	30'	45'
3	MANGO	16"	15'	20'
4	MANGO	14"	16'	20'
5	MANGO	26"	28'	30'
6	WOMANS TONGUE	30"	26'	28'
7	WOMANS TONGUE	20"	14'	20'
8	ALMOND TREE	6"	12'	16'
9	ALMOND TREE	10"	12'	10'
10	WOMANS TONGUE	35"	25'	20'
11	ALMOND TREE	48"	40'	50'
12	WOMANS TONGUE	16"	20'	20'
13	PINK TRUMPET	16"	20'	20'
14	OAK	16"	20'	20'
15	OAK	16"	20'	20'
16	OAK	16"	20'	20'
17	OAK	24"	25'	25'
18	WOMANS TONGUE	12"	27'	28'
19	WOMANS TONGUE	28"	35'	38'
20	BRAZILIAN PEPPER	12"	14'	21'
21	DOGWOOD	10"	12'	14'
22	WHITE STOPPER	15"	14'	10'
23	WHITE STOPPER	10"	10'	8'
24	DATE PALM	13"	18'	18'
25	WHITE STOPPER	14"	16'	10'
26	WHITE STOPPER	13"	11'	10'
27	WHITE STOPPER	13"	10'	9'
28	SABAL PALM	11"	19'	8'
29	SABAL PALM	12"	20'	8'
30	SABAL PALM	13"	23'	8'

R=25.00'  
A=62.97'  
D=114°18'40"  
CH.=47.60'  
CH. BRG.=  
N26°21'23"W

R=1,875.86'  
A=42.53'  
D=01°17'57"  
CH.=42.53'  
CH. BRG.=  
S82°08'16"W

R=1,943.86'  
A=19.73'  
D=00°34'54"  
CH.=19.73'  
CH. BRG.=  
S82°29'47"W

R=1,959.86'  
A=131.16'  
D=03°50'04"  
CH.=131.14'  
CH. BRG.=  
S83°20'53"W

R=1,959.86'  
A=131.16'  
D=03°50'04"  
CH.=131.14'  
CH. BRG.=  
S83°20'53"W

Bearing, if any, shown based on Assumed meridian (reference) NORTH  $\angle$  N85°15'58"E

- NOTE:
- All clearances and/or encroachments shown hereon are of the apparent physical use, fence legal ownership not determined.
  - The issue of this survey is only for the exclusive and specific use of those persons, parties or institutions in the certification.
  - Code restrictions and title search not reflected in this survey
  - Underground utilities, improvements, footings and encroachments, if any not located.
  - The flood information shown hereon does not imply that the subject property will or will not be free from flooding or damage and does not create liability on the part of the firm or employee thereof, for any damage that occurs from reliance on said information.
  - Lands depicted hereon were surveyed per legal description provided by client and no claims as to ownership or matters of title are made or implied.

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- Contact the appropriate authorities prior to any design work or excavation on the herein described parcel for building, zoning information and utilities location.

"THIS SURVEY DECLARATION IS MADE ON THE FIELD DATE INDICATED, TO THE OWNER(S) LISTED. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS."

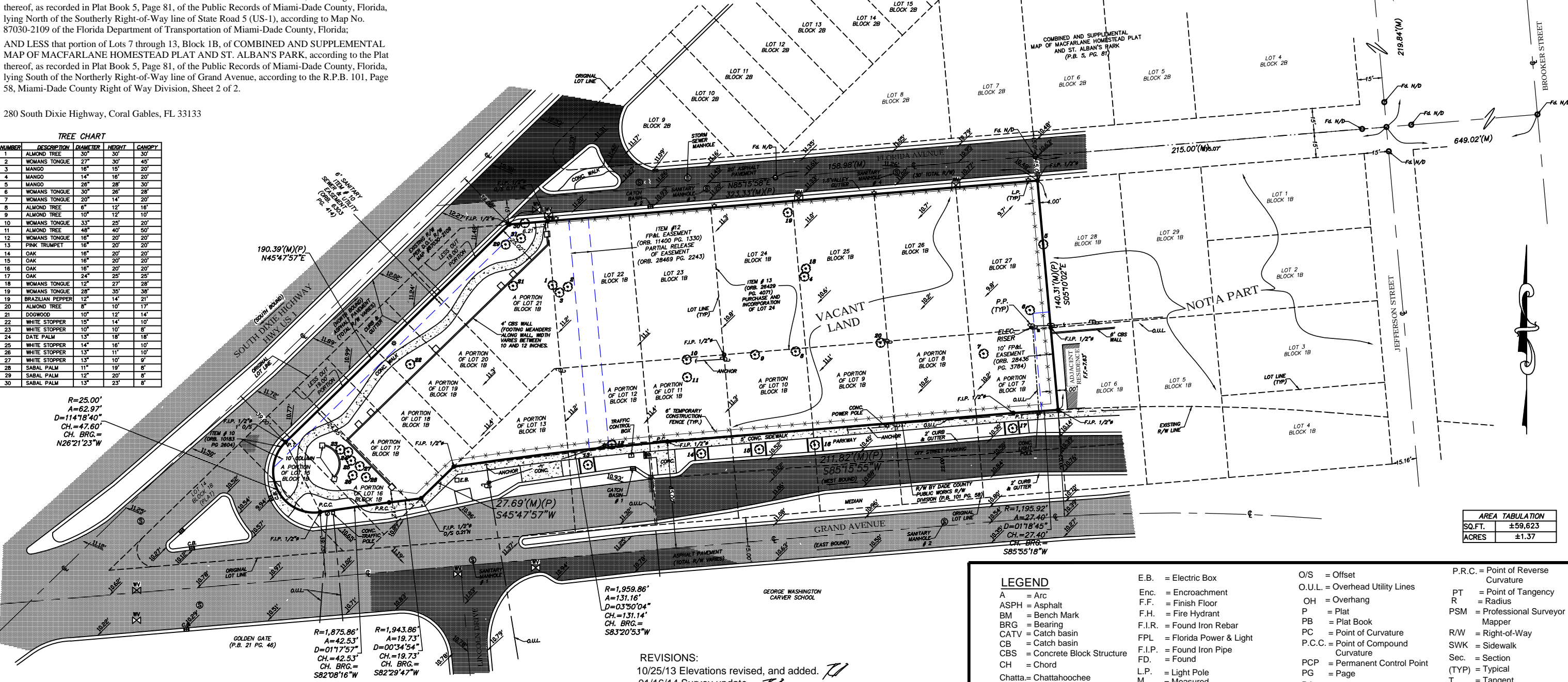
FLOOD ZONE	COMM. No.	PANEL No.	SUFFIX:
X	120639	0457	L
F.I.R.M.DATE	F.I.R.M.INDEX	BASE ELEV.	
09/11/09	09/11/09	+ N/A N.G.V.D.	

ELEVATION NOTE: (IF APPLICABLE)  
L.F.Elev.= N/A (lowest habitable floor elevation).  
Elevation shown hereon refer to N.G.V.D. 1929.  
Lowest adjacent grade elevation= N/A.  
BM. # P - 709 (Miami-Dade). Elev.= 12.05.  
Garage Elev.= N/A. Erp.= N/A.

Not valid unless it bears the signature and the original raised seal of Florida licensed Surveyor and Mapper.

## BOUNDARY SURVEY

A portion of land in the N.E. 1/4 of Section 20, Township 54 South, Range 41 East  
City of Coral Gables, Miami-Dade County, Florida.



AREA TABULATION	
SQ.FT.	±59,623
ACRES	±1.37

- LEGEND**
- A = Arc
  - ASPH = Asphalt
  - BM = Bench Mark
  - BRG = Bearing
  - CATV = Catch basin
  - CB = Catch basin
  - CBS = Concrete Block Structure
  - CH = Chord
  - Chatta.= Chattahoochee
  - CL = Center Line
  - CLF = Chain Link Fence
  - CL = Clear
  - CONC.= Concrete
  - D = Delta
  - Ø = Diameter
  - DH = Drill Hole
  - E.B. = Electric Box
  - Enc. = Encroachment
  - F.F. = Finish Floor
  - F.H. = Fire Hydrant
  - F.I.R. = Found Iron Rebar
  - FPL = Florida Power & Light
  - F.I.P. = Found Iron Pipe
  - FD. = Found
  - L.P. = Light Pole
  - M = Measured
  - M.F. = Metal Fence
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  - M = Monument Line
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  - P = Property Line
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  - P.O.B. = Point of Beginning
  - P.O.C. = Point of Commencement
  - P.P. = Power Pole
  - P.R.M.= Permanent Reference Monument
  - P.R.C. = Point of Reverse Curvature
  - PT = Point of Tangency
  - R = Radius
  - PSM = Professional Surveyor Mapper
  - R/W = Right-of-Way
  - SWK = Sidewalk
  - Sec. = Section
  - (TYP) = Typical
  - T = Tangent
  - U.E. = Utility Easement
  - W.F. = Wood Fence
  - W.M. = Water Meter
  - W.V. = Water Valve
  - XXX = Denotes Spot Elevations Taken

BOUNDARY AND TOPOGRAPHIC SURVEY.  
I HEREBY CERTIFY: that this survey meets the minimum technical standards as set forth by the FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS in chapter 5J-17 Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

RENE AIGUESVIVES 03/13/13  
PROFESSIONAL SURVEYOR AND MAPPER No. 4327. State of Florida.

Alvarez, Aiguesvives and Associates, Inc.  
Surveyors, Mappers and Land Planners  
5701 S.W. 107th Avenue #204, Miami, FL 33173  
Phone 305.220.2424 Fax 305.552.8181  
L.B. No. 6867 / E-mail: aaasurvey@aol.com

Field Date	Scale:	Drawn by:	Drwg. No.
03/07/13	1"= 60'	D.G.	07-11454

## **Change in Zoning Justification**

The applicant is requesting a change in zoning for a portion of the subject property as described in the attached Exhibit “A”. The piece in question runs along the U.S. 1 boundary adjacent to the City’s linear park.

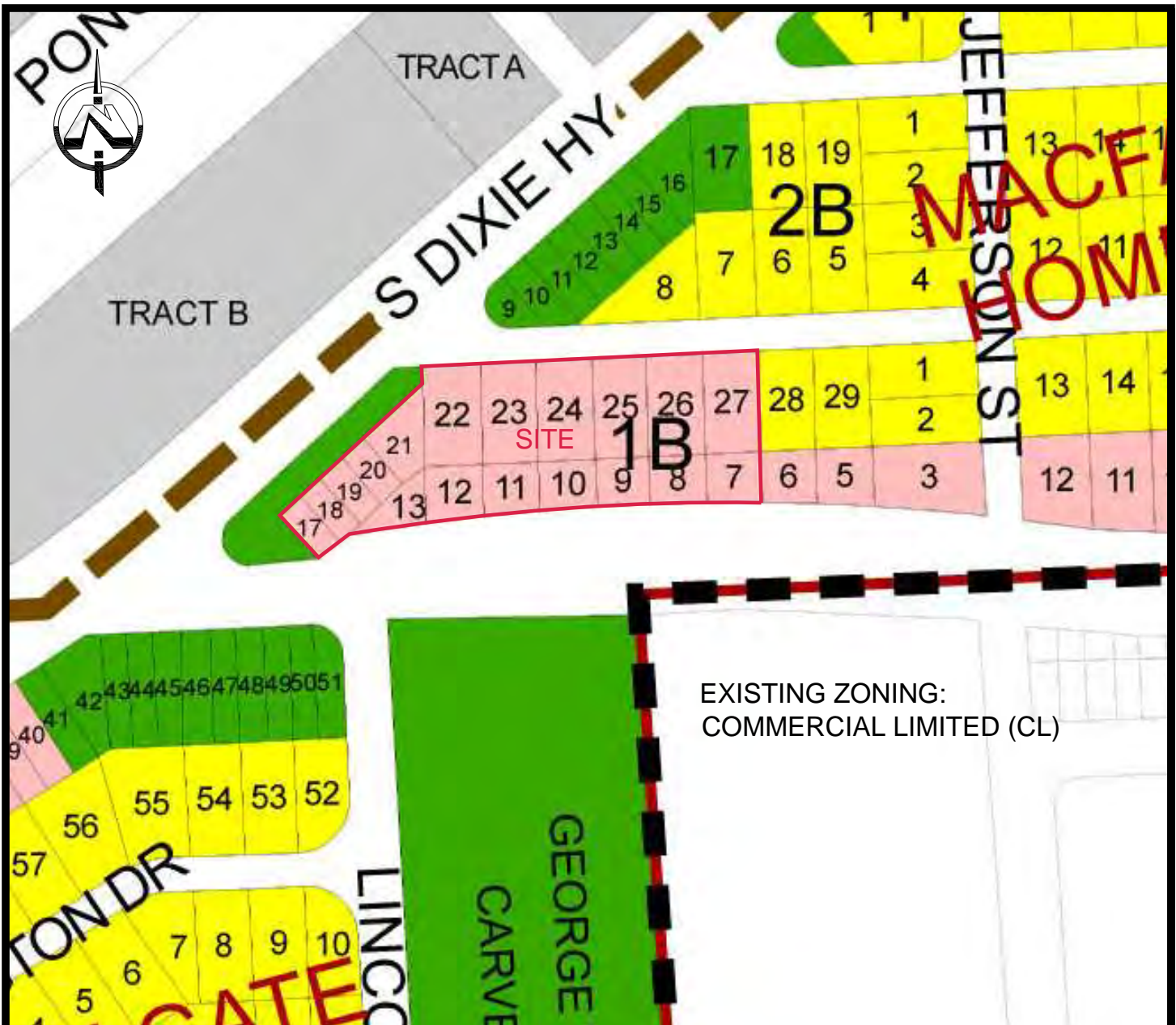
The current zoning on the parcel is “S” for the linear park and CL – Commercial limited for the remainder of the site. The proposed “C” portion falls between the “S” and “CL”. While CL allows for restaurant use, there are restrictions on the hours of outdoor nighttime dining. The proposed zoning “C” will allow a restaurant with outdoor dining and nighttime use.

The proposed “C” parcel will run along U.S. 1. On both the north and south side of the parcels is green open space. The existing CL zoning will remain across from the single family homes on Florida Avenue.

The outdoor dining use allowed in C zoning: a) will be oriented toward the more urban Grand Avenue, b) will provide desirable outdoor visible activity, c) will be inviting and engaging to the residential neighborhoods north and south of the parcel, and d) will promote pedestrian activity to a friendly destination in a currently desolate area.

The use will encourage communal neighborhood gatherings and provide an outdoor – open space experience with green buffers. The placement of the proposed restaurant on the site and the proposed landscaping provides the single family neighborhood to the north the protections of CL zoning and the proposed lush landscaping both on the perimeter and around the outdoor dining area provides more of a visual barrier than required.

The request for “C” zoning of the described parcel is appropriate. The U.S. 1 boundary is very intense due to the volume of daily traffic. The described parcel is across from green and open space, and a school. The C zoning between the “S” and the “CL” protects property values and allows for the enjoyment of the property.



# Zoning Map

## Zoning Districts

- (SFR) Single-Family Residential District
- (MF1) Multi-Family 1 Duplex District
- (MF2) Multi-Family 2 District
- (MFSA) Multi-Family Special Area District
- (UCD) University Campus District

- (S) Special Use District
- (P) Preservation District
- (CL) Commercial Limited District
- (C) Commercial District
- (I) Industrial District

- North Industrial Mixed-Use District
- South Industrial Mixed-Use District

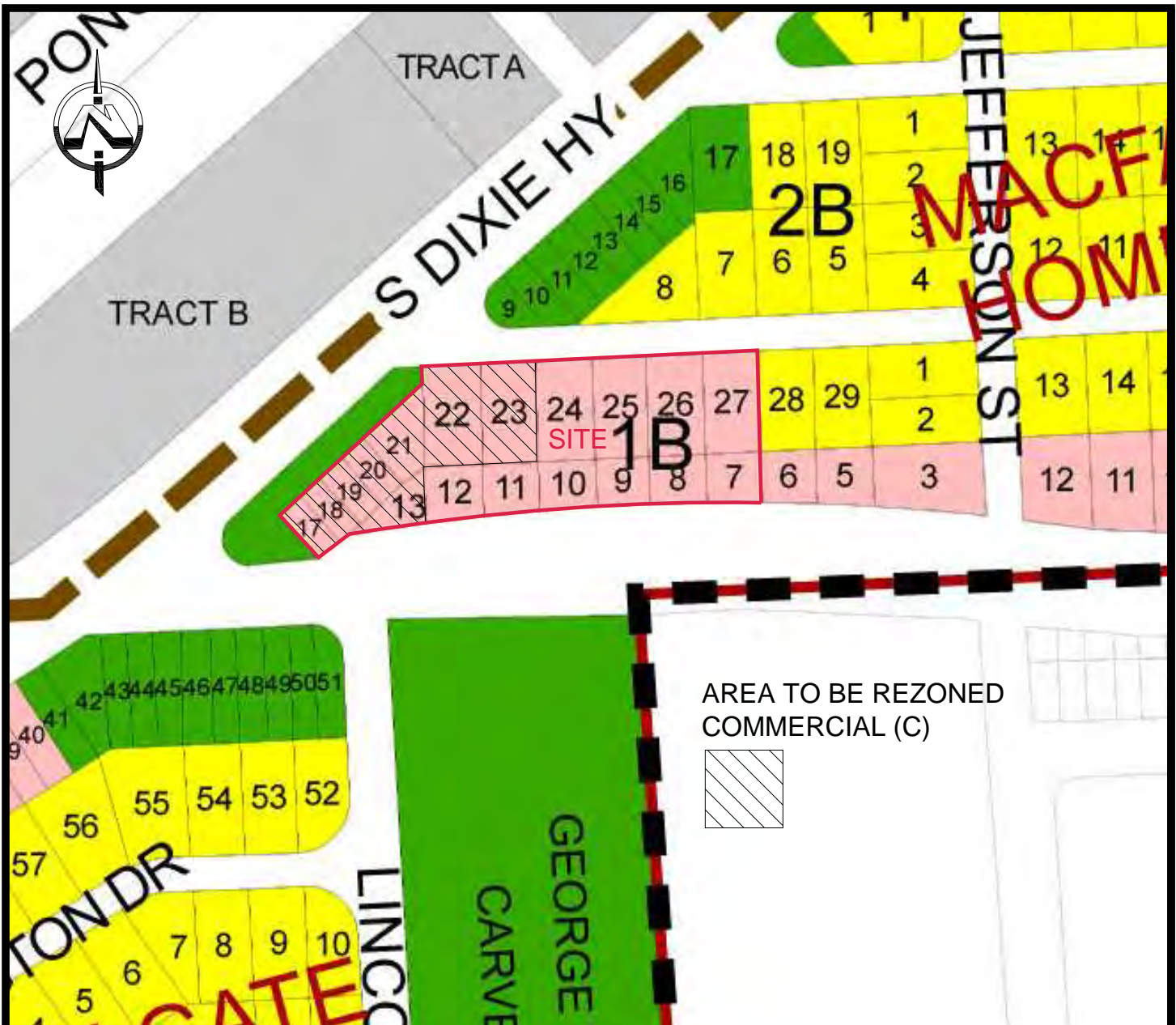
Plate  
9 of 18

City of Coral Gables  
Planning & Zoning Division  
December 2013



GABLES POINTE  
BAHAMIAN VILLAGE LLC  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FLORIDA

STUDIO  
X  
ARCHITECTS



# Zoning Map

## Zoning Districts

- (SFR) Single-Family Residential District
- (MF1) Multi-Family 1 Duplex District
- (MF2) Multi-Family 2 District
- (MFSA) Multi-Family Special Area District
- (UCD) University Campus District

- (S) Special Use District
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- (CL) Commercial Limited District
- (C) Commercial District
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- North Industrial Mixed-Use District
- South Industrial Mixed-Use District

Plate

9 of 18

City of Coral Gables  
Planning & Zoning Division  
December 2013



GABLES POINTE  
BAHAMIAN VILLAGE LLC  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FLORIDA

STUDIO  
X  
ARCHITECTS



# Future Land Use Map

## Land Use Classifications

Residential Single-Family Low Density (6 Units/Acre)	Residential Multi-Family High Density (150 Feet; 60 Units/Acre)	Mixed-Use Overlay District	Conservation Areas
Residential Single-Family High Density (9 Units/Acre)	Commercial Low-Rise Intensity (50 Feet; 3.0 F.A.R.)	University Campus Multi-Use Area	Public Buildings and Grounds
Residential Multi-Family Duplex Density (9 Units/Acre)	Commercial Mid-Rise Intensity (70 Feet; 3.0 F.A.R.)	Education	Hospital
Residential Multi-Family Low Density (50 Feet; 20 Units/Acre)	Commercial High-Rise Intensity (150 Feet; 3.0 F.A.R.)	Parks and Recreation	Religious/Institutional
Residential Multi-Family Medium Density (70 Feet; 40 Units/Acre)	Industrial	Open Space	Community Services and Facilities





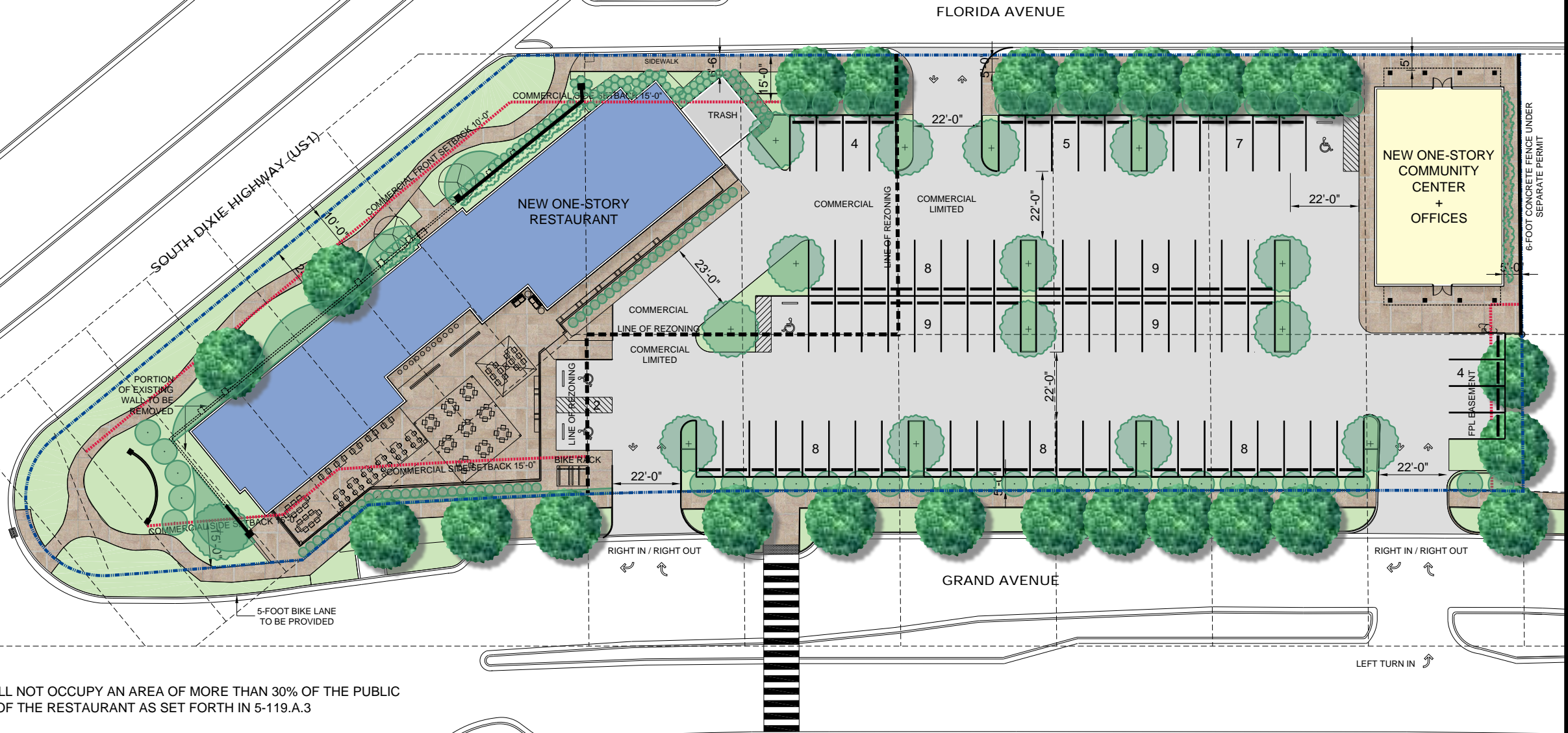
GABLES POINTE  
BAHAMIAN VILLAGE LLC  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FLORIDA



SITE PLAN

SCALE: 1" = 40'-0"

A-0.3



RESTAURANT NOTES:

OUTDOOR DINING SHALL NOT OCCUPY AN AREA OF MORE THAN 30% OF THE PUBLIC INDOOR DINING AREA OF THE RESTAURANT AS SET FORTH IN 5-119.A.3

RESTAURANT HOURS OF OPERATION ARE 9 AM-1 AM SUNDAY - THURSDAY AND 9 AM - 2 AM FRIDAY AND SATURDAY.

PARKING REQUIREMENTS

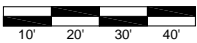
RESTAURANT	1,000 SF / 12 SPACES = 6.068 x 12	73 SPACES
OFFICE	(1:300) = 1,256 SF / 300	4 SPACES
COMMUNITY	(1:250) = 1,400 SF / 250	6 SPACES
REQUIRED		83 SPACES
PROVIDED		81 SPACES

ZONING DATA:

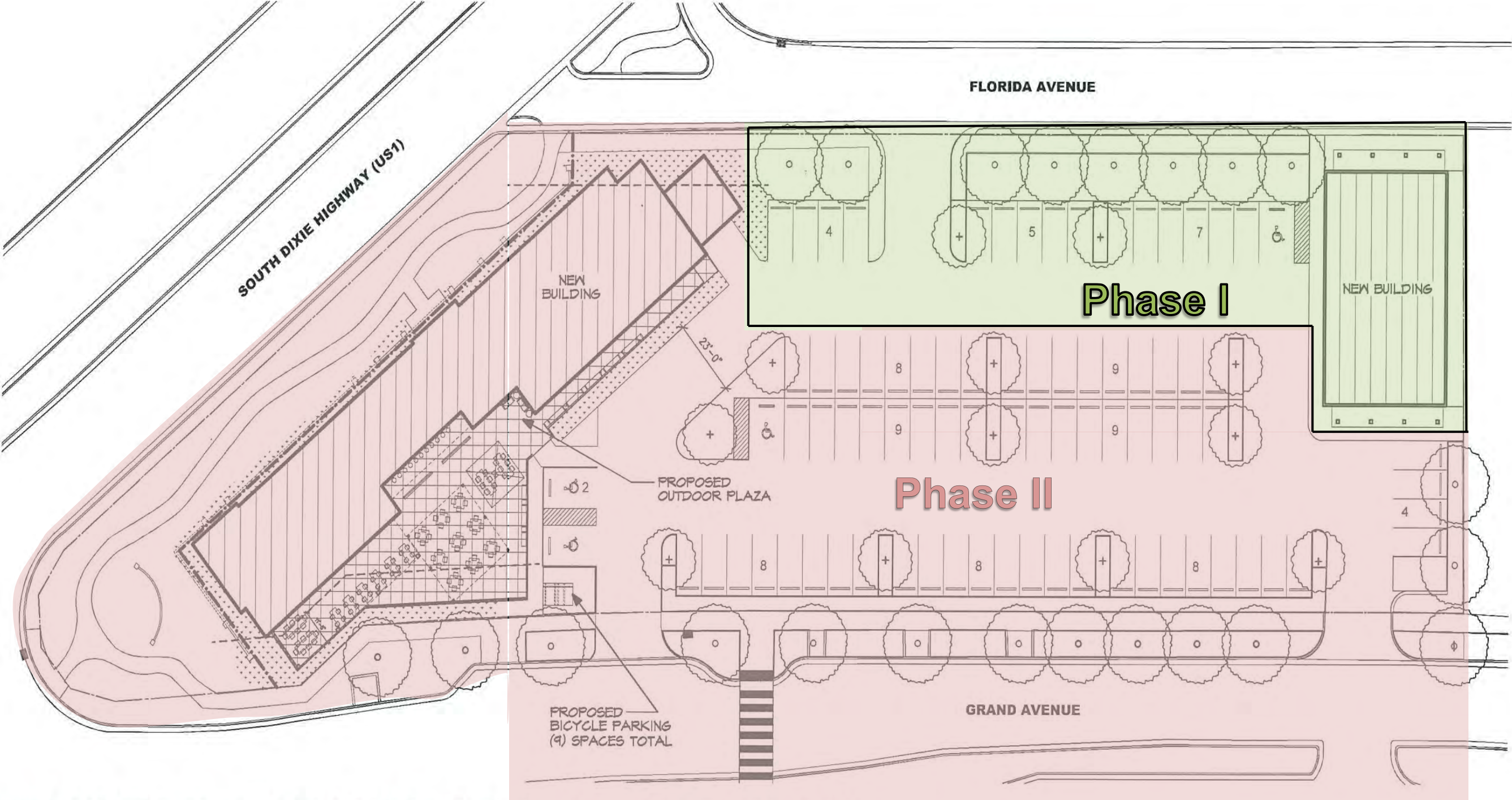
LOT AREA	59,370 SF
BUILDING AREA	9,629 SF TOTAL
	6,626 SF RESTAURANT
	347 SF TRASH
	2,656 SF COMMUNITY CENTER
PARKING LOT AREA	28,756 SF
LOT COVERAGE	64% - BUILDINGS AND PARKING
LANDSCAPE AREA	36% - 20,985 SF
HEIGHT	COMMUNITY CENTER: 24'-0"
	RESTAURANT: 36'-2"

SETBACKS

		REQUIRED PROVIDED	
		0 FT	5 FT
COMMUNITY CENTER (CL)	FLORIDA AVE	0 FT	5 FT
	INTERIOR SIDE	0 FT	5 FT
RESTAURANT (C)	US1	10 FT	25 FT +
	GRAND AVE	15 FT	3'-9"
	FLORIDA AVE	15 FT	6'-6"



# Gables Pointe Phased Development Plan



## PROPOSED ARCHITECTURAL SITE PLAN

SCALE: 1" = 40'-0"

*\*Anticipated Construction dates are subject to obtaining all necessary Governmental Approvals and permitting timelines*

# PHASE I

## Architectural Building Elevations and Floor Plans



STUDIO  
X  
ARCHITECTS

GABLES POINTE  
BAHAMIAN VILLAGE LLC  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FLORIDA



Date: 05.14.14

RENDERING - COMMUNITY  
CENTER

SCALE: NTS

A-3.0

## EXTERIOR MATERIALS

WALLS: WHITE SEMI-SMOOTH STUCCO

PAINT: P1 - SW 7070 SITE WHITE ( CG APPROVED)

WINDOWS: FBC APPROVED IMPACT-RESISTANT OPTIBLUE  
GLASS W/ SILVER ALUMINUM MULLIONS

ROOF: STANDING SEAM METAL ROOF  
COLOR - WEATHERED ZINC

STUDIO  
**X**  
ARCHITECTS

GABLES POINTE  
BAHAMIAN VILLAGE LLC  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FLORIDA



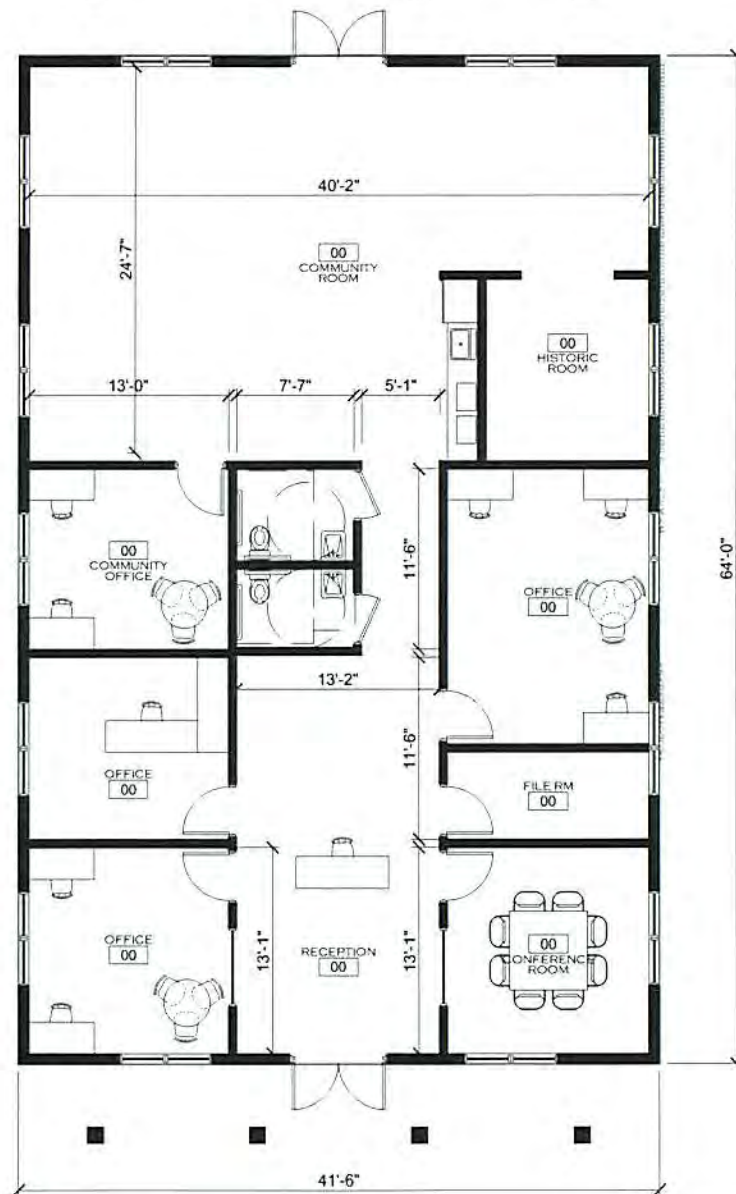
Date: 05.14.14

COMMUNITY CENTER  
ELEVATIONS

SCALE: 1" = 10'-0"

A-2.0





STUDIO  
**X**  
ARCHITECTS

**GABLES POINTE**  
BAHAMIAN VILLAGE LLC  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FLORIDA



Date: 05.14.14

COMMUNITY CENTER  
PLAN

SCALE: 1/8" = 1'-0"

**A-1.0**



STUDIO  
**X**  
ARCHITECTS

**GABLES POINTE**  
BAHAMIAN VILLAGE LLC  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FLORIDA



RENDERING - COMMUNITY  
CENTER

SCALE: NTS

A-3.0

EXTERIOR MATERIALS

WALLS: WHITE SEMI-SMOOTH STUCCO

PAINT: P1 - SW 7070 SITE WHITE ( CG APPROVED)

WINDOWS: FBC APPROVED IMPACT-RESISTANT OPTIBLUE GLASS W/ SILVER ALUMINUM MULLIONS

ROOF: STANDING SEAM METAL ROOF  
COLOR - WEATHERED ZINC



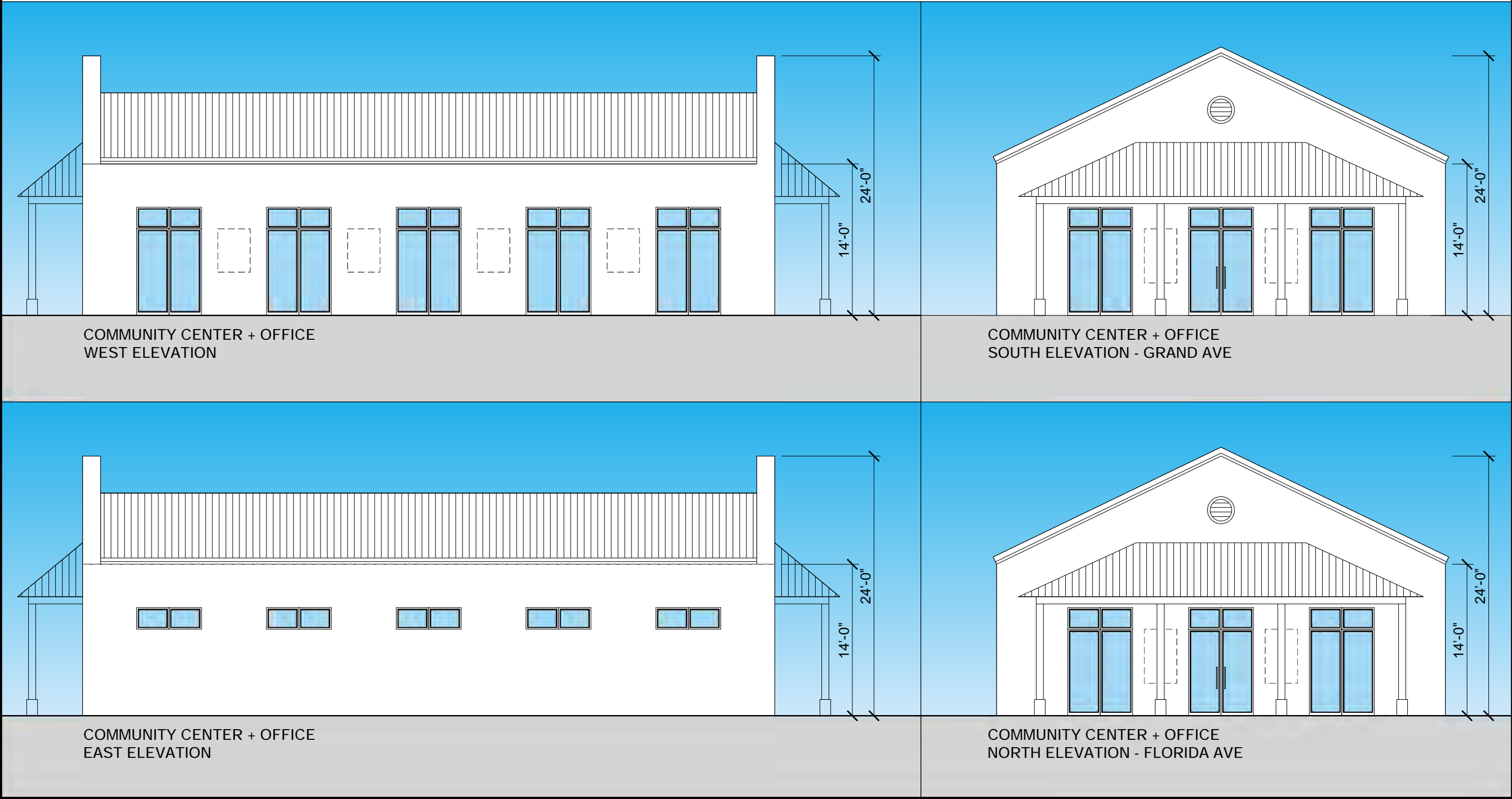
GABLES POINTE  
BAHAMIAN VILLAGE LLC  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FLORIDA

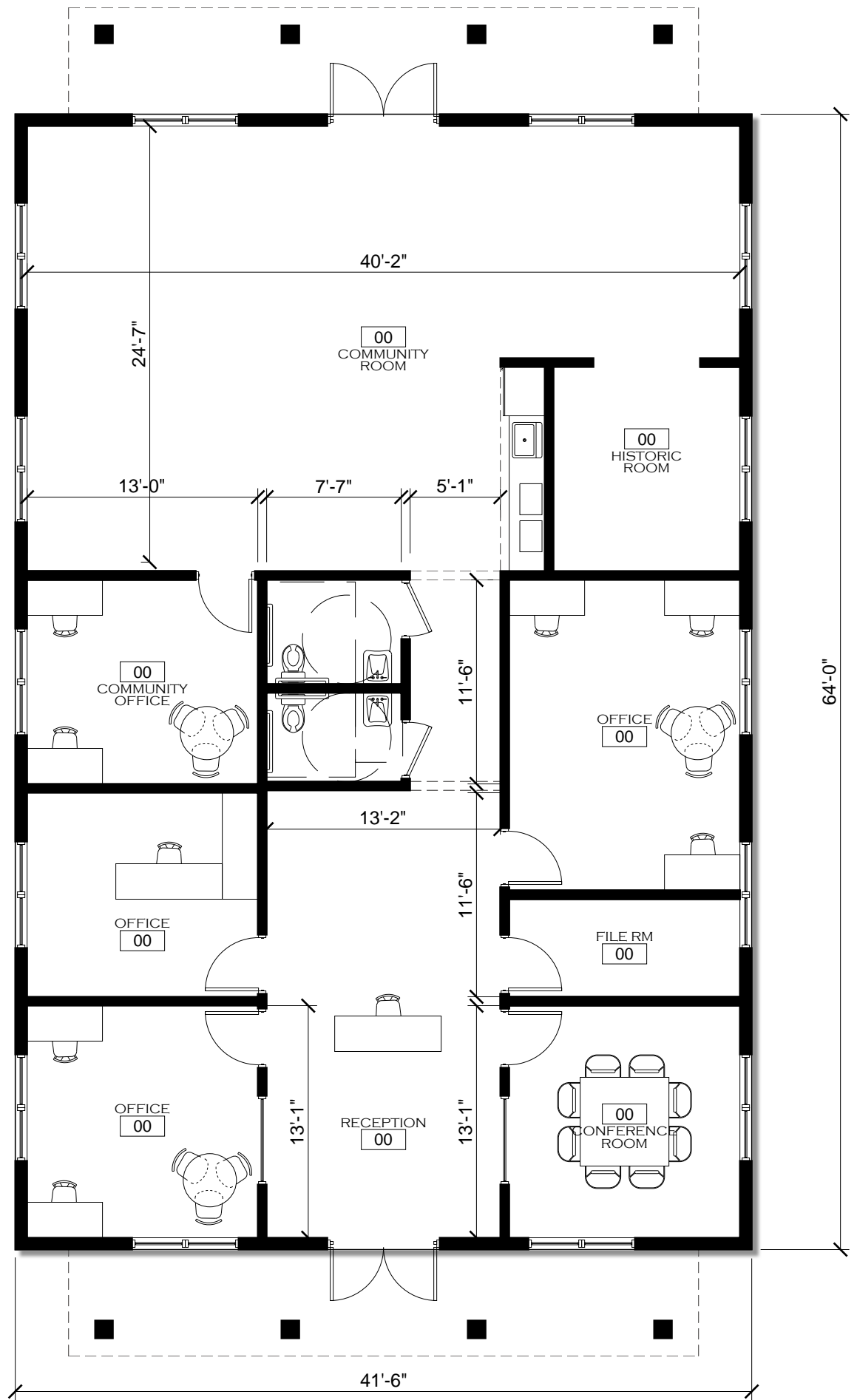


COMMUNITY CENTER  
ELEVATIONS

SCALE: 1" = 10'-0"

A-2.0





## PHASE II

Elevations for Illustrative  
purposes only



# PROPOSED SOUTH DIXIE VIEW, UPDATED

SCALE: N.T.S.



STATE LICENSE
AL 0000
AK 0000
CA 0000
CT 0000
DE 0000
FL 0000
GA 0000
IL 0000
IN 0000
MD 0000
MA 0000
ME 0000
MI 0000
MO 0000
NC 0000
ND 0000
NE 0000
NH 0000
NJ 0000
NM 0000
NY 0000
OH 0000
OK 0000
OR 0000
PA 0000
RI 0000
SC 0000
SD 0000
TX 0000
VA 0000
VT 0000
WA 0000
WI 0000
WY 0000

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ISSUED DATE
03.28.2014
REVISED
1 04.24.14
2 05.04.14
3 06.10.14
4 06.10.14

DRAWING TITLE:  
UPDATED  
RENDERING

PROJECT TITLE:  
Proposed New Building for  
**tap42**  
Gables Pointe  
280 South Dixie Highway  
Coral Gables, Florida 33133

DRAWN BY:  
C.R.L.

PROJECT NO.  
2013-080

DRAWING NO.  
1.A OF 7



## PROPOSED PARKING LOT VIEW

SCALE: N.T.S.

STATE	UNIFORM
AL	4902
AK	4144
CA	39436
CO	30436
CT	3437
DC	4001-10147
DE	34-0001-13
FL	40-001-4013
GA	40-01-2044
HI	40-1-1041
IL	40436
IN	40-0001-13
IA	40-1-1041
KS	40-1-1041
LA	40-1-1041
ME	40-1-1041
MA	40-1-1041
MD	40-1-1041
MI	40-1-1041
MO	40-1-1041
MT	40-1-1041
NE	40-1-1041
NH	40-1-1041
NJ	40-1-1041
NM	40-1-1041
NY	40-1-1041
NC	40-1-1041
ND	40-1-1041
OH	40-1-1041
OK	40-1-1041
OR	40-1-1041
PA	40-1-1041
RI	40-1-1041
SC	40-1-1041
SD	40-1-1041
TN	40-1-1041
TX	40-1-1041
UT	40-1-1041
VA	40-1-1041
VT	40-1-1041
WA	40-1-1041
WI	40-1-1041
WV	40-1-1041
WY	40-1-1041

ISSUED DATE	REVISIONS
03.28.2014	1. 04.24.14
	2. 05.04.14
	3. 05.14.14

DRAWING TITLE
RENDERING

PROJECT TITLE: Proposed New Building
<b>tap42</b>
Gables Pointe 280 South Dixie Highway Coral Gables, Florida 33133

DRAWN BY: C.R.L.
PROJECT NO. 2013-080
DRAWING NO. 3 OF 7

RENDERING AND SIGNAGE FOR REFERENCE ONLY. IMAGE REPRESENTS THE TYPE OF PROJECT BEING PROPOSED FOR THIS SITE, BUT DOES NOT INDICATE AN APPROVED DESIGN OR TENANT.



# PROPOSED SOUTH DIXIE VIEW

SCALE: N.T.S.

SCOTT F. LURIE, ARCHITECT • 5FLARC.COM • 645 LOTUS AVENUE • ORADELL, NEW JERSEY 07649 • PHONE: 201-261-1885 • FAX: 201-261-3548	
PROJECT NO. 2013-080	DRAWING NO. 1 OF 7
PROJECT TITLE: Proposed New Building for: <b>tap42</b> Gables Pointe 280 South Dixie Highway Coral Gables, FL 33133	
DRAWING TITLE: RENDERING	
ISSUED DATE: 03.26.2014	REVISIONS: 1 05.04.14 2 05.04.14
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PROPOSED PARKING LOT VIEW

SCALE: N.T.S.

PROJECT TITLE:  
Proposed New Building For:  
**tap42**  
*Gables Pointe*  
280 South Dixie Highway  
Coral Gables, Florida 33133

DRAWN BY:  
**C.R.L.**

PROJECT NO.  
**2013-080**

DRAWING NO.  
**3 OF 7**

DRAWING TITLE:  
**RENDERING**

ISSUED DATE:  
**03.28.2014**

REVISIONS:  

1	04.24.14
2	05.04.14

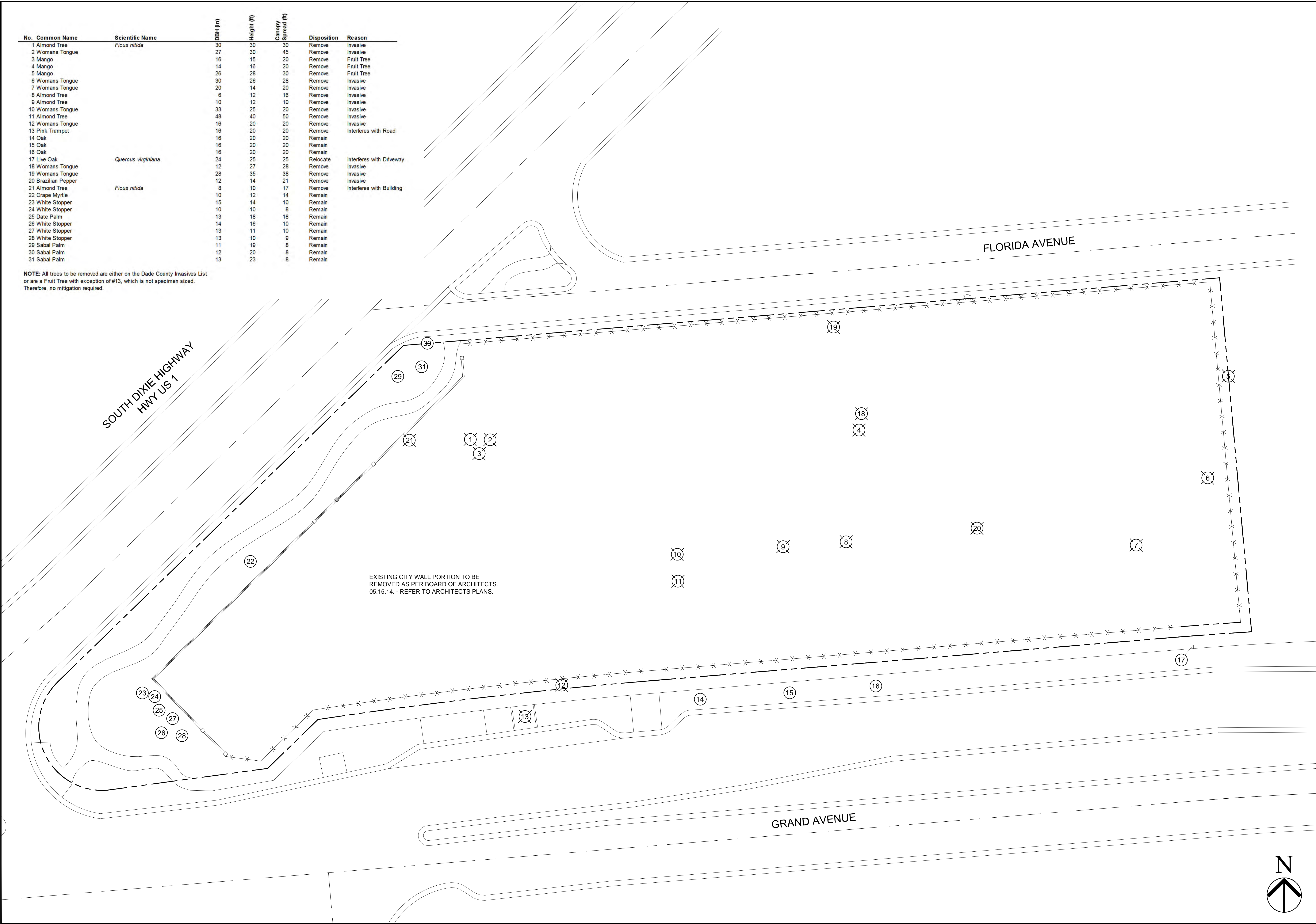
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AR 4144  
AZ 39438  
CO 306556  
CT 5627  
DC ARC101671  
DE SS-00071112  
FL AR-0014957  
GA RAO12044  
HI AR-12241  
IA 05635  
ID AR-984376  
IL 001-018555  
IN AR19700040  
KY 5765  
LA 7305  
MA 30213  
MD 13821  
ME 3876  
MI 1301050897  
MN 43625  
MO A-2004010593  
MS 4548  
MT 30333  
NH 3166  
NJ A106924  
NY 014401-1  
NC 8847  
NV 6137  
OH 13617  
PA RA-013737-B  
RI 3014  
SC 7286  
TX 18452  
UT 6038167-0301  
VA 0401-011024  
VT 2941  
WA 8670  
WI 9728-005  
WV 3982  
NEW JERSEY PROFESSIONAL PLANNER J00028700  
NEW JERSEY CERTIFIED INTERIOR DESIGNER R0000146  
INDIANA REGISTERED INTERIOR DESIGNER RD000092  
(N.C.A.R.B.) MEMBER

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No.	Common Name	Scientific Name	DBH (in)	Height (ft)	Canopy Spread (ft)	Disposition	Reason
1	Almond Tree	Ficus nitida	30	30	30	Remove	Invasive
2	Womans Tongue		27	30	45	Remove	Invasive
3	Mango		16	15	20	Remove	Fruit Tree
4	Mango		14	16	20	Remove	Fruit Tree
5	Mango		26	28	30	Remove	Fruit Tree
6	Womans Tongue		30	26	28	Remove	Invasive
7	Womans Tongue		20	14	20	Remove	Invasive
8	Almond Tree		6	12	16	Remove	Invasive
9	Almond Tree		10	12	10	Remove	Invasive
10	Womans Tongue		33	25	20	Remove	Invasive
11	Almond Tree	Quercus virginiana	48	40	50	Remove	Invasive
12	Womans Tongue		16	20	20	Remove	Invasive
13	Pink Trumpet		16	20	20	Remove	Interferes with Road
14	Oak		16	20	20	Remain	
15	Oak		16	20	20	Remain	
16	Oak		16	20	20	Remain	
17	Live Oak		24	25	25	Relocate	Interferes with Driveway
18	Womans Tongue		12	27	28	Remove	Invasive
19	Womans Tongue		28	35	38	Remove	Invasive
20	Brazilian Pepper		12	14	21	Remove	Invasive
21	Almond Tree	Ficus nitida	8	10	17	Remove	Interferes with Building
22	Crape Myrtle		10	12	14	Remain	
23	White Stopper		15	14	10	Remain	
24	White Stopper		10	10	8	Remain	
25	Date Palm		13	18	18	Remain	
26	White Stopper		14	16	10	Remain	
27	White Stopper		13	11	10	Remain	
28	White Stopper		13	10	9	Remain	
29	Sabal Palm		11	19	8	Remain	
30	Sabal Palm		12	20	8	Remain	
31	Sabal Palm		13	23	8	Remain	

NOTE: All trees to be removed are either on the Dade County Invasives List or are a Fruit Tree with exception of #13, which is not specimen sized. Therefore, no mitigation required.



3360 CORAL WAY  
SUITE 5  
MIAMI, FL 33145  
PHONE: (305) 774-9662  
FAX: (305) 774-9652  
WWW.BELL-LA.COM

GABLES POINTE  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FL 33133

SHEET TITLE	
TREE DISPOSITION PLAN	
DATE	
07.30.14	
DESIGN	
D.B.	
DRAWN	
J.D.F.	
SCALE	
1/16"=1'-0"	
REVISIONS	
SEAL	
L-1	5
SHEET	OF

BA: VERAWOOD TREE



QV: LIVE OAK



ARA: PERENNIAL PEANUT



CLU: SMALL LEAF CLUSIA



FIG: FIGUS REPENS



NEP: KIMBERLY QUEEN FERN



CES: SILVER BUTTONWOOD



PS: WHITE FOUNTAIN GRASS



PG: WEEPING PODOCARPUS TREE



**Bell·la**  
BELL LANDSCAPE ARCHITECTURE  
LLC 20100405

3360 CORAL WAY  
SUITE 5  
MIAMI, FL 33145  
PHONE: (305) 774-9662  
FAX: (305) 774-9652  
WWW.BELL-LA.COM

**GABLES POINTE**  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FL 33133

SHEET TITLE

**PLANTING  
PLAN**

DATE  
**07.30.14**

DESIGN  
**D.B.**

DRAWN  
**J.D.F.**

SCALE  
**1/16"=1'-0"**

REVISIONS

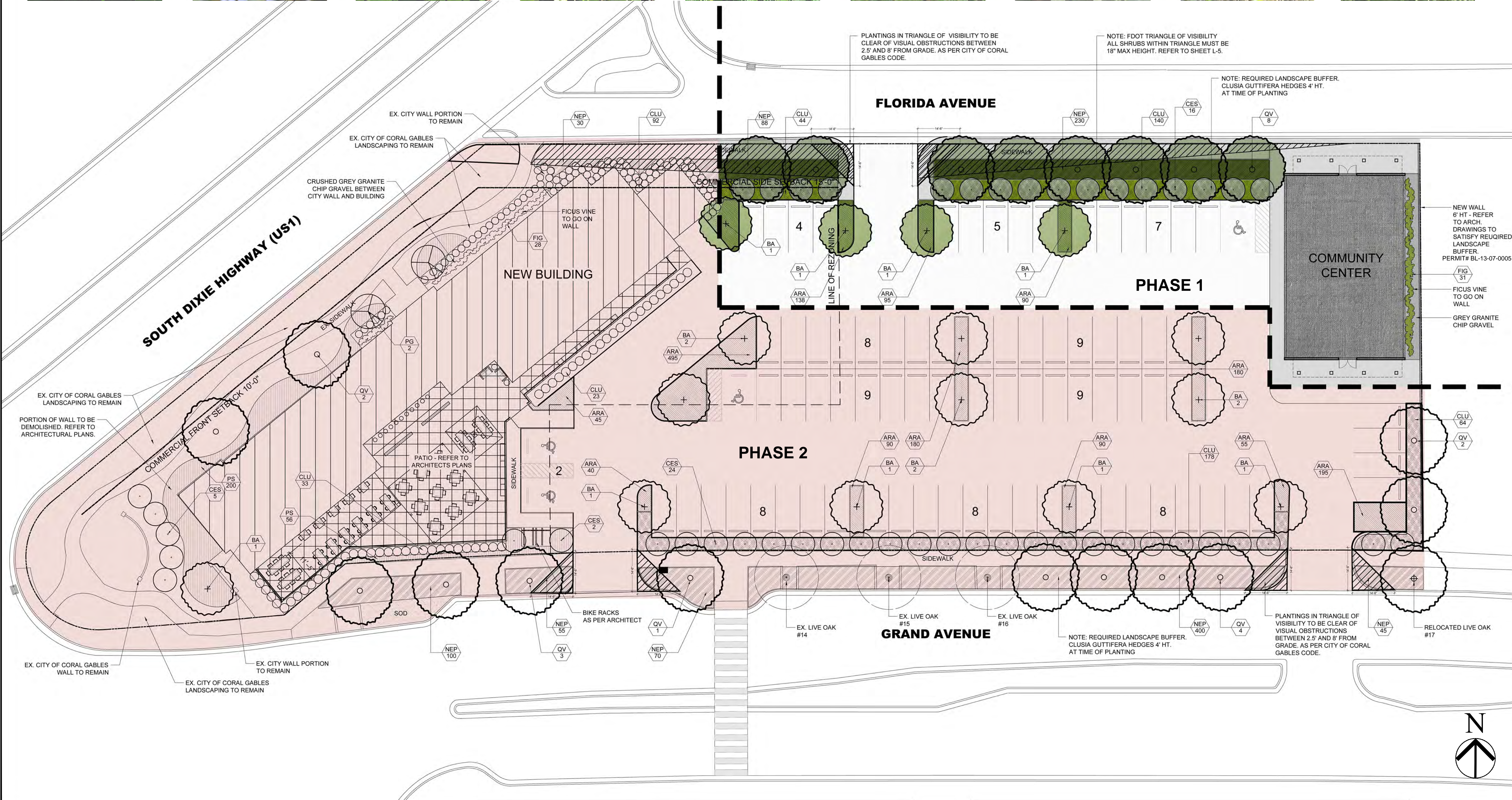
SEAL

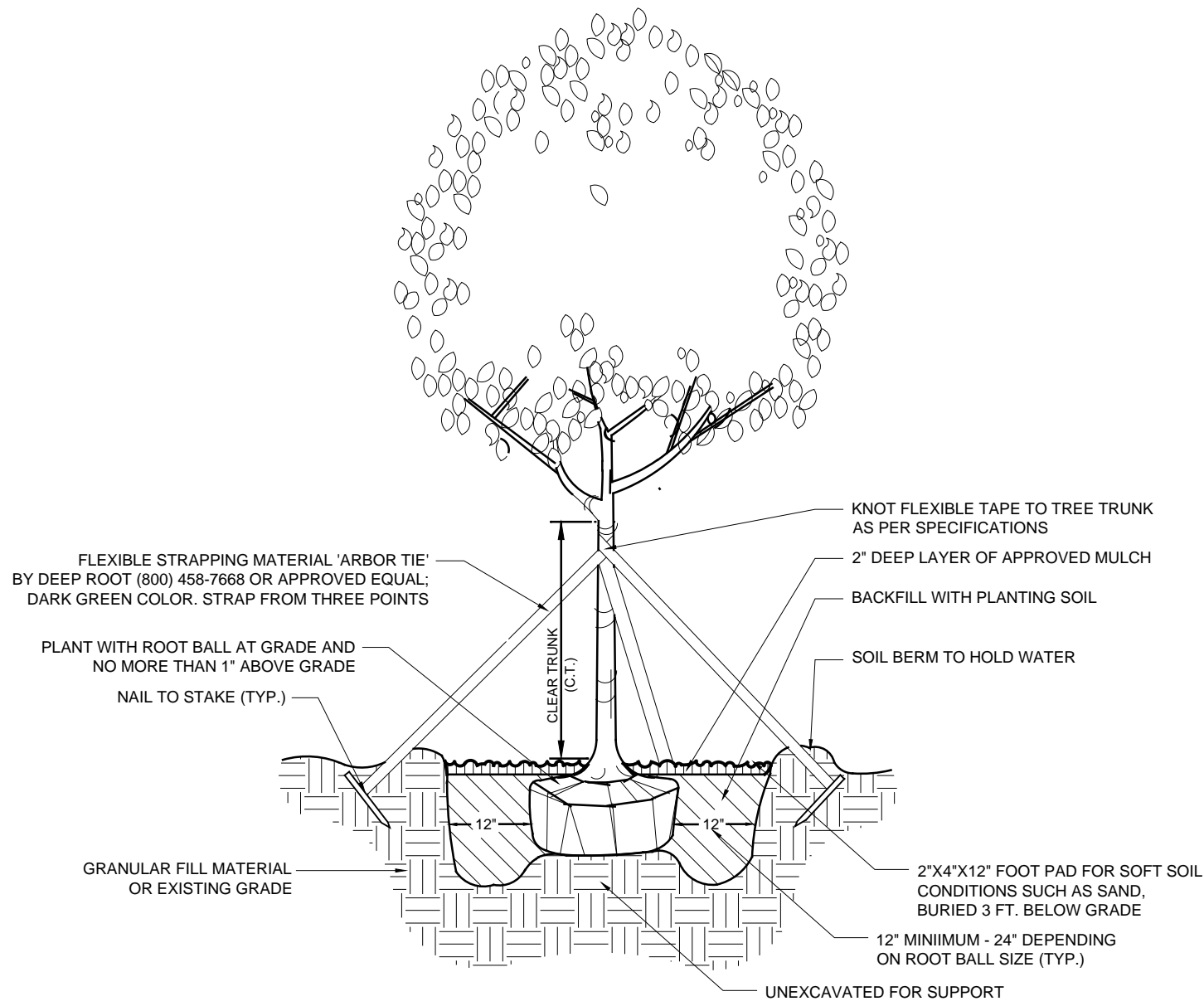
L-2A

SHEET

5

OF





TREE PLANTING & GUYING DETAIL

N.T.S.

PLANT LIST  
GABLES POINTE: PHASE 1

TREES AND PALMS								
NEW	QTY	BOTANICAL NAME	COMMON NAME	INSTALLED HT. / SPEC.	CALIPER INSTALLED (DBH)	HEIGHT AT MATURITY	CANOPY DIAMETER AT MATURITY	NATIVE
NEW	16	Conocarpus erectus var. sericeus	Silver Buttonwood Tree	14' Ht. x 6' Sp. Standard. Buffer Trees	3"	20'	15'	Yes
NEW	4	Bulnesia arborea	Verawood	12' Ht. x 8' Sp.	3"	30'	20'	No
NEW	8	Quercus virginiana	Live Oak	12' Ht. x 8' Sp.	4"	50'	35'	Yes

SHRUBS AND GROUNDCOVERS								
NEW	323	Arachis glabrata	Perennial Peanut - Groundcover	4 1/2" Pot @ 12" O.C.	n/a	4"	4"	No
NEW	184	Clusia guttifera	Small Leaf Clusia	15 Gallon @ 30" O.C. / 4' Ht. At time of Planting	n/a	8'	5'	Yes
NEW	31	Ficus pumila	Ficus Repens - Vine	1 Gallon on Wall	n/a	Vine	Vine	No
NEW	318	Nephrolepis cordifolia 'Kimberly Queen'	'Kimberly Queen' Fern	3 Gallon @ 24" O.C. / 18" Ht. Max.	n/a	2'	2'	No

MISCELLANEOUS	
NEW / QTY	ITEM
TO BE DETERMINED BY LANDSCAPE CONTRACTOR	St. Augustine 'Palmetto' Sod over Sharp Sand Bed - 2" Deep
	80 / 20 Planting soil mixture. Quantity to be determined - 4" min. depth as per specs.
	Shredded 'Eucalyptus' Mulch - 2" Depth Min.

TOTALS	PROVIDED	NATIVE
Trees (12' Ht. Min.) (2 Palms = 1 Tree)	20	16 (80% Native)
Shrubs (3 Gallon Min.)	533	184 (35% Native)
Street Trees: Required at 35' O.C. = 12 Trees	8	8 (100% Native)

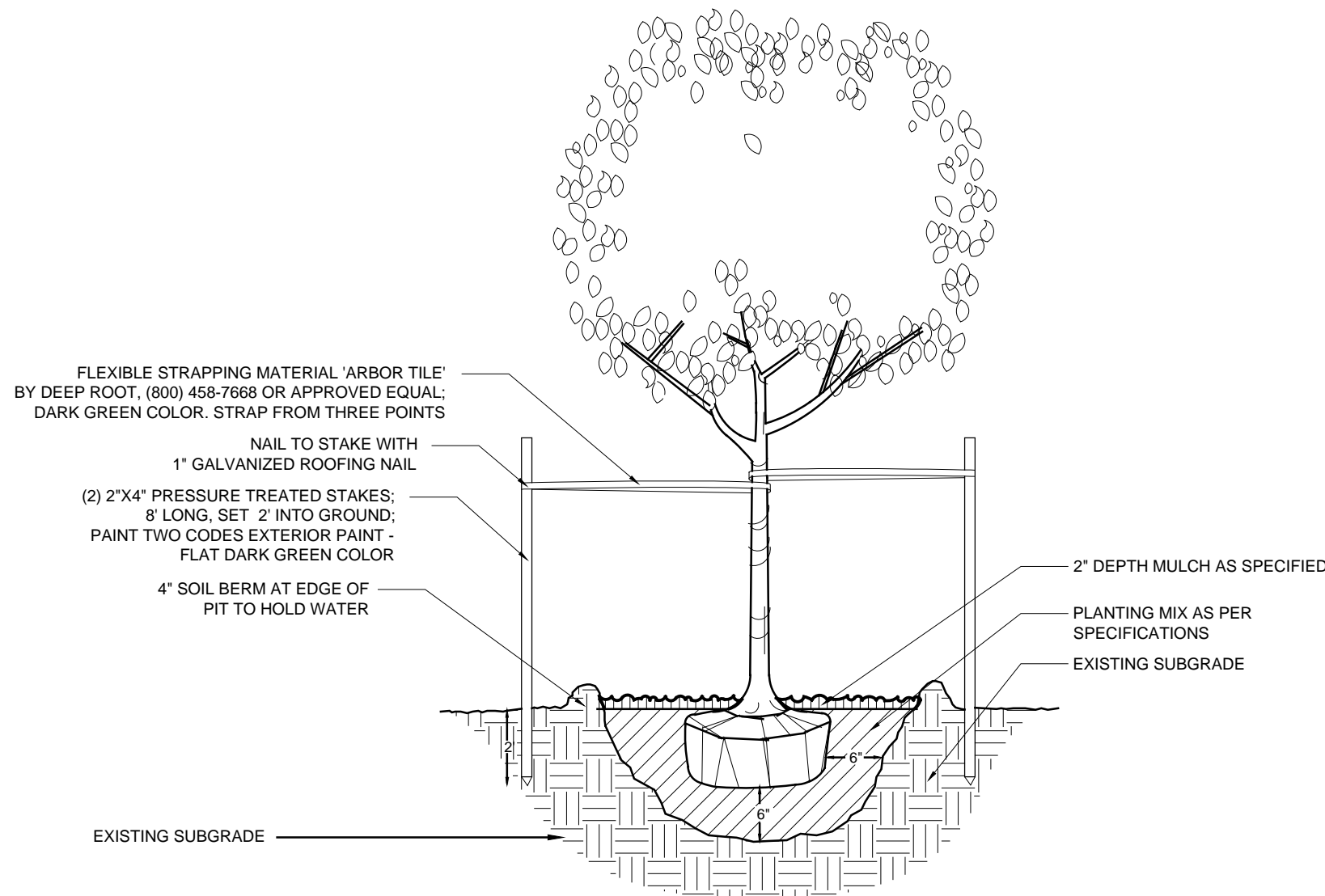
PLANT LIST  
GABLES POINTE: PHASE 2

TREES AND PALMS								
NEW	QTY	BOTANICAL NAME	COMMON NAME	INSTALLED HT. / SPEC.	CALIPER INSTALLED (DBH)	HEIGHT AT MATURITY	CANOPY DIAMETER AT MATURITY	NATIVE
NEW	31	Conocarpus erectus var. sericeus	Silver Buttonwood Tree	14' Ht. x 6' Sp. Standard. Buffer Trees	3"	20'	15'	Yes
NEW	2	Podocarpus gracilior	Weeping Podocarpus Tree	12' Ht. x 8' Sp.	3"	30'	20'	No
NEW	11	Bulnesia arborea	Verawood	12' Ht. x 8' Sp.	3"	30'	20'	No
NEW	12	Quercus virginiana	Live Oak	12' Ht. x 8' Sp.	4"	50'	35'	Yes

SHRUBS AND GROUNDCOVERS								
NEW	1460	Arachis glabrata	Perennial Peanut - Groundcover	4 1/2" Pot @ 12" O.C.	n/a	4"	4"	No
NEW	256	Pennisetum setaceum	White Fountain Grass	3 gal. @ 30" o.c.	n/a	3'	3'	No
NEW	390	Clusia guttifera	Small Leaf Clusia	15 Gallon @ 30" O.C. / 4' Ht. At time of Planting	n/a	8'	5'	Yes
NEW	28	Ficus pumila	Ficus Repens - Vine	1 Gallon on Wall	n/a	Vine	Vine	No
NEW	700	Nephrolepis cordifolia 'Kimberly Queen'	'Kimberly Queen' Fern	3 Gallon @ 24" O.C. / 18" Ht. Max.	n/a	2'	2'	No

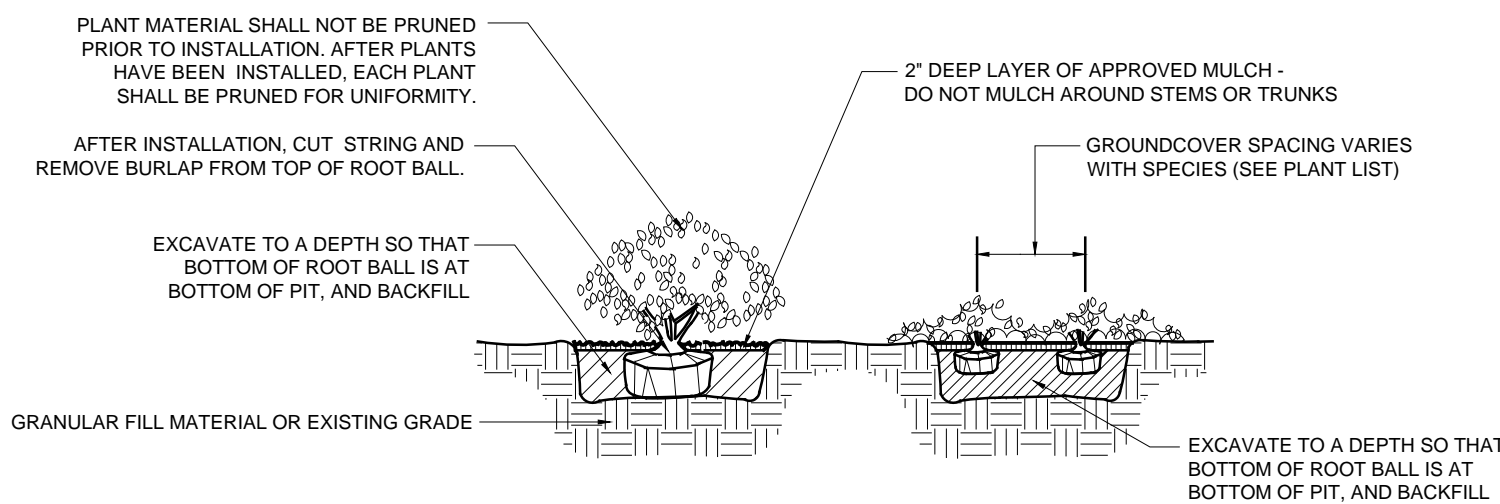
MISCELLANEOUS	
NEW / QTY	ITEM
TO BE DETERMINED BY LANDSCAPE CONTRACTOR	St. Augustine 'Palmetto' Sod over Sharp Sand Bed - 2" Deep
	80 / 20 Planting soil mixture. Quantity to be determined - 4" min. depth as per specs.
	Shredded 'Eucalyptus' Mulch - 2" Depth Min.

TOTALS	PROVIDED	NATIVE
Trees (12' Ht. Min.) (2 Palms = 1 Tree)	44	31 (70% Native)
Shrubs (3 Gallon Min.)	1346	390 (30% Native)
Street Trees: Required at 35' O.C. = 12 Trees	12	12 (100% Native)



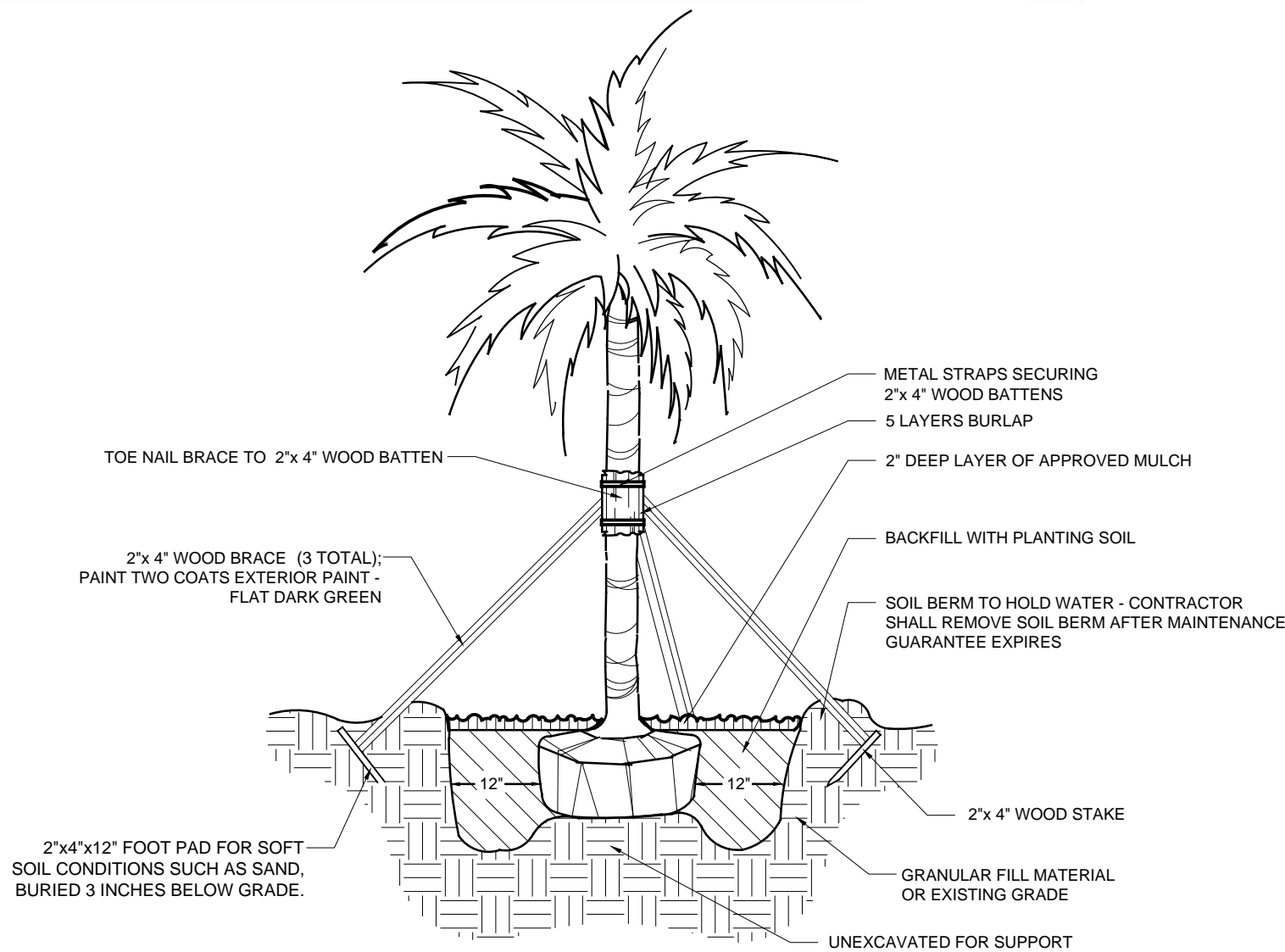
SPECIMEN TREE GUYING DETAIL

N.T.S.



SHRUB & GROUNDCOVER PLANTING DETAIL

N.T.S.



PALM PLANTING DETAIL

N.T.S.



3360 CORAL WAY  
SUITE 5  
MIAMI, FL 33145  
PHONE: (305) 774-9662  
FAX: (305) 774-9652  
WWW.BELL-LA.COM

GABLES POINTE  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FL 33133

SHEET TITLE	
PLANTING DETAILS	
DATE	07.30.14
DESIGN	D.B.
DRAWN	J.D.F.
SCALE	
REVISIONS	
SEAL	
L-3	5
SHEET	OF

LANDSCAPE SPECIFICATIONS

- 1.00 GENERAL
- 1.01 The Contractor is reminded that the General Conditions and / or Special Conditions of this contract govern the work of this section of the Specifications whether attached hereto or not. Subcontractors undertaking to perform work under this Section shall be made fully aware of these documents and of their responsibilities and obligations thereunder. In the event of any discrepancies between the drawings and specifications and the following 'Scope of Work', the latter shall prevail.
- 2.00 SCOPE OF WORK
- 2.01 The work of this Section shall include all labor, materials, equipment, appliances, and accessories necessary for the complete performance of all excavation, grading, planting and backfill work in accordance with these Specifications and the Contract Drawing. Without restricting the generality of the foregoing, the items listed below and similar items shown on the Contract Drawings shall constitute the work of this Section:

A. Finish grading and final site preparation of all areas to be landscaped.

B. Furnishing and incorporating fertilizer and other soil amendments.

C. Furnishing plant materials and grass materials and installing same.

D. Furnishing and placing 'Planting Mixture' and other miscellaneous items to complete the work.

E. Replacement of unsatisfactory plant material.

F. Clean-up.
- 3.00 SITE PREPARATION and SITE SITEWARDSHIP FOR SUSTAINABLE SITES
- 3.01 The Contractor shall provide finish grading and final preparation of all areas to be landscaped to within 6" of finish grade. This will require raking and pulverizing of all areas in order to crumble dirt, clogs and / or debris. The Landscape Contractor shall be responsible for finish grading, which is the top 6" of the site.
- 3.02 The Contractor must perform the following preventative measures for erosion controls during construction:

Stockpile and Protect disturbed Topsoil from erosion;

Control the path and velocity of runoff with silt fencing or equivalent;

Protect sewer inlets, streams, and lakes with straw bales or silt fencing;

Provide swales to divert surface water from hillsides, use tiers, erosion blankets, compost blankets, etc. on sloped areas.
- 3.03 Contractor must minimize disturbed area of site where site is not previously developed by following tree / plant protection plan and enforcing 'No Disturbance Zones' quarantined by use of Construction tape or Fencing.

When site is previously developed, Contractor must enforce Tree / Plant protection Plan and use Hay bales, silt fencing, etc. for erosion controls.
- 3.04 All Landscaping must be 24" from finish wall of structures for pest control measures.
- 4.00 MATERIALS
- 4.01 Plant materials shall be furnished by the Landscape Contractor and as indicated on the plans. All plant materials shall meet or exceed the following standards.

A. Plant species and sizes shall conform with plant list. Nomenclature shall conform to Standardized plant names, in accordance with the latest edition of the Florida Department of Agriculture's Grades and Standards for Nursery Plants.

B. All plants shall be nursery grown or as stipulated herein and shall comply with all required inspections, grading standards and plant regulations as set forth in the Florida Department of Agriculture 'Grades and Standards for Nursery Plants', including revisions. Ensure that plant materials are shipped with tags stating the botanical and common name of the plant.

C. The minimum grade for all trees, palms, shrubs, and groundcovers shall be Florida No. 1 and shall meet or exceed the size and quality standards of the American Association of Nursery Stock, sponsored by the American Association of Nurserymen, latest addition, unless otherwise indicated and all plants shall be sound, healthy and vigorous, well-branched and densely foliated when in leaf. They shall have healthy, well developed root systems and shall be free of disease and insect pests, eggs or larvae. Florida Fancy material shall be provided where plant list specifies 'specimen'.

D. The determining measurements for trees shall be the height and spread, and shall be measured from the top of the plant to the root crown, not to include the immediate terminal growth. Their width shall be measured across the normal spread of the branches. Both measurements shall be made with the plants in their normal position.

E. Plants larger in size than those specified may be used with approval of the Landscape Architect at no additional cost to the Owner. If the use of the larger plants is approved, the ball of earth or spread of roots shall be increased proportionately.

F. Container grown plants the same quality as balled and burlapped plants may be substituted in lieu thereof. Plants grown in containers shall be delivered and remain in the containers in a shady location until planted. Plants in containers shall be watered prior to transportation and shall be kept moist until planted. The container must be removed prior to planting, with care as not to injure the roots.

G. Grass materials shall consist of the following:

1. Sod: Solid sod shall be as indicated on the drawings. Sod must be strongly rooted and free of pernicious weeds. Mow to a height not to exceed 1 1/2" before lifting. Lifts shall have a uniform thickness of 1 inch to 1 1/2 inches. Sod containing nutgrass, lippia water sedge, dollar weed, or other common turfweed species (if applicable), will not be accepted.

2. Sodding installation :

a) Sodding shall be done as soon as practical following finish grading. Ground shall be covered with a 4" blanket of soil using specified 60/40 top soil mixture where necessary to create a 4" soil blanket. The day before sod installation, the contractor shall rake 50# Milorganite per 1000 sf of area to receive sod. Ground shall be leveled with the back of a rake and sod laid with joints closely butted so that no voids are visible, keeping surface of sod flush with the adjoining seeded areas and or pavements. Lay sod to form a solid mass with tightly fitted joints. Butt ends and sides of sod strips; do not overlap. Hand tamp to ensure contact with subgrade, and water thoroughly with a fine spray immediately after laying.

- b) After sod is in place, it shall be top dressed with sufficient sharp, clean 60% sand/40% muck soil mix to fill all voids remaining and thoroughly watered to wash the top dressing into the sodded surface.
- c) All sod areas shall then be rolled using a vibrating #1500 sod roller. The contractor shall apply a preemergent herbicide to all sodded areas.
- d) It is the Landscape Contractor's responsibility to keep new sod properly watered until completion of the contract. All watering shall meet specifications according to 'Grades and Standards' Section 983.
- H. Substitutions in plant species or size will be made only with prior written permission of the Landscape Architect.
- I. If, in the opinion of the Landscape Architect, materials and /or work do not conform with the plans and specifications, it may be rejected and upon rejection, must be removed immediately from the site by the Contractor and replaced.
- J. The Contractor shall be responsible for the certification and inspection of plant material that may be required by local, state, or federal authorities and shall bear the cost of the same, if any.
- 4.02 Materials used to install the job shall meet or exceed the following standards:

A. Planting mix to be used for 4" soil blankets and backfilling around trees shall be: 60% coarse sand / 40% Inland Glades Muck. 70% sand / 30% muck shall be used in planters or areas with poor drainage.

B. Fertilizers: Fertilizer shall be delivered mixed as specified in standard bags, sealed, and showing weight by analysis and name of manufacturer. Fertilizer shall be stored in weatherproof storage and in such a manner that its effectiveness will not be impaired.

C. Mulch: Mulch shall be shredded 'Pine Fines', Grade B, clean, bright, and free of weeds, moss, sticks, and other debris.

D. Water: All water required for the execution of the work shall be supplied at the site by the Owner.
- 5.00 INSTALLATION
- 5.01 The Planting operations used to install the job shall meet or exceed the following standards:

A. Excavation of Plant Pits: Plant pit excavations shall be roughly cylindrical in shape, with their side approximately vertical. Pit shall be excavated so that bottom of pit is same depth as root ball. Plants shall be centered in the hole, with the trunk location as shown in the plans. Holes for balled and burlapped plants shall be large enough to allow 12" minimum (depending on root ball size) of back fill around the sides of the root ball, and 12" of back fill beneath the root ball. In all cases the diameter of the plant hole shall be twice the diameter of the root ball. Where excess material has been excavated from the plant hole, the excavated material may be used to backfill to the proper level. Mix existing excavated material in 50% / 50% ratio with new planting soil mix. The Contractor, in excavation for plantings shall take care not to damage underground utilities or other sub-surface obstructions, and shall be held liable for their repair, if damaged.

B. Setting Plants: All trees shall be set so, that when settled, the top of the root ball will be flush with the surrounding area of the finish grade or slightly above finish grade. Each plant shall be planted in planting soil mix in the center of the pit. Shrubs shall be set flush with the surrounding finish grade of the planting area. The back fill shall be made with prepared planting in mixture as specified herein and shall be firmly rodded and watered, so that no air-pockets remain. The quantity of water applied immediately upon planting shall be sufficient to thoroughly moisten all of the backfilled earth. Plants shall be kept in a moistened condition the duration of the planting.

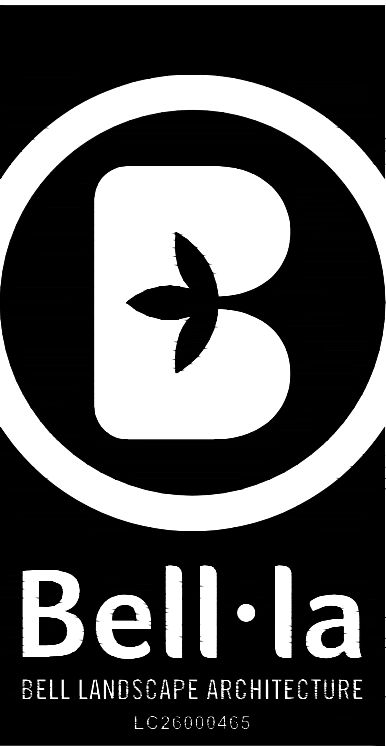
C. Staking and Guying: All trees shall be staked or guyed as shown in the details and according to the following specifications.

1. Use wide plastic, rubber or other flexible strapping materials to support the tree to stakes or ground anchors that will give as the tree moves in any direction up to 30 degrees. Use strapping material 'Arbor Tie' by Deep Root (800) 458-7668 dark green color, or approved equal. Do not use rope or wire through a hose. Use guy chords, hose or any other thin bracing or anchorage material which has a minimum 12" [300 mm] length of high visibility flagging tape secured to guys, midway between the tree and stakes for safety.

2. Stake trees larger than 1" [25 mm] diameter and smaller than 2" [50 mm] diameter with a 2" by 2" [50 by 50 mm] stake, set at least 2' [0/6 m] in ground and extending to the crown of the plant. Firmly fasten the plant to the stake with flexible strapping materials as noted above.

3. TREES OF 2 TO 3 ½" [50 MM TO 90 MM] CALIPER: Stake all trees, other than palm trees, larger than 2" [50 mm] caliper and smaller than 3 ½" [90 mm] caliper with two 2" by 4" [50 by 100 mm] stakes, 8' [2.4 m] long, set 2' [0.6 m] in the ground. Place the tree midway between the stakes and hold it firmly in place by flexible strapping materials as noted above.

4. LARGE TREES: Guy all trees, other than palm trees, larger than 3 ½" [90 mm] caliper, from at least three points, with flexible strapping materials as noted above. Anchor flexible strapping to 2" by 4" by 24" [50 by 100 by 600 mm] stakes, driven into the ground such that the top of the stake is at least 3" [75 mm] below the finished ground.
5. SPECIAL REQUIREMENTS FOR PALM TREES: Brace palms which are to be staked with three 2" by 4" [50 by 100 mm] wood braces, toe-nailed to cleats which are securely banded at two points to the palm, at a point one third the height of the trunk. Pad the trunk with five layers of burlap under the cleats. Place braces approximately 120 degrees apart and secure them underground by 2" by 4" by 12" [50 by 100 by 300 mm] stake pads. Paint wood flat dark green exterior paint, two coats.
6. TREE PROTECTION AND ROOT BARRIERS: Install tree barriers when called for in the Contract Documents or by the Landscape Architect to protect existing trees from damage during project construction. Place barricades at the drip line of the tree foliage or as far from the base of the tree trunk as possible. Barricades shall be able to withstand bumps by heavy equipment and trucks. Maintain barricades in good condition. When called for in the Contract Documents, install root barriers or fabrics in accordance with the details shown.
- D. Pruning: All broken or damaged roots or branches shall be cut smoothly and the tops of all trees shall be pruned in a manner complying with standard horticultural practice. At the time pruning is completed, all remaining wood shall be alive.
- E. Mulching: Within one week after planting, mulch material, consisting of shredded Eucalyptus or Pinebark shall be uniformly applied to a minimum loose thickness of 2 inches, over the entire area of the backfilled hole or bed. The mulch shall be maintained continuously in place until the time of final inspection, and must be a minimum of 2 inches thick to be accepted. Mulch shall not be placed against stems or trunks.
- F. Fertilizing: Feeding of all trees and specimen shrubs shall be done with slow release, 'Woodace' Briquettes, 17 gram, tablet fertilizer, analysis 14-3-3, as per manufacturer's instructions. Fertilizing shall not occur until after flush of new growth.
- 6.00 MAINTENANCE
- 6.01 Maintenance and hand watering of all trees, shrubs and groundcover by the Landscape Contractor shall terminate upon final acceptance of such work, but shall not discharge the Landscape Contractor from his responsibility to honor the guarantee period. Maintenance prior to final acceptance shall include the removal of all dead or dying twigs and branches, the weeding, watering and normal pruning of plant material.
- 7.00 GUARANTEE
- 7.01 The Landscape Contractor shall guarantee and maintain all new field grown trees for a period of 180 days, and all field grown palms for a period of one year. All containerized trees, palms, shrubs and groundcovers for a period of 90 days, and all sod for a period of 90 days. The Landscape Contractor shall replace at the direction of the Landscape Architect all trees, shrubs, or groundcovers deemed by the Landscape Architect to be unacceptable, due to death or damage; acts of God, Owner negligence and vandalism excepted.
- 7.02 New material used to replace material unacceptable to the Landscape Architect, shall be guaranteed for similar period from date of installation
- 8.00 FINAL INSPECTION AND ACCEPTANCE
- 8.01 The Landscape Contractor shall advise the Landscape Architect in writing at the end of the guarantee period that the project is ready for final inspection. Only upon notification to the Landscape Architect by the Landscape Contractor in writing and subsequent inspection attended by the Landscape Contractor shall the requirements of the guarantee be met.
- 9.00 CLEAN-UP
- 9.01 Upon completion of all work under this section, and intermittently as required, the Landscape Contractor shall clear the site of all debris, superfluous material and all equipment to the satisfaction of the Landscape Architect
- 9.02 End



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CORAL GABLES, FL 33133

SHEET TITLE

PLANTING  
NOTES

DATE  
07.30.14

DESIGN  
D.B.

DRAWN  
J.D.F.

SCALE

REVISIONS

SEAL

L-4  
SHEET

5  
OF

GENERAL NOTES

1. Details apply to both rural and urban intersections under stop sign control or flashing beacon control. For full signal controlled intersections see Design Note No 4.
2. Sight distance (d) applies to normal and skewed intersections (intersecting angles between 60° and 120°), and where vertical and/or horizontal curves are present. Sight distance (d) is measured along the major roadway from the center of the entrance lane of the minor roadway to the center of the near approach lane (right or left) of the major roadway. Distances  $d_L$  and  $d_r$  are measured from the centerline of the entrance lane of the minor roadway to a point on the edge of the near side outer traffic lane on the major roadway. Distance  $d_m$  is measured from the centerline of the entrance lane of the minor roadway to a point on the median clear zone limit or horizontal clearance limit for the far side roadway of the major roadway.
3. a. The limits of clear sight define a corridor throughout which a clear sight window must be preserved. See WINDOW DETAIL, Sheet 6.
- b. Clear sight must be provided between vehicles at intersection stop locations, and vehicles on the major roadway within dimension 'd'.
- c. Since observations are made in both directions along the line of sight, the reference datum between roadways is 3'-6" above respective pavements.
4. Barrier systems within intersection sight corridors, where penetration into the sight window might occur, shall be located to provide the least adverse affect practical.
5. The corridor defined by the limits of clear sight is a restricted planting area. Drivers of vehicles on the intersecting roadway and vehicles on the major roadway must be able to see each other clearly throughout the limits of 'd' and 'd<sub>a</sub>'. If in the Engineers judgement, landscaping interferes with the line of sight corridor prescribed by these standards the Engineer may rearrange, relocate or eliminate plantings. Plants within the restricted areas are limited to selections as follows:

Ground Cover & Trunked Plants (Separate or Combined):

Ground Covers - Plant selection of low growing vegetation which at maturity does not attain a height greater than 18" below the sight line datum.  
For ground cover in combination with trees and palms; the following heights below the sight line datum will apply: 24" for trees and palms ≤ 11" dia.; and, 18" for sabal palms > 11" ≤ 18" dia. (dia. -within Sight Window ).

Trunked Plants - Plant selection of a mature trunk diameter 4" or less measured at 6" above the ground. Canopy or high borne foliage shall never be lower than 5' above the sight line datum. These selections shall be spaced no closer than 20'.

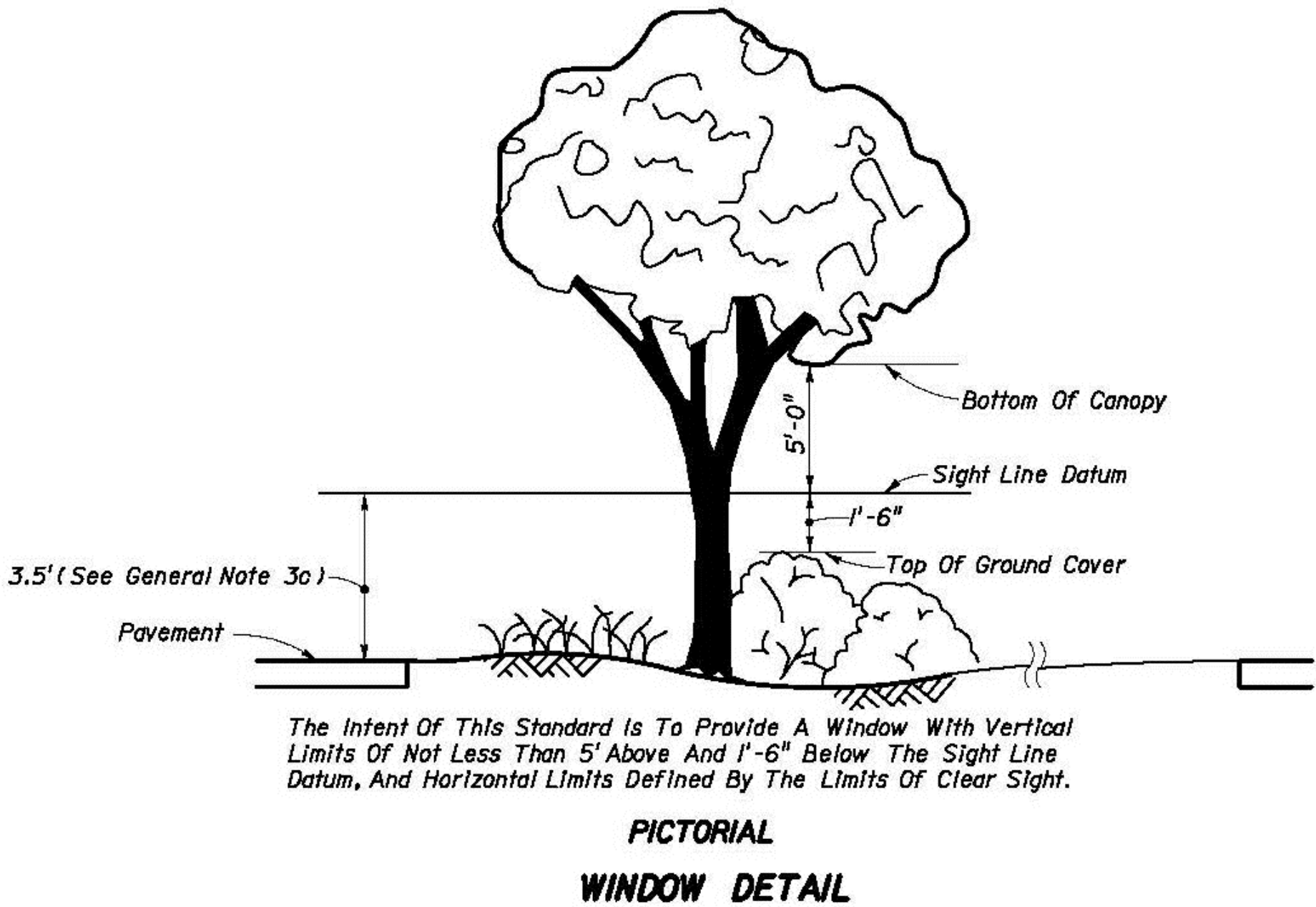
Trees:

Trees can be used with lawn; pavers; pavement; gravel, bark or wood chip beds; ground covers or other Department approved material. The clear sight window must be in conformance with the 'WINDOW DETAIL' modified to attain the height requirements listed in 'Ground Covers' above. Tree size and spacing shall conform to the following tabular values:

Description	Speed ( mph )													
	30		35		40		45		50		55		60	
	( Inches )													
Diameter ( Within Limits Of Sight Window )	>4≤11	>11≤18	>4≤11	>11≤18	>4≤11	>11≤18	>4≤11	>11≤18	>4≤11	>11≤18	>4≤11	>11≤18	>4≤11	>11≤18
	( Feet )													
Minimum Spacing ( c. to c. Of Trunk )	22	91	27	108	33	126	40	146	45	165	52	173	60	193
SIZES AND SPACINGS ARE BASED ON THE FOLLOWING CONDITIONS: ( a ) A single line of trees in the median parallel to but not necessarily colinear with the centerline, ( b ) A straight approaching mainline, within skew limits as described in No. 2 above. ( c ) 1. Trees and palms ≤11" in diameter casting a vertical 6' wide shadow band on a vehicle entering at stop bar location when viewed by mainline driver beginning at distance 'd'; see SHADOW DIAGRAM, Sheet 6. 2. Sabal palms with diameters >11" to ≤18" spaced at intervals providing a 2 second full view of entering vehicle at stop bar location when viewed by mainline driver beginning at distance 'd'; see PERCEPTION DIAGRAM, Sheet 6. ( d ) Trees with diameters ≤11" intermixed with trees with diameters >11" ≤18" are to be spaced based on trees with diameters >11" ≤18".  For any other conditions the tree sizes, spacings and locations shall be detailed in the plans; see Design Note No. 5.														

DESIGN NOTES

1. The information shown on this index is intended solely for the purpose of clear sight development and maintenance at intersecting highways, roads and streets, and is not intended to be used to establish roadway and roadside safety except as related to clear sight corridors. An analysis of sight distance shall be documented for all intersections.
2. Details are based on the AASHTO 'A Policy On Geometric Design Of Highways And Streets, 2001', CHAPTER 9, INTERSECTION SIGHT DISTANCE, CASES B and F, and Department practices for channelized median openings ( left turns from major roadways ).
3. The minimum driver eye setback of 14.5' from the edge of the traveled way may be adjusted on any intersection leg only when justified by a documented, site specific field study of vehicle stopping position and driver eye position.
4. For SIGNALIZED INTERSECTIONS sight distances should be developed based on AASHTO 'Case D- Intersections With Traffic Signal Control'. 'At signalized intersections, the first vehicle stopped on one approach should be visible to the driver of the first vehicle stopped on each of the other approaches. Left-turning vehicles should have sufficient sight distance to select gaps in oncoming traffic and complete left turns. Apart from these sight conditions, there are generally no other approach or departure sight triangles needed for signalized intersections. However, if the traffic signal is to be placed on two-way flashing operation ( i.e. flashing yellow on the major-road approaches and flashing red on the minor-road approaches ) under off-peak or nighttime conditions, then the appropriate departure sight triangles for Case B, both to the left and to the right, should be provided for the minor-road approaches. In addition, if right turns on a red signal are to be permitted from any approach, then the appropriate departure sight triangle to the left for Case B2 should be provided to accommodate right turns from that approach.'
5. Where curvature, superelevation, adverse split profiles or other conditions preclude the use of standard tree sizes and spacing, proof of view and shadowing restraints must be documented and the size and location of trees in medians detailed in the plans.
6. Intersection sight distance values are provided for Passenger Vehicles, SU Vehicles and Combination Vehicles. Intersection sight distance based on the Passenger Vehicle is suitable for most intersections. Where substantial volumes of heavy vehicles enter the major-road, such as from ramp terminals with stop control or roadways serving truck terminals, the use of tabulated values for SU Vehicles or Combination Vehicles should be considered.



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SHEET TITLE	
F.D.O.T. NOTES	
DATE	07.30.14
DESIGN	D.B.
DRAWN	J.D.F.
SCALE	
REVISIONS	
SEAL	
L-5	5
SHEET	OF

NOTES

1. CALCULATIONS HAVE BEEN PERFORMED ACCORDING TO IES STANDARDS AND PRACTICE. SOME DIFFERENCES BETWEEN MEASURED VALUES AND CALCULATED RESULTS MAY OCCUR DUE TO TOLERANCES IN CALCULATION METHODS, TESTING PROCEDURES, COMPONENT PERFORMANCES, MEASURED CONDITIONS SUCH AS TECHNICAL AND FIELD VOLTAGES AND TEMPERATURE VARIATIONS. INPUT DATA SUCH AS ROOM DIMENSIONS, REFLECTANCES, FURNITURE, LIGHT LOSS FACTOR, FURNITURE, ARCHITECTURAL ELEMENTS AND FOLIAGE SIGNIFICANTLY AFFECT THE LIGHTING CALCULATIONS. IF THE REAL ENVIRONMENT DO NOT MATCH INPUT DATA DIFFERENCES WILL OCCUR BETWEEN MEASURED AND CALCULATED VALUES.

2. CONCRETE POLES ARE TO BE 40' OVERALL LENGTH AND 30' ABOVE GROUND OR AS INDICATED BY BORING TEST RESULTS - SUPPLIED BY OTHERS.
3. WIND LOAD CALCULATIONS, TO MEET SOUTH FLORIDA WIND LOAD REQUIREMENTS, MUST BE PREPARED AND SUBMITTED AS PART OF THE SUBMITTAL PROCESS. SAID CALCULATIONS MUST BE SIGNED AND SEALED BY FLORIDA REGISTERED ENGINEER.
4. POINT-BY-POINT CALCULATIONS PROGRAM USED - VISUAL SERIAL # 5101 5260 4589 0193, VERSION 2.06.0211

**JMM**

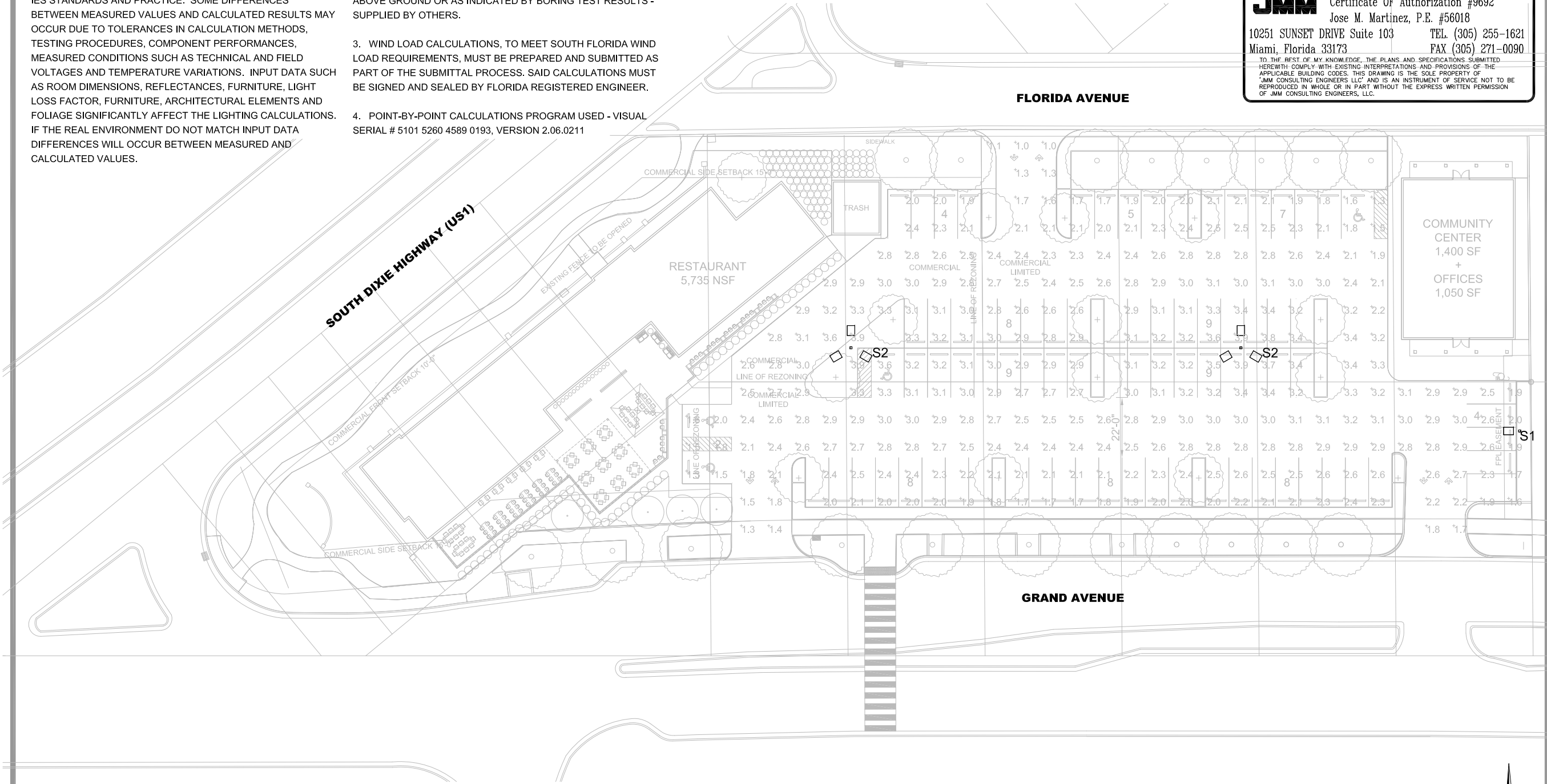
**Consulting Engineers LLC**  
Certificate of Authorization #9692  
Jose M. Martinez, P.E. #56018  
10251 SUNSET DRIVE Suite 103  
Miami, Florida 33173

TEL. (305) 255-1621  
FAX (305) 271-0090

TO THE BEST OF MY KNOWLEDGE, THE PLANS AND SPECIFICATIONS SUBMITTED HEREWITH COMPLY WITH EXISTING INTERPRETATIONS AND PROVISIONS OF THE APPLICABLE BUILDING CODES. THIS DRAWING IS THE SOLE PROPERTY OF 'JMM CONSULTING ENGINEERS LLC' AND IS AN INSTRUMENT OF SERVICE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN PERMISSION OF JMM CONSULTING ENGINEERS, LLC.



GABLES POINTE  
BAHAMIAN VILLAGE LLC  
280 SOUTH DIXIE HIGHWAY  
CORAL GABLES, FLORIDA



LUMINAIRE SCHEDULE

Symbol	Label	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
	S1	LITHONIA DSX2 LED 80C 1000 40K T4M MVOLT HS MOUNTED 30' AFG ON CONCRETE POLE	DSX2 LED W/2 LARGE & 2 SMALL LIGHT ENGINES, (2) 1050mA DRIVERS, 4000K LED, TYPE T4M OPTICS, WITH HOUSE SIDE SHIELD	LED	DSX2_LED_80 C_1000_40K_T 4M_MVOLT_H S.ies	Absolute	0.85	275
	S2	LITHONIA DSX2 LED 80C 1000 40K T5W MVOLT MOUNTED 30' AFG ON CONCRETE POLE	DSX2 LED W/2 LARGE & 2 SMALL LIGHT ENGINES, (2) 1050mA DRIVERS, 4000K LED, TYPE T5W OPTICS	LED	DSX2_LED_80 C_1000_40K_T 5W_MVOLT.ies	Absolute	0.85	825

LUMINAIRE LOCATIONS

No.	Label	X	Location Y	Z	MH	Orientation	Tilt
1	S2	1563.4	-6243.0	30.0	30.0	0.0	0.0
2	S2	1705.7	-6243.0	30.0	30.0	0.0	0.0
3	S1	1807.4	-6273.4	30.0	30.0	-90.0	0.0

STATISTICS

Description	Symbol	Avg	Max	Min	Max/Min
PARKING AREA	+	2.6 fc	3.9 fc	1.0 fc	3.9:1

1  
E-01

**ELECTRICAL  
SITE PLAN**

SCALE: 1" = 40'-0"

ELECTRICAL SITE PLAN

SCALE: 1" = 40'-0"

E-1.0

## **EXECUTIVE SUMMARY**

The proposed Gables Pointe project will be located on the northeast corner of the US-1 (South Dixie Highway) / Grand Avenue intersection in Coral Gables, Florida. The proposed development program consists of approximately 6,000 square feet of restaurant with 129 indoor seats and 146 outdoor seats and 2,500 square feet of office. The anticipated build-out year for the project will be 2014. The traffic study is consistent with the methodology previously discussed and agreed to by the City of Coral Gables Public Works Department.

An assessment of the traffic impacts associated with Gables Pointe was performed in accordance with the requirements of the city of Coral Gables. The analysis shows that the project would not adversely impact the roadway segments and intersections that were analyzed within the study area. All the segments and intersections under study meet the city's LOS standards.

The suitability to accommodate pedestrians at the study intersection was also tested. The signal timing plans at the analyzed intersections were found adequate for pedestrian movements. Pedestrian mobility within and around the site is encouraged by existing pedestrian amenities by minimizing conflicts with vehicular traffic.

## **6.0 CONCLUSIONS**

An assessment of the traffic impacts associated with Gables Pointe was performed in accordance with the requirements of the city of Coral Gables. The analysis shows that the project would not adversely impact the roadway segments and intersections that were analyzed within the study area. All the segments and intersections under study meet the city's LOS standards.

The suitability to accommodate pedestrians at the study intersection was also tested. The signal timing plans at the analyzed intersections were found adequate for pedestrian movements. Pedestrian mobility within and around the site is encouraged by existing pedestrian amenities by minimizing conflicts with vehicular traffic.

**Responses to Atkins Comments on Behalf of City of Coral Gables**  
**(April 28, 2014)**  
**Re: Gables Pointe Traffic Study dated February 2014**

**1. Page 3: Use the Miami-Dade Long Range Transportation Plan Update 2035.**

*Response: The Miami-Dade 2035 Long Range Transportation Plan Update was used in the analysis and referenced on Page 3.*

**2. Page 4: Specify the AM & PM peak hour period and provide the approximated distance from the project site to the Coral Gables trolley and Douglas Road Metrorail Station.**

*Response: The AM and PM peak hour was specified on page 1 of the report. The distance to the Douglas Metrorail Station was added to page 4.*

**3. Exhibit 2: Review the TMCs for South Dixie Highway/Florida Ave intersection and the through traffic on South Dixie north and south of Florida Avenue. Jefferson Street/Florida Avenue shows two AM west bound right (WBR) TMCs, Please correct that. Make PM TMCs more legible (Refer to EB TMC for Jefferson Street/Grand Avenue).**

*Response: Exhibit 2 was reviewed as requested. The typographical error showing two WB right turn volume at the Jefferson Street/Florida Avenue intersection was corrected.*

**4. Exhibit 5: Needs update based on changes to Exhibit 2.**

*Response: Corrections on Exhibit 2 did not affect Exhibit 5.*

**5. Page 12. Include Section 3.0 as part of the methodology.**

*Response: Section 3 is a stand-alone section and not part of the methodology.*

**6. Page 13: Section 4.1. Appendix D shows different Land Use (LU) than described in the report. Include Pass-by and Transit/Pedestrian trips in Exhibit 6 as described in the exhibit from Appendix D. Exhibit 6: Show trip generation rate for each LU for Gables Residential. Use ITE trip generation 9<sup>th</sup> Ed. for trip rates. Use the correct LU code for specialty retail.**

*Response: The typographical errors on Exhibit 6 were corrected.*

**7. Exhibit 7: Needs updates based on changes to Exhibit 6. Exhibit 8 & 9: Needs updates based on changes to Exhibit 6 & 7.**

*Response: Corrections on Exhibit 6 did not affect Exhibits 7, 8 or 9.*

**8. Exhibit 11: Use the Miami-Dade 2035 Long Range Transportation Plan Directional Trip Distribution Report.**

*Response: The Miami-Dade 2035 Long Range Transportation Plan Directional Trip Distribution Report was used in the analysis. Source of document was updated.*

**9. Exhibit 10: Use ITE trip Generation 9<sup>th</sup> Ed. Rates for LU 710 (office). Explain why a high 10% transit/pedestrian trips was used.**

*Response: ITE Trip Generation 9<sup>th</sup> Edition rates for LU 710 (Office) were used in the analysis. The close proximity of the project to a Metrorail station and the bus service available on adjacent streets justify the 10% deduction for transit/pedestrian trips. Please note that this percentage is consistent with other traffic studies conducted for approved projects in the area.*

**10. Exhibit 12: Correct the number of access points for the project location as shown in the site plan (Appendix A). Specify in the report if there have been any changes to the site plan; Provide a copy of the updated site plan if applicable. Verify the distribution percentage. Use Miami-Dade LRTP 2035 trip distribution percentages.**

*Response: Exhibit 12 has been corrected as requested. The site plan has not changed.*

**11. Exhibit 13: Needs update based on changes to Exhibit 10, 11, and 12.**

*Response: Corrections to Exhibit 12 did not affect Exhibit 13*

**12. Exhibit 14: Need updates based on changes to Exhibit 10 & 11. Show TMCs at each project's access point. Use two different text formats to distinguish AM & PM TMCs.**

*Response: Exhibit 14 was revised to include the TMCs at the driveways.*

**13. Exhibit 15: Needs update based on changes to Exhibit 14.**

*Response: Corrections to Exhibit 14 did not affect Exhibit 15.*

**14. Section 6.0: Modify the report conclusions accordingly after changes are made.**

*Response: The conclusions of the study remain the same.*

FILE

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2005-65

A RESOLUTION WAIVING THE PERMIT FEES FOR THE PROPERTIES TARGETED IN THE BAHAMIAN VILLAGE & LBW HISTORIC REHABILITATION PROJECTS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

**SECTION 1.** That the City Commission approves waiving permit fees for those properties targeted in the Bahamian Village & LBW Historic Rehabilitation Projects.

**SECTION 2.** That this resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS TWENTY-SIXTH DAY OF APRIL, A.D., 2005.

(Moved: Cabrera / Seconded: Kerdyk)

(Yeas: Slesnick, Cabrera, Withers, Anderson, Kerdyk)

(Unanimous Consent Vote)

(Agenda Item D-1)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2005-03**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES FOR A CHANGE OF LAND USE FROM "RESIDENTIAL USE (SINGLE-FAMILY) LOW DENSITY" TO "COMMERCIAL USE, LOW-RISE DENSITY" ON LOTS 22, 23, 25, 26, AND 27, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBANS PARK SECTION (INTERSECTION OF GRAND AVENUE AND U.S. 1), CORAL GABLES, FLORIDA; THE CHANGE OF LAND USE IS A PRE-REQUISITE FOR REZONING AND SITE PLAN REVIEW; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Application No. 02-03-093-P was submitted for approval in order to amend the Future Land Use Map of the "City of Coral Gables Comprehensive Plan" in order to provide that Lots 22, 23, 25, 26 and 27, Block 1B, MacFarlane Homestead and St. Albans Park Section (intersection of Grand Avenue and U.S. 1), Coral Gables, Florida, shall be changed from "Residential Use (Single-Family) Low Density" to "Commercial, Low-Rise Intensity" to permit the construction of a commercial project;

**WHEREAS**, the change of land use is necessary to develop the site as a commercial project;

**WHEREAS**, the City of Coral Gables, pursuant to Florida Statutes and the City of Coral Gables Zoning Code, has designated the Planning and Zoning Board as the Local Planning Agency;

**WHEREAS**, after notice of public hearing duly published and notification of all property owners of record within one thousand (1000) feet, public hearings were held before the Local Planning Agency (Planning and Zoning Board) of the City of Coral Gables on November 3, 2004, at which hearings all interested persons were afforded the opportunity to be heard;

**WHEREAS**, this application is accompanied by a Change of Zoning and Site Plan which was reviewed by the Planning and Zoning Board and City Commission at the same public hearings;

**WHEREAS**, as a part of this application, the applicant has agreed to conditions of approval as outlined and provided in the Change of Zoning and Site Plan Ordinance;

**WHEREAS**, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on December 14, 2004 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on first reading;

**WHEREAS**, this request is considered a small scale amendment, and would not require review by the Department of Community Affairs;

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

**SECTION 1.** That the request for a land use amendment to the "City of Coral Gables Comprehensive Plan," and in particular that portion of the Future Land Use Element, known as the Future Land Use Map of Coral Gables, shall be and it is hereby amended to show henceforth a change in the Future Land Use by changing the "Land Use Category" on Lots 22, 23, 25, 26 and 27, Block 18, MacFarlane Homestead and St. Albans Park Section (intersection of Grand Avenue and U.S. 1), Coral Gables, Florida, from "Residential Use (Single-Family) Low Density" to "Commercial, Low-Rise Intensity."

**SECTION 2.** All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

**SECTION 3.** All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

**SECTION 4.** If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 5.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

**SECTION 6.** This ordinance shall become effective within thirty (30) days of passage.

PASSED AND ADOPTED THIS TWENTY FIFTH DAY OF JANUARY, A.D. 2005.


(Moved: Anderson / Seconded: Kerdyk)

(Yeas: Kerdyk, Withers, Anderson, Cabrera)


(Absent: Slesnick)

(Vote: 4/0)

(Agenda Item E-1)

  
DONALD D. SLESNICK II  
MAYOR

ATTEST:

  
WALTER FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
ELIZABETH HERNANDEZ  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2005-04**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES FOR A CHANGE OF ZONING FROM "R-1-2", RESIDENTIAL TO "CB", COMMERCIAL ON LOTS 22, 23, 25, 26, AND 27, AND SITE PLAN REVIEW FOR THE PROPERTY LOCATED ON LOTS 7-23 AND 25-27, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBANS PARK SECTION (INTERSECTION OF GRAND AVENUE AND U.S. 1), CORAL GABLES, FLORIDA, AND INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Application No. 02-03-093-P was submitted for approval for a change of zoning from "R-1-2", Residential to "CB", Commercial on Lots 22, 23, 25, 26 and 27, and site plan review on Lots 7-23 and 25-27, Block 18, MacFarlane Homestead and St. Albans Section (intersection of Grand Avenue and U.S. 1), Coral Gables, Florida, to permit the construction of a commercial project known as "Bahamian Village";

**WHEREAS**, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1000) feet, public hearings were held before the Planning and Zoning Board of the City of Coral Gables on November 3, 2004, at which hearings all interested persons were afforded the opportunity to be heard;

**WHEREAS**, the change of zoning and site plan review are required to permit the construction of the commercial project;

**WHEREAS**, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on December 14, 2004 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on first reading.

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

**SECTION 1.** The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

**SECTION 2.** The proposed change of zoning from "R-1-2", Residential to "CB", Commercial, and site plan for "Bahamian Village" submitted in accordance with the requirements of Article 25, "Planning and Zoning Board" of the Zoning Code shall be and are hereby approved with the following conditions:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following documents as modified subject to the conditions contained herein:
  - a. Site plan, building elevations and building program prepared by Beame Architectural Partnership dated August 15, 2004.
  - b. Landscape Plan prepared by Beame Architectural Partnership, dated July 20, 2004.
  - c. Traffic impact study prepared by Civil Works, Inc., dated April 2004.
  - d. Any changes to the plans and drawings referenced above as a part of building permit may require Planning and Zoning Board and City Commission review and approval dependent upon the changes. The applicant, successors or assigns shall advise the Planning Department of any applicable changes in writing.
  - e. Improvements and/or conditions contained herein, unless otherwise specified herein, shall be completed prior to receipt of final Certificate of Occupancy (CO). Prior to the issuance of a CO for the principal building, the applicant shall provide an affidavit, in a form acceptable to the City Attorney, averring that all the conditions set forth herein are satisfied.
  - f. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated October 28, 2004.
  - g. All representations proffered by the applicant's representatives provided as a part of the review of the application at public hearings.
  - h. Changes to the proposed plans required by the City Commission as part of the review of this application at public hearings.
2. Revisions to plans, elevations and all supporting documents. 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 verification that all conditions of approval are satisfied.
3. Building permit review changes. The applicant, successors or assigns shall advise of any changes to the plans and drawings referenced above as a part of building permit review process. Changes shall require Planning Department review and approval to determine the extent of changes and may require reconsideration by the Planning and Zoning Board and City Commission as determined by the Planning Director. The applicant, successors or assigns shall advise the Department of any applicable changes in writing prior to the issuance of a temporary certificate of final CO for the principal structure.
4. 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.
5. Restrictive Covenant. Within 90 days of approval of the adopting ordinance, the property owner, its successors or assigns shall secure City Attorney review and approval of Restrictive Covenant outlining all conditions of approval. Prior to the issuance of a building permit for the project, or as otherwise specified in the Restrictive Covenant, the property owner, its successors or assigns, shall adhere or agree to the following conditions:
  - a. Provide/install lighting deflectors on all perimeter parking lot light fixtures that are adjacent to or across the street to minimize overspill of lighting to single-family residential properties. This provision does not exempt minimum lighting standards as required per applicable Code.
  - b. No exterior paging systems or music shall be installed or audible outside the confines of any buildings.
  - c. The hours of operation of the commercial uses of property shall be prohibited from 12 a.m. (midnight) to 6:00 a.m. daily.

- d. All nighttime lighting of parking lot shall be extinguished from 12:30 a.m. to dawn daily. Lighting for purposes of health and safety of the site as required by Code shall be exempt from these provisions.
- e. A six foot (6') CBS wall shall be constructed along the east property line between the commercial parking lot and existing residence as required by the Zoning Code.
- f. All landscaping proposed within public right-of-way shall require review and approved by the Public Service Director and approval by the City's Landscaping Encroachment Review Committee.
- g. Prepare and submit a vehicular directional signage plan for review and approval by the Public Works Director.
- h. All costs associated with the installation of landscaping, irrigation, maintenance and other improvements contained herein and within the rights-of-way, etc., shall be the responsibility of the applicant, successors or assigns.
- i. Maintain all landscaping as detailed on the landscaping plan, and replace all dead or non-complying plant materials in accordance with the plant materials identified.
- j. All landscaped areas shall be irrigated to provide 100% coverage.
- k. Prepare and submit an infrastructure improvement plan for the coordination and construction of water, sewer, gas, electrical and other infrastructure facilities subject to the Director of the Public Works Department review and approval.
- l. The applicant, its successors or assigns, shall submit a construction parking and traffic management plan for the Building and Zoning Department review and approval.

**SECTION 3.** All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

**SECTION 4.** All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

**SECTION 5.** If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 6.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

**SECTION 7.** This ordinance shall become effective ten days from the date of its adoption by the City Commission.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF JANUARY, A.D., 2005.

(Moved: Anderson/Seconded: Kerdyk)

(Yeas: Kerdyk, Withers, Anderson, Cabrera)

(Absent: Slesnick)

(Vote: 4/0)

(Agenda Item E-1)

APPROVED:



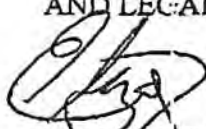
DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH HERNANDEZ  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2008-07**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES FOR A CHANGE OF LAND USE FROM "RESIDENTIAL USE (SINGLE-FAMILY) LOW DENSITY" TO "COMMERCIAL USE, LOW-RISE DENSITY" ON LOT 24, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBANS PARK SECTION (230 FLORIDA AVENUE), CORAL GABLES, FLORIDA; FOR A CHANGE OF LAND USE, REZONING AND SITE PLAN REVIEW; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Application No. 08-07-024-P was submitted requesting an amendment to the Future Land Use Map of the "City of Coral Gables Comprehensive Plan" in order to provide that Lot 24, Block 18, MacFarlane Homestead and St. Albans Park Section (230 Florida Avenue), Coral Gables, Florida, shall be changed from "Residential Use (Single-Family) Low Density" to "Commercial, Low-Rise Intensity" revising the previously approved commercial project referred to as "Bahamian Village"; and

**WHEREAS**, a change of land use, rezoning and site plan approval was granted for the "Bahamian Village" project on property the surrounding the subject single-family residence on January 25, 2005 (Ordinances No. 2005-03 and 2005-04), at which time the single-family residence was under separate ownership and was not a part of the application; and

**WHEREAS**, the developer of the surrounding "Bahamian Village" project has since purchased the subject single-family residence located on Lot 24 and wishes to revise the previously approved site plan by incorporating this property into the project; and

**WHEREAS**, the change of land use is necessary to permit the proposed revisions for the previously approved "Bahamian Village" project; and

**WHEREAS**, the City of Coral Gables, pursuant to Florida Statutes and the City of Coral Gables Zoning Code, has designated the Planning and Zoning Board as the Local Planning Agency; and

**WHEREAS**, after notice of public hearing duly published and notification of all property owners of record within one thousand (1000) feet, public hearings were held before the Local Planning Agency (Planning and Zoning Board) of the City of Coral Gables on January 9, 2008, at which hearings all interested persons were afforded the opportunity to be heard; and

**WHEREAS**, at a public hearing held on January 9, 2008, the Local Planning Agency (Planning and Zoning Board) recommended approval of the change of land use, change in zoning and site plan approval (vote: 5-0); and

**WHEREAS**, as a part of this application, the applicant at the Planning and Zoning Board meeting agreed to the conditions of approval; and

**WHEREAS**, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on February 12, 2008 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on first reading (vote: 5-0); and

**WHEREAS**, this request is considered a small scale amendment, and would not require review by the Department of Community Affairs;

**NOW, THEREFORE, BE IT ORDAINED 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 Ordinance upon adoption hercof.

**SECTION 2.** That the request for a land use amendment to the "City of Coral Gables Comprehensive Plan," and in particular that portion of the Future Land Use Element, known as the Future Land Use Map of Coral Gables, shall be and it is hereby amended to show henceforth a change in the Future Land Use by changing the "Land Use Category" on Lot 24, Block 18, MacFarlane Homestead and St. Albans Park Section (230 Florida Avenue), Coral Gables, Florida, from "Residential Use (Single-Family) Low Density" to "Commercial, Low-Rise Intensity."

**SECTION 3.** All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

**SECTION 4.** All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

**SECTION 5.** If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 6.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

**SECTION 7.** This ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF MARCH, A.D., 2008.  
(Moved: Anderson / Seconded: Kerdyk)  
(Yeas: Withers, Anderson, Kerdyk, Slesnick)  
(Absent: Cabrera)  
(Majority (4-0) Vote)  
(Agenda Item: E-3)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOLMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH HERNANDEZ  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2008-08**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES FOR A CHANGE OF ZONING FROM "SFR", SINGLE FAMILY RESIDENTIAL TO "CL", COMMERCIAL LIMITED ON LOT 24, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBANS PARK SECTION (230 FLORIDA AVENUE), AND REVIEW OF PROPOSED AMENDMENTS TO A PREVIOUSLY APPROVED SITE PLAN REFERRED TO AS "BAHAMIAN VILLAGE" ON LOTS 7-27, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBANS PARK SECTION (INTERSECTION OF GRAND AVENUE AND U.S. 1), CORAL GABLES, FLORIDA, AND INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Application No. 08-07-024-P was submitted requesting a change of zoning from "SFR", Single Family Residential to "CL", Commercial Limited on Lot 24, Block 18, MacFarlane Homestead and St. Albans Section (230 Florida Avenue), and review of proposed amendments to a previously approved site plan referred to as "Bahamian Village" on Lots 7-27, Block 18, MacFarlane Homestead and St. Albans Section (intersection of Grand Avenue and U.S. 1), Coral Gables, Florida; and

**WHEREAS**, a change of land use, rezoning and site plan approval was granted for the "Bahamian Village" project on property the surrounding the subject single-family residence on January 25, 2005 (Ordinances No. 2005-03 and 2005-04), at which time the single-family residence was under separate ownership and was not a part of the application; and

**WHEREAS**, the developer of the "Bahamian Village" project has since purchased the subject single-family residence located on Lot 24 and wishes to revise the previously approved site plan by incorporating this property into the commercial project; and

**WHEREAS**, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1000) feet, public hearings were held before the Planning and Zoning Board of the City of Coral Gables on January 9, 2008, at which hearings all interested persons were afforded the opportunity to be heard; and

**WHEREAS**, the change of zoning and site plan review are required to permit the proposed revisions for the previously approved "Bahamian Village" project; and

**WHEREAS**, the conditions of approval required for the previously approved "Bahamian Village" project remain in effect with revised plan references; and

**WHEREAS**, at a public hearing held on January 9, 2008, the Planning and Zoning Board recommended approval of the change of zoning and amendments to previously approved site plan with previously required conditions (vote: 5-0); and

**WHEREAS**, this application is accompanied by a Change of Land Use which was reviewed by the Local Planning Agency (Planning and Zoning Board) and City Commission at the same public hearings; and

**WHEREAS**, the City Commission held a public hearing on February 12, 2008 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on first reading (vote: 5-0);

**NOW, THEREFORE, BE IT ORDAINED 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 Ordinance upon adoption hereof.

**SECTION 2.** The proposed change of zoning from "SFR", Single Family Residential to "CL", Commercial Limited, and proposed amendments to the previously approved site plan referred to as "Bahamian Village" submitted in accordance with the requirements of the Zoning Code shall be and are hereby approved with the following conditions:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following documents as modified subject to the conditions contained herein:
  - a. Site plan, building elevations and building program prepared by Hersh Vitalini Corazzini, dated August 1, 2007.
  - b. Landscape Plan prepared by Hersh Vitalini Corazzini, dated August 1, 2007 and revised on December 20, 2007.
  - c. Traffic impact study prepared by Civil Works, Inc., dated August 2007.
  - d. Any changes to the plans and drawings referenced above as a part of building permit may require Planning and Zoning Board and City Commission review and approval dependent upon the changes. The applicant, successors or assigns shall advise the Planning Department of any applicable changes in writing.
  - e. Improvements and/or conditions contained herein, unless otherwise specified herein, shall be completed prior to receipt of final Certificate of Occupancy (CO). Prior to the issuance of a CO for the principal building, the applicant shall provide an affidavit, in a form acceptable to the City Attorney, averring that all the conditions set forth herein are satisfied.
  - f. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated December 28, 2007.
  - g. All representations proffered by the applicant's representatives provided as a part of the review of the application at public hearings.
  - h. Changes to the proposed plans required by the City Commission as part of the review of this application at public hearings.
2. Restrictive Covenant. Within 90 days of approval of the adopting ordinance, the property owner, its successors or assigns shall secure City Attorney review and approval of Restrictive Covenant outlining

all conditions of approval. Prior to the issuance of a building permit for the project, or as otherwise specified in the Restrictive Covenant, the property owner, its successors or assigns, shall adhere or agree to the following conditions:

- a. Provide/install lighting deflectors on all perimeter parking lot light fixtures that are adjacent to or across the street from single-family residential properties to minimize overspill of lighting. This provision does not exempt minimum lighting standards as required per applicable Code.
- b. No exterior paging systems or music shall be installed or audible outside the confines of any buildings.
- c. The hours of operation of the commercial uses of property shall be prohibited from 12 a.m. (midnight) to 6:00 a.m. daily.
- d. All nighttime lighting of parking lot shall be extinguished from 12:30 a.m. to dawn daily. Lighting for purposes of health and safety of the site as required by Code shall be exempt from these provisions.
- e. A six foot (6') CBS wall shall be constructed along the east property line between the commercial parking lot and existing residence as required by the Zoning Code.
- f. Prepare and submit a vehicular directional signage plan for review and approval by the Public Works Director.
- g. Prepare and submit an infrastructure improvement plan for the coordination and construction of water, sewer, gas, electrical and other infrastructure facilities subject to the Director of the Public Works Department review and approval.

**SECTION 3.** All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

**SECTION 4.** All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

**SECTION 5.** If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 6.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

**SECTION 7.** This ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF MARCH, A.D., 2008.

(Moved: Anderson / Seconded: Kerdyk)


(Yeas: Anderson, Kerdyk, Withers, Slesnick)

(Absent: Cabrera)

(Majority (4-0) Vote)

(Agenda Item: E-4)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOËMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY

6710

THIS INSTRUMENT PREPARED BY:  
LAURA L. RUSSO, ESQ.  
RUSSO & BAKER, P.A.  
2655 LE JEUNE RD., SUITE 201  
CORAL GABLES, FLORIDA 33134

CFN 20080488722  
DR Bk 26429 Pgs 4071 - 4081; (11pgs)  
RECORDED 06/13/2008 14:26:32  
HARVEY RUVIN, CLERK OF COURT  
MIAMI-DADE COUNTY, FLORIDA

**REVISED  
DECLARATION OF RESTRICTIVE COVENANTS**

**KNOW ALL MEN BY THESE PRESENTS**, that BAHAMIAN VILLAGE, LLC, a Florida limited liability company (hereinafter referred to as the "**Owner**") hereby makes, declares, and imposes on the land herein described, the covenants running with the title to the land (hereinafter referred to as the "**Declaration**"), which shall be binding on the Owners, its heirs, successors, assigns, personal representatives, mortgagees lessees, and against all persons claiming by, through or under it;

**WHEREAS**, Owner holds the fee simple title to the land in the City of Coral Gables, Florida, described as:

**SEE EXHIBIT "A" attached hereto and made a part hereof.**

(hereinafter called the "**Property**"), which statement as to title is supported by the attorney's opinion which is attached to this Declaration as **Exhibit "B"**; and

**WHEREAS**, Owner submitted Application No. 08-07-024P requesting an amendment to the Future Land Use Map of the "City of Coral Gables Comprehensive Plan" in order to provide that Lot 24, Block 18, MacFarlane Homestead and St. Albans Park Section (230 Florida Avenue), Coral Gables, Florida, shall be changed from "Residential Use (Single Family) Low Density" to "Commercial, Low-Rise Intensity" revising the previously approved commercial project referred to as "Bahamian Village"; and

**WHEREAS**, the City Commission approved a change of land use, rezoning and site plan approval for the "Bahamian Village" project on property surrounding the subject single-family residence on January 25, 2005 (Ordinances No. 2005-03 and 2005-05), at which time the single-family residence was under separate ownership and not a part of the application; and

**WHEREAS, Owner** has since purchased the subject single-family residence located on Lot 24 and wishes to revise the previously approved site plan by incorporating Lot 24 into the project; and,

**WHEREAS,** the change in land use and zoning is necessary to permit the proposed revisions for the previously approved "Bahamian Village" project; and

**WHEREAS, Owner** has submitted Applications for Change in Land Use, Change in Zoning, and Site Plan Approval, and

**WHEREAS,** after notice of public hearing duly published and notifications of all property owners of record within one thousand (1000) feet, public hearings were held before the Local Planning Agency and Planning and Zoning Board of the City of Coral Gables on January 9, 2008, at which hearings all interested parties were afforded the opportunity to be heard; and,

**WHEREAS,** the Local Planning Agency and Planning and Zoning Board recommended approval of the change in land use, change in zoning and site plan approval with conditions of approval for the previously approved "Bahamian Village" with revised plan references; and

**WHEREAS,** the City Commission held public hearings on February 12, 2008 and March 25, 2008 at which hearings all interested persons were afforded an opportunity to be heard and these applications were approved on first reading and second readings (Ordinances 2008- 08);

**NOW, THEREFORE, IN ORDER TO ASSURE** the City of Coral Gables that the representations made by the **Owner** in connection with the approvals by the City and issuance of a certificate of use and occupancy will be abided by, the **Owner** freely, voluntarily, and without duress, makes the following Declaration of Restrictions covering and running with the **Property** and agrees as follows:

The above recitations are true and correct and are incorporated herein in their entirety.

1. Construction of the proposed project shall be in conformance with the following documents as modified subject to the conditions contained herein:
  - a. Site plan, building elevations and building program prepared by Hersh Vitalini Corazzini, dated August 1, 2007.
  - b. Landscape plan prepared by Hersh Vitalini Corazzini, dated August 1, 2007 and revised on December 20, 2007.
  - c. Traffic Impact study prepared by Civil Works, Inc., dated August 2007.
  - d. **Owner** acknowledges that any material changes to the plans and drawings referenced above as a part of a building permit may require Planning and

Zoning Board and City Commission review and approval dependent upon the changes. The **Owner**, its successors, and assigns shall advise the Planning Department of any applicable changes in writing.


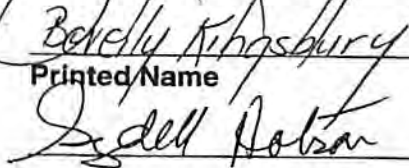
- e. **Owner** agrees that improvements and/or conditions contained herein, unless specified herein to the contrary, shall be completed prior to receipt of final Certificate of Occupancy (CO). Prior to the issuance of a CO for the principal building, the **Owner** shall provide an affidavit, in a form acceptable to the City Attorney, averring that all the conditions set forth herein are satisfied.
  - f. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated December 28, 2007.
  - g. All representations proffered by the **Owner's** representatives provided as a part of the review of the application at the public hearings.
  - h. Changes to the proposed plans required by the City Commission as part of the review of this application at the public hearings.
2. Prior to the issuance of a building permit for the project, or as otherwise specified herein, the **Owner**, its successors and/or assigns, shall adhere or agree to the following conditions:
- a. Provide/install lighting deflectors on all perimeter parking lot fixtures that are adjacent to or across from single-family residential properties to minimize overspill of lighting. This provision does not exempt minimum lighting standards as required per applicable Code.
  - b. No exterior paging systems or music shall be installed or audible outside the confines of any buildings.
  - c. The hours of operation of the commercial uses of property shall be prohibited from 12:00 a.m. (midnight) to 6:00 a.m. daily.
  - d. All nighttime lighting of parking lot shall be extinguished from 12:30 a.m. to dawn daily. Lighting for purposes of health and safety of the site as required by Code shall be exempt from these provisions.
  - e. A six foot (6') CBS wall shall be constructed along the east property line between the commercial parking lot and existing residence as required by the Zoning Code.
  - f. **Owner** shall prepare and submit a vehicular directional signage plan for review and approval by the Public Works Director.
  - g. **Owner** shall prepare and submit an infrastructure improvement plan for the coordination and construction of water, sewer, gas, electrical and other infrastructure facilities for review and approval by the Public Works Department.
3. In the event the terms of this **Declaration** are not being complied with, in addition to any other remedies available, the City is hereby authorized to withhold any further permits, and refuse to make any inspection or grant any approvals, until such time as there is compliance with this **Declaration**.

4. This **Declaration** may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of all of the **Property**, including joinders of all mortgagees, if any, provided that the same is also approved by the City of Coral Gables. Should this **Declaration** be so modified, amended or released, the City shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.
5. Enforcement of this **Declaration** shall be by action at law or in equity against any parties or persons violating, or attempting to violate, any covenants, either to restrain violations or to recover damages. The prevailing party in any action or suit pertaining to or arising out of this **Declaration** shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of their attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity, or both.
6. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.
7. Where construction has occurred on the **Property** or any portion thereof, pursuant to a lawful permit issued by the City, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this **Declaration**.
8. As further part of this **Declaration**, it is hereby understood and agreed that any official inspector of the City of Coral Gables, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the premises to determine whether or not the conditions herein agreed to are being complied with.
9. Invalidation of any of these covenants by judgment or Court order shall not affect any of the other provisions, which shall remain in full force and effect.

This **Declaration** shall be filed of record in the public records of Miami-Dade County, Florida at the **Owner's** expense.

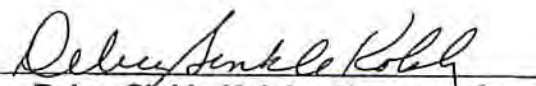
**IN WITNESS WHEREOF**, the undersigned have caused their hands and seals to be affixed hereto on this 25 day of April, 2008.

WITNESSES:

  
  
Printed Name

OWNER:

**BAHAMIAN VILLAGE, LLC**, a Florida limited liability company

By:   
Debra Sinkle Kolsky, Manager  
Redevco Grand, LLC, Managing

SYDELL HOTSON  
Printed Name

Member

ACKNOWLEDGMENT CONTINUES ON NEXT PAGE

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was sworn and subscribed to before me, by Debra Sinkle Kolsky, who is personally known to me and who did not take an oath.

WITNESS my hand and official seal this 25<sup>th</sup> day of April, 2008.

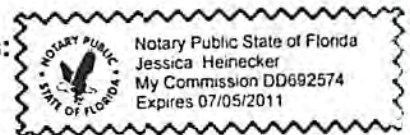
J. Heinecker

Print Name: J. Heinecker

Notary Public, State of Florida

My Commission No.:

My Commission Expires:



Approved as to Form and Legal Sufficiency  
by the City of Coral Gables

By: Elizabeth M. Hernandez

Elizabeth M. Hernandez, City

Attorney

**EXHIBIT "A"**

Lots 7 through 23 and 25 through 27, Block 1B, of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, according to the Plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida;

LESS that portion of Lots 14 through 21, Block 1B, of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, according to the Plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida, lying North of the Southerly right-of-way line of State Road 5 (US-1), according to Map No. 87030-2109 of the Florida Department of Transportation of Miami-Dade County, Florida;

AND LESS that portion of Lots 7 through 13, Block 1B, of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, according to the Plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida, lying South of the Northerly right-of-way line of Grand Avenue, according to the R.P.B. 101, Page 58, Miami-Dade County Right of Way Division, Sheet 2 of 2.

AND

Lot 24, Block 1-B, of COMBINED AND SUPPLEMENTAL MAP of MACFARLANE HOMESTEAD PLAT and ST. ALBAN'S PARK, according to the plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida.

**Exhibit "B"**

**OPINION OF TITLE**

**To: The City of Coral Gables**

With the understanding that this opinion of title is furnished as requested by the City of Coral Gables, Florida, to induce the City to accept the Declaration of Restrictive Covenants on the property herein described, it is hereby certified that I have examined title based on a First American Title Insurance Company Owner's Policy No. FA-35-1341989 dated June 6, 2006 and updated with an Ownership and Encumbrance Report search through an effective date of April 25, 2008 at 5:00 P.M., of the following described real property:

**Lots 7 through 27, Block 1B, of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, according to the Plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida;**

**LESS that portion of Lots 14 through 21, Block 1B, of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, according to the Plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida, lying North of the Southerly right-of-way line of State Road 5 (US-1), according to Map No. 87030-2109 of the Florida Department of Transportation of Miami-Dade County, Florida;**

**AND LESS that portion of Lots 7 through 13, Block 1B, of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, according to the Plat thereof, as recorded in Plat Book 5, Page 81, of the Public Records of Miami-Dade County, Florida, lying South of the Northerly right-of-way line of Grand Avenue, according to the R.P.B. 101, Page 58, Miami-Dade County Right of Way Division, Sheet 2 of 2.**

Basing my opinion on said title sources covering said period I am of the opinion that on the last mentioned date the fee simple title to the above described real property was vested in:

**Bahamian Village, L.L.C., a Florida limited liability company**

Subject to the following encumbrances, liens and other exceptions:

**GENERAL EXCEPTIONS:**

1. For tax folio numbers 03-4120-006-1650, 03-4120-006-1660, 03-4120-006-1670, 03-4120-006-1680, 03-4120-006-1690, 03-4120-006-1710, 03-4120-006-1740, 03-4120-006-1750, 03-4120-006-1760, and 03-4120-006-1770, taxes for the year 2008 which are not yet due and payable and taxes or special assessments which are not shown as existing liens by the public records.

2. Rights or claims of parties in possession not shown by the Public Records.
3. Easements or claims of easements not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands hereunder, including submerged, filled and artificially exposed lands, and lands accreted to such lands.
6. Federal liens, if any, filed with the Office of the Secretary of State, pursuant to Sec. 713.901, et seq., F.S., which became effective January 1, 1993, and which designated that office as the place for filing federal liens against tangible and intangible personal property of partnerships, corporations, trusts and decedents' estates.
7. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority, for unpaid service charges for services by any water systems, sewer systems or gas systems serving the land described herein; and any lien for waste fees in favor of any county or municipality.
8. Any recorded labor, mechanics or material men liens
10. Zoning and other restrictions imposed by governmental authority.
11. Rights of any lessees under any unrecorded leases, if any.

#### SPECIAL EXCEPTION

1. Restrictions, dedications, conditions, reservations, easements and other matters shown on the plat of COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, as recorded in Plat Book 5, Page(s) 81, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
2. Terms and conditions of the Urban Renewal Plan Coconut Grove recorded in Book 10751, Page 348.
3. Grant of Easement to Lay and Maintain a Sanitary Sewer Main and for Utility Service to the City of Coral Gables, recorded in Book 6303, Page 414; together with Subordination of Interest to Dade County recorded in Book 10183, Page 2604.

4. Covenants, Conditions and Restrictions contained in County Deed recorded in Book 24598, Page 4654; Covenants, Conditions and Restrictions contained in Corrective County Deed recorded in Book 25806, Page 3391.
5. Resolution R-59-06 of the Board of County Commissioners of Miami-Dade County, Florida and related instruments recorded in Book 24598, Page 4657.
6. Mortgage dated June 28, 2006 from Bahamian Village, L.L.C. to Debra Sinkle Kolsky, Trustee of the Debra Sinkle Kolsky Trust dated January 4, 2000, recorded January 30, 2007 at Official Records Book 25323, Page 3120.

I, I. Barry Blaxberg, the undersigned further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar since 1977.

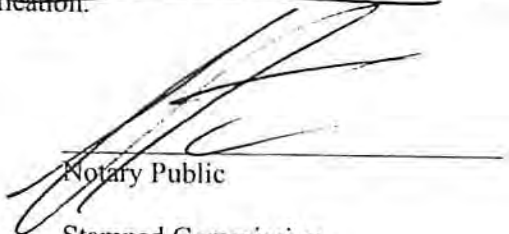
Respectfully submitted this 15<sup>th</sup> day of May, 2008.

  
I. Barry Blaxberg, Esq.  
Blaxberg, Grayson, Kukoff & Strauss, P.A.  
25 SE Second Avenue, Suite 730, Miami, Florida 33131

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of May, 2008, by I. Barry Blaxberg, Esq. who is personally known to me or produced \_\_\_\_\_ as identification.



  
Notary Public

Stamped Commission:

2002-25(B)/IBB/hardy/41651

## **JOINDER, CONSENT AND SUBORDINATION**

Page 10 of 11

Print Name: J. Heinecker  
Commission No.: 00692574  
Commission Expires: 7/5/2011

RESOLUTION NO. R-124-92

RESOLUTION AUTHORIZING CONVEYANCE OF COUNTY OWNED LAND TO CITY OF CORAL GABLES, FLORIDA FOR CONSTRUCTION OF LINEAR PARK IN ACCORDANCE WITH STATE STATUTE 125.38; AUTHORIZING GRANTING OF EASEMENT TO CITY OF CORAL GABLES, FLORIDA FOR CONSTRUCTION OF LINEAR PARK, AUTHORIZING CONVEYANCE OF COUNTY OWNED LAND TO FLORIDA DEPARTMENT OF TRANSPORTATION FOR RIGHT-OF-WAY ALIGNMENT OF HIGHWAY U.S. 1; AUTHORIZING EXCHANGE OF COUNTY OWNED LAND FOR PRIVATELY OWNED LAND BETWEEN DADE COUNTY AND ESTATE OF ANNIE REEN CLARKE IN ACCORDANCE WITH STATE STATUTE 125.37; AUTHORIZING THE COUNTY MANAGER TO EXECUTE THE EXCHANGE AGREEMENT AND EASEMENT AGREEMENT ATTACHED HERETO; AUTHORIZING THE COUNTY MANAGER, THE DIRECTOR OF HOUSING AND URBAN DEVELOPMENT, COUNTY ATTORNEY AND CLERK OF THE BOARD TO TAKE WHATEVER ACTIONS ARE NECESSARY TO EFFECT AND COMPLETE THE REDEVELOPMENT ACTIVITIES IN THIS PHASE OF THE CORAL GABLES REDEVELOPMENT AREA; AND AUTHORIZING THE MAYOR OR VICE MAYOR TO EXECUTE DEEDS OF CONVEYANCE

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, the land is not needed for County purposes; and

WHEREAS, the land was purchased with Dade County Community Development Block Grant funds for slum clearance, redevelopment activities and housing redevelopment activities in the Coconut Grove/Coral Gables Community Development Area No. 12; and

WHEREAS, the Dade County Office of Community Development and the City of Coral Gables, Florida are cooperating in these activities; and

WHEREAS, the redevelopment of the area will be fulfilled through the conveyance of land to the City of Coral Gables, the Florida Department of Transportation and the Estate of Annie Reen Clark, the granting of easement to the City of Coral Gables, Florida; and

WHEREAS, the execution of the land exchange agreement will further the completion of the redevelopment activities.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA, that this Board:

Section 1. Authorizes the conveyance of land described in Exhibit "A", attached hereto and made a part hereof, in Coconut Grove/Coral Gables Community Development Area No. 12 to Florida Department of Transportation for Highway U.S. 1, right-of-way alignment at the price of One Dollar (\$1.00), pursuant to Section 125.38, Florida Statutes.

Section 2. Authorizes the conveyances of lands described in Exhibits "B", "C", "F" and "G" attached hereto and made a part hereof in Coconut Grove/Coral Gables Community Development Area No. 12 to City of Coral Gables, Florida, a municipal corporation of the State of Florida, at the price of One Dollar (\$1.00), pursuant to Section 125.38, Florida Statutes. This property will be used by the City of Coral Gables only to construct and maintain a park.

Section 3. Authorizes the granting of easement on lands described in Exhibit "H" attached hereto and made a part hereof, in Coconut Grove/Coral Gables Community Development Area No. 12 to City of Coral Gables, Florida, a municipal corporation of the State of Florida at the price of One Dollar (\$1.00), pursuant to Section 125.38, Florida Statutes. This easement will be used by the City of Coral Gables only to construct and maintain a park.

Section 4. Authorizes the exchange of County owned land described in Exhibit "D" attached hereto and made a part hereof, in Coconut Grove/Coral Gables Community Development Area No. 12 with the Estate of Annie Reen Clarke for private land described in Exhibit "E" attached hereto and made a part hereof at the price of One Dollar (\$1.00), pursuant to Section 125.37, Florida Statutes.

Section 5. Authorizes the County Manager to execute the land exchange agreement attached hereto as Attachment 2.

Section 6. Approves County Deeds to convey the lands in substantially the forms attached hereto and made a part hereof as Attachments 3, 4 and 5, and authorizes the Mayor to execute same for and on behalf of Dade County.

Section 7. Approves Easement Agreement to grant an easement to the City of Coral Gables in substantially the form attached hereto and made a part hereof as Attachment 6, and authorizes the County Manager to execute same for and on behalf of Dade County.

Section 8. Directs the County Manager, the Director of the Department of Housing and Urban Development, County Attorney, and the Clerk of the Board to take whatever actions may be necessary to effectuate and secure the conveyances of said lands and to grant said easement.

The foregoing resolution was offered by Commissioner Charles Dusseau, who moved its adoption. The motion was seconded by Commissioner Mary Collins and upon being put to a vote, the vote was as follows:

Mary Collins	aye
Charles Dusseau	aye
Joseph M. Gersten	absent
Larry Hawkins	absent
Alexander Penelas	aye
Harvey Ruvin	absent
Arthur E. Teele, Jr.	absent
Sherman S. Winn	aye
Stephen P. Clark	aye

The Mayor thereupon declared the resolution duly passed and adopted this 4th day of February, 1992.

DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

MARSHALL ADER, CLERK

Approved by County Attorney as to form and legal sufficiency.



RAYMOND REED

Deputy Clerk

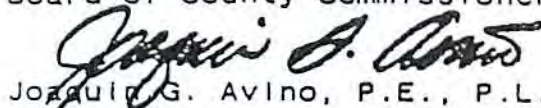
MEMORANDUM

Agenda Item No. 5(b)(2)

February 4, 1992

TO: Honorable Mayor and Members  
Board of County Commissioners

DATE:

FROM:   
Joaquin G. Avino, P.E., P.L.S.  
County Manager

SUBJECT: Authority to Exchange land,  
Convey land, Grant Easement  
on land and complete  
Redevelopment Activities  
in Coral Gables, C.D.  
Area No. 12

RECOMMENDATION

It is recommended that the Board authorize the conveyance and granting of an easement on County owned land acquired with Community Development Block Grant funds (CDBG), to the City of Coral Gables, Florida, the conveyance of CDBG acquired land to the Florida Department of Transportation, the exchange of CDBG acquired land for privately owned land, the execution of the exchange agreement and the expenditure of CDBG funds to provide improvements to the private property, in order to carry out the objectives of the Coral Gables Redevelopment Plan as approved by County Resolution No. R-1493-79, adopted on December 4, 1979, attached herein as Attachment 1.

BACKGROUND

The Coconut Grove Community Development Target Area No. 12 includes a portion of the City of Coral Gables, Florida, and for several years Dade County Department of Housing and Urban Development, in conjunction with Dade County Office of Community Development and the City of Coral Gables, has been implementing a slum and blight clearance redevelopment program with Federal Community Development Block Grant (CDBG) funds.

The clearance activities under the program included acquisition of vacant land; substandard overcrowded, multi-family structures, relocation of residents and demolition of the buildings. The redevelopment activities under the program calls for new single family sales homes for low and moderate income families; construction of new streets, improvements to the water and sewer mains and distribution laterals; and improvements to Pierce Park and other open space improvements through the construction of a linear park along the southeast side of Highway U.S. 1 from Grand Avenue to Brooker Street to serve as a buffer between the proposed new homes for the area and the heavily travelled highway U.S. 1. A strip of land along this corridor would also be set aside for conveyance to Florida Department of Transportation for realignment of Highway U.S. 1 to lessen the curve at this location.

BACKGROUND (Cont'd)

To date, the clearance activities have been completed. Redevelopment activities such as streets, water and sewer improvements and the first phase affordable housing program of 15 units have been completed. The Pierce Park Improvements, linear park and second phase development of low and moderate family sales homes is now ready for implementation. In order to complete this last phase to the plan, it was necessary to re-subdivide obsolete plats to create two new subdivisions, Asa Washington Smith Subdivision and Annie Clarke Subdivision.

1. ASA WASHINGTON SMITH SUBDIVISION. This Subdivision contains fourteen (14) single family building lots to be developed by the Coconut Grove Local Community Development Corporation with sales homes affordable to low and moderate income families partially financed with Dade County Documentary Surtax funds. Additionally, this re-subdivision will allow for the realignment of Highway U.S. 1 in this area by creating a portion of land called Tract "A" which will be conveyed to the Florida Department of Transportation for right-of-way alignment. Another portion of land called TRACT "B" will become a portion of the linear park. It will be constructed by the City of Coral Gables, and will buffer the new homes from Highway U.S.-1. This new subdivision will also close Short Avenue, an obsolete street, so that it can be utilized to expand Pierce Park.
2. ANNIE CLARKE SUBDIVISION. This Subdivision will allow for the following objectives:
  - a) The creation of Tract "A" which will allow for completion of the linear park.
  - b) Exchange of land between Dade County and Estate of Annie Reen Clarke to allow for reorientation of existing single family front elevation to Frow Avenue, a residential street.
  - c) The creation of an additional single family lot for affordable housing program.
  - d) The incorporation of the existing privately owned CBS house into the planned residential community.

BACKGROUND (Cont'd)

The plats were approved by the City of Coral Gables Ordinance No. 2948 and No. 2949, respectively, on June 25, 1991.

In order to complete these improvements the following actions are necessary:

1. Conveyance of the property described as TRACT "A" of ASA WASHINGTON SMITH SUBDIVISION to the Florida Department of Transportation in accordance with State Statute 125.38. Said property is legally described in Exhibit "A" attached herein. The Deed of Conveyance is attached herein as ATTACHMENT 4.
2. Conveyance of the property described as TRACT "B" of ASA WASHINGTON SMITH SUBDIVISION to the City of Coral Gables, Florida, in accordance with State Statute 125.38. Said property is legally described in Exhibit "B" attached herein. The Deed of Conveyance is attached herein as ATTACHMENT 3.
3. Conveyance of the property described as TRACT "A" of ANNIE CLARKE SUBDIVISION to the City of Coral Gables, Florida, in accordance with State Statute 125.38. Said property is legally described in Exhibit "C" attached herein. The Deed of Conveyance is attached herein as ATTACHMENT 3.
4. Exchange by County Deed of County owned property legally described in Exhibit "D" attached herein with the Estate of Annie Reen Clarke, for property owned by the estate, legally described in Exhibit "E" attached herein, in accordance with State Statute 125.37. The Deed of Conveyance is attached herein as ATTACHMENT 5.
5. Conveyance of the property received in exchange from the Estate of Annie Reen Clarke, to the City of Coral Gables, Florida in accordance with State Statute 125.38. Said property is legally described in Exhibit "F" attached herein. The Deed of Conveyance is attached herein as ATTACHMENT 3.
6. Conveyance of the County owned property legally described in Exhibit "G" attached herein to the City of Coral Gables, Florida, in accordance with State Statute 125.38. The Deed of Conveyance is attached herein as ATTACHMENT 3.

BACKGROUND (Cont'd)

7. Granting of an easement on the County owned property legally described in Exhibit "H" attached herein to the City of Coral Gables, Florida for the purpose of construction and maintenance of a portion of the linear park. By providing an easement Dade County can utilize the property covered by the easement to meet the City of Coral Gables zoning code requirements for future development of this commercial site. The Easement Agreement is attached herein as ATTACHMENT 6.
8. Execution of Exchange Agreement with Estate of Annie Reen Clarke for land exchange. The Agreement is attached herein as ATTACHMENT 2.

Also attached herein as ATTACHMENT 7 is a letter from the City of Coral Gables regarding its commitment of funds to complete the linear park improvements and a location map ATTACHMENT 8.

With your approval of this memorandum and resolution, staff will take the necessary actions to grant an easement and convey the subject properties to the City of Coral Gables, the Florida Department of Transportation, execute the Exchange Agreement with the Estate of Annie Reen Clarke, and complete improvements to the residential structure to comply with the City of Coral Gables zoning code.

ATTACHMENTS

ATTACHMENT 6

GRANT OF EASEMENT

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 1992, between DADE COUNTY, FLORIDA, party of the first part, and CITY OF CORAL GABLES, a Florida municipal corporation, party of the second part.

WITNESSETH: THAT the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted unto the party of the second part an easement, license and privilege to utilize the described property as a linear park. Said property being in Dade County, State of Florida to wit:

SEE ATTACHED LEGAL DESCRIPTION

FOR MACFARLANE HOMESTEAD - LINEAR PARK

This easement is subject to any existing easements, restrictions, limitations of record and is further subject to the following covenants and conditions:

1. The party of the second part shall construct a linear park on the subject property and shall be responsible for all costs in connection with construction of the linear park.

2. The party of the second part shall be responsible for the complete operation and maintenance of the park property herein described and the party of the first part will have no responsibility for operation and maintenance of the park property.

3. The party of the second part shall hold Metropolitan Dade County, its employees, successors or assigns harmless from the

payment of any compensation, damages or liability resulting from the construction of the linear park and any other exercise granted in this instrument.

4. The easement granted hereby is strictly limited to the terms contained herein and the party of the first part reserves unto itself all rights and privileges to use the above described property for any purpose not inconsistent with the easement rights granted hereby.

5. The party of the second part hereby agrees, warrants and represents that the presently existing zoning requirements for the above-referenced property shall not be altered, modified or affected in any way by the construction of the MacFarlane Homestead linear park and further agrees, warrants and represents that the City of Coral Gables will allow the above-referenced property and the parcels of land adjacent to and adjoining with the above-referenced property, to be utilized as commercial property.

6. If the above described property shall cease to be used by the party of the second part for the purposes stated herein, this easement and all rights relating thereto shall terminate.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the County Manager of said Board, the day and year aforesaid.

DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

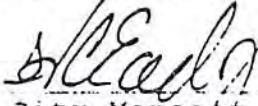
ATTEST:  
MARSHALL ADER, CLERK


By: \_\_\_\_\_  
County Manager

By: \_\_\_\_\_

CITY OF CORAL GABLES

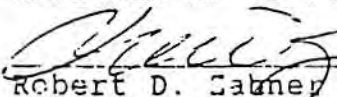
ATTEST:  
VIRGINIA L. PAUL, CITY CLERK

By:  \_\_\_\_\_  
City Manager, H. C. EADS, JR.

By:  \_\_\_\_\_

Authority of Resolution No. 26910  
duly passed and adopted by the Coral  
Gables City Commission on January  
24, 1989.

APPROVED AS TO FORM:

 \_\_\_\_\_  
Robert D. Zahner  
City Attorney

PREPARED BY ROBERT D. ZAHNER, CITY ATTORNEY  
405 BILTMORE WAY, CORAL GABLES, FLORIDA 33134

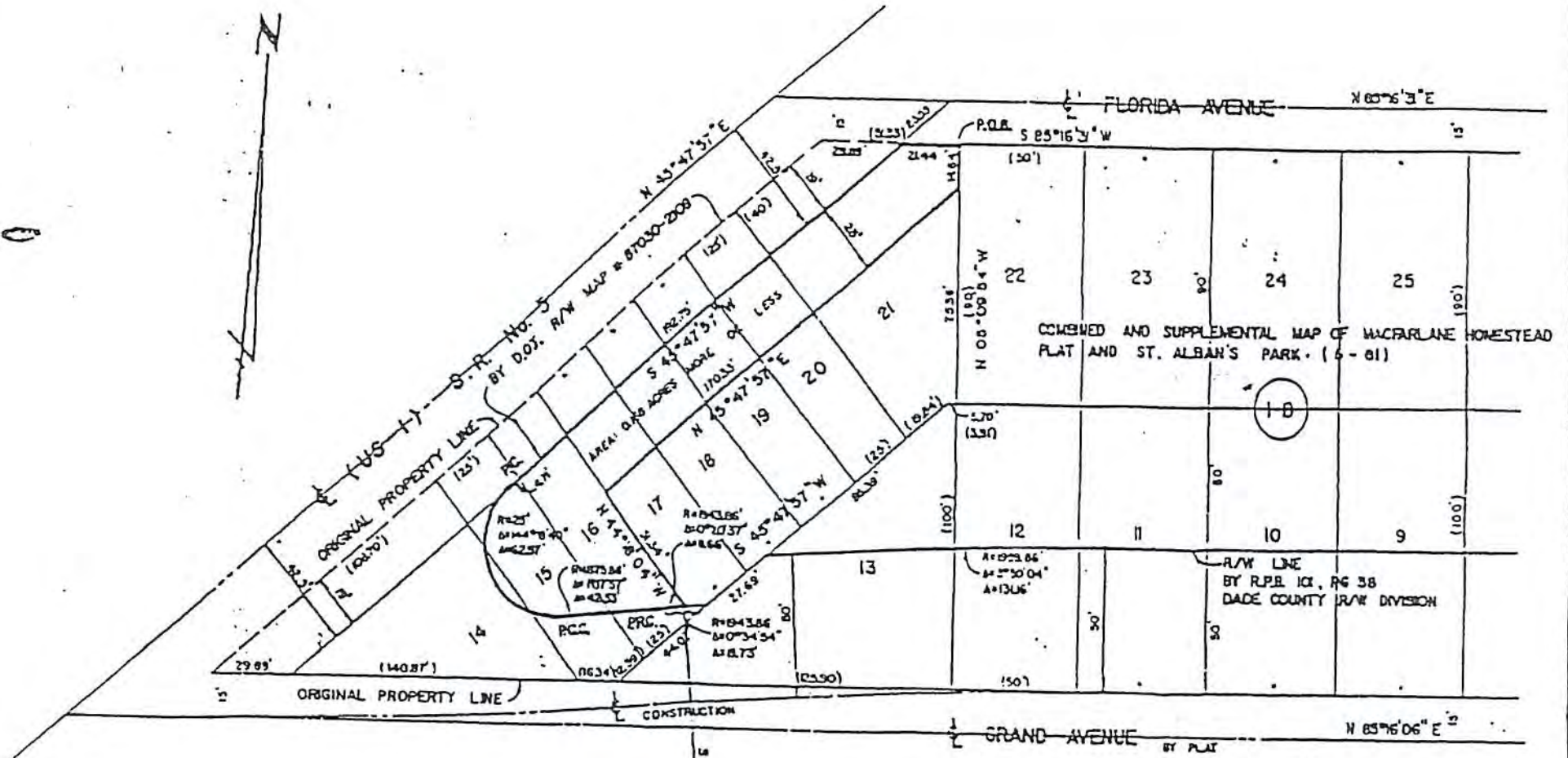
LEGAL DESCRIPTION FOR MACFARLANE HOMESTEAD - LINEAR PARK

ALL THAT PART OF LOTS 14, 15, 16, 17, 18, 19, 20 & 21, BLOCK 1-B, "COMBINED AND SUPPLEMENTAL MAP OF MACFARLANE HOMESTEAD PLAT AND ST. ALBAN'S PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, AT PAGE B1, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 21, BLOCK 1-B, OF SAID PLAT; THENCE SOUTH  $85^{\circ}16'31''$  WEST FOR A DISTANCE OF 21.44 FEET ALONG THE NORTH LINE OF SAID LOT 21; THENCE SOUTH  $45^{\circ}47'57''$  WEST FOR A DISTANCE OF 192.75 FEET, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE STATE ROAD NO. 5 (US-1) ACCORDING TO THE MAP NO. 87030 - 2109 OF THE FLORIDA DEPARTMENT OF TRANSPORTATION ON DADE COUNTY, SAID LINE BEING 19 FEET SOUTHEASTERLY AND PARALLEL TO THE NORTHWESTERLY LINE OF SAID LOTS 14 THRU 21, BLOCK 1-B, TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE TO THE LEFT; THENCE SOUTHERLY FOR A DISTANCE OF 52.97 FEET ALONG THE ARC OF SAID CURVE, THE SAME BEING THE NORTHERLY RIGHT-OF-WAY LINE OF GRAND AVENUE ACCORDING TO THE R.P.B. 101, PG 58, OF DADE COUNTY, RIGHT-OF-WAY DIVISION, SHEET 2 OF 2, HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF  $144^{\circ}18'40''$ , TO THE BEGINNING OF A COMPOUND CIRCULAR CURVE TO THE LEFT AND CONCAVE TO THE NORTH; THENCE EASTERLY FOR A DISTANCE OF 42.53 FEET ALONG THE ARC OF SAID CURVE, ALSO BEING THE SAID NORTHERLY RIGHT-OF-WAY LINE OF GRAND AVENUE, HAVING A RADIUS OF 1875.86 FEET AND A CENTRAL ANGLE OF  $1^{\circ}17'57''$ , TO THE BEGINNING OF A REVERSE CIRCULAR CURVE TO THE RIGHT AND CONCAVE TO THE SOUTH; THENCE CONTINUE EASTERLY FOR A DISTANCE OF 11.66 FEET ALONG THE ARC

OF SAID CURVE ALSO BEING THE SAID NORTHERLY RIGHT-OF-WAY LINE OF GRAND AVENUE, HAVING A RADIUS OF 1943.86 FEET AND A CENTRAL ANGLE OF  $00^{\circ}20'37''$ , TO ITS INTERSECTION WITH THE BOUNDARY LINE BETWEEN LOTS 16 AND 17 BLOCK 1-B, OF SAID FLAT; THENCE NORTH  $44^{\circ}18'04''$  WEST FOR A DISTANCE OF 51.34 FEET, ALONG SAID BOUNDARY LINE TO A POINT 25 FEET SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLE, TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 5 (US-1); THENCE NORTH  $45^{\circ}47'57''$  EAST FOR A DISTANCE OF 170.33 FEET, ALONG A LINE 25 FEET SOUTHEASTERLY AND PARALLEL TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 5 (US-1), TO A POINT ON THE EAST LINE OF SAID LOT 21, BLOCK 1-B; THENCE NORTH  $05^{\circ}09'54''$  WEST FOR A DISTANCE OF 14.64 FEET TO THE POINT OF BEGINNING

CONTAINING: 0.1676 ACRES MORE OR LESS.



NOTE:  
 PLAT DISTANCES SHOWN IN PARENTHESES

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

MACFARLANE HOMESTEAD - LINEAR PARK		
SCALE: 1" = 40'	DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION CITY OF CORAL GABLES, FLORIDA	DATE / /
APPROVED T.D.S.		SHEET 1 OF 4
DRAWN BY W.L.		FILE 2109

REV BY J.M.

**CITY OF CORAL GABLES, FLORIDA****ORDINANCE NO. 2005-03**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES FOR A CHANGE OF LAND USE FROM "RESIDENTIAL USE (SINGLE-FAMILY) LOW DENSITY" TO "COMMERCIAL USE, LOW-RISE DENSITY" ON LOTS 22, 23, 25, 26, AND 27, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBANS PARK SECTION (INTERSECTION OF GRAND AVENUE AND U.S. 1), CORAL GABLES, FLORIDA; THE CHANGE OF LAND USE IS A PRE-REQUISITE FOR REZONING AND SITE PLAN REVIEW; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Application No. 02-03-093-P was submitted for approval in order to amend the Future Land Use Map of the "City of Coral Gables Comprehensive Plan" in order to provide that Lots 22, 23, 25, 26 and 27, Block 18, MacFarlane Homestead and St. Albans Park Section (intersection of Grand Avenue and U.S. 1), Coral Gables, Florida, shall be changed from "Residential Use (Single-Family) Low Density" to "Commercial, Low-Rise Intensity" to permit the construction of a commercial project;

**WHEREAS**, the change of land use is necessary to develop the site as a commercial project;

**WHEREAS**, the City of Coral Gables, pursuant to Florida Statutes and the City of Coral Gables Zoning Code, has designated the Planning and Zoning Board as the Local Planning Agency;

**WHEREAS**, after notice of public hearing duly published and notification of all property owners of record within one thousand (1000) feet, public hearings were held before the Local Planning Agency (Planning and Zoning Board) of the City of Coral Gables on November 3, 2004, at which hearings all interested persons were afforded the opportunity to be heard;

**WHEREAS**, this application is accompanied by a Change of Zoning and Site Plan which was reviewed by the Planning and Zoning Board and City Commission at the same public hearings;

**WHEREAS**, as a part of this application, the applicant has agreed to conditions of approval as outlined and provided in the Change of Zoning and Site Plan Ordinance;

**WHEREAS**, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on December 14, 2004 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on first reading;

**WHEREAS**, this request is considered a small scale amendment, and would not require review by the Department of Community Affairs;

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

**SECTION 1.** That the request for a land use amendment to the "City of Coral Gables Comprehensive Plan," and in particular that portion of the Future Land Use Element, known as the Future Land Use Map of Coral Gables, shall be and it is hereby amended to show henceforth a change in the Future Land Use by changing the "Land Use Category" on Lots 22, 23, 25, 26 and 27, Block 18, MacFarlane Homestead and St. Albans Park Section (intersection of Grand Avenue and U.S. 1), Coral Gables, Florida, from "Residential Use (Single-Family) Low Density" to "Commercial, Low-Rise Intensity."

**SECTION 2.** All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

**SECTION 3.** All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

**SECTION 4.** If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 5.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

**SECTION 6.** This ordinance shall become effective within thirty (30) days of passage.

PASSED AND ADOPTED THIS TWENTY FIFTH DAY OF JANUARY, A.D. 2005.

(Moved: Anderson / Seconded: Kerdyk)

(Yeas: Kerdyk, Withers, Anderson, Cabrera)

(Absent: Slesnick)

(Vote: 4/0)

(Agenda Item E-1)



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH HERNANDEZ  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2005-04**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES FOR A CHANGE OF ZONING FROM "R-1-2", RESIDENTIAL TO "CB", COMMERCIAL ON LOTS 22, 23, 25, 26, AND 27, AND SITE PLAN REVIEW FOR THE PROPERTY LOCATED ON LOTS 7-23 AND 25-27, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBANS PARK SECTION (INTERSECTION OF GRAND AVENUE AND U.S. 1), CORAL GABLES, FLORIDA, AND INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Application No. 02-03-093-P was submitted for approval for a change of zoning from "R-1-2", Residential to "CB", Commercial on Lots 22, 23, 25, 26 and 27, and site plan review on Lots 7-23 and 25-27, Block 18, MacFarlane Homestead and St. Albans Section (intersection of Grand Avenue and U.S. 1), Coral Gables, Florida, to permit the construction of a commercial project known as "Bahamian Village";

**WHEREAS**, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1000) feet, public hearings were held before the Planning and Zoning Board of the City of Coral Gables on November 3, 2004, at which hearings all interested persons were afforded the opportunity to be heard;

**WHEREAS**, the change of zoning and site plan review are required to permit the construction of the commercial project;

**WHEREAS**, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on December 14, 2004 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on first reading.

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

**SECTION 1.** The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

**SECTION 2.** The proposed change of zoning from "R-1-2", Residential to "CB", Commercial, and site plan for "Bahamian Village" submitted in accordance with the requirements of Article 25, "Planning and Zoning Board" of the Zoning Code shall be and are hereby approved with the following conditions:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following documents as modified subject to the conditions contained herein:
  - a. Site plan, building elevations and building program prepared by Beame Architectural Partnership dated August 15, 2004.
  - b. Landscape Plan prepared by Beame Architectural Partnership, dated July 20, 2004.
  - c. Traffic impact study prepared by Civil Works, Inc., dated April 2004.
  - d. Any changes to the plans and drawings referenced above as a part of building permit may require Planning and Zoning Board and City Commission review and approval dependent upon the changes. The applicant, successors or assigns shall advise the Planning Department of any applicable changes in writing.
  - e. Improvements and/or conditions contained herein, unless otherwise specified herein, shall be completed prior to receipt of final Certificate of Occupancy (CO). Prior to the issuance of a CO for the principal building, the applicant shall provide an affidavit, in a form acceptable to the City Attorney, averring that all the conditions set forth herein are satisfied.
  - f. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated October 28, 2004.
  - g. All representations proffered by the applicant's representatives provided as a part of the review of the application at public hearings.
  - h. Changes to the proposed plans required by the City Commission as part of the review of this a application at public hearings.
2. Revisions to plans, elevations and all supporting documents. 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 verification that all conditions of approval are satisfied.
3. Building permit review changes. The applicant, successors or assigns shall advise of any changes to the plans and drawings referenced above as a part of building permit review process. Changes shall require Planning Department review and approval to determine the extent of changes and may require reconsideration by the Planning and Zoning Board and City Commission as determined by the Planning Director. The applicant, successors or assigns shall advise the Department of any applicable changes in writing prior to the issuance of a temporary certificate of final CO for the principal structure.
4. 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.
5. Restrictive Covenant. Within 90 days of approval of the adopting ordinance, the property owner, its successors or assigns shall secure City Attorney review and approval of Restrictive Covenant outlining all conditions of approval. Prior to the issuance of a building permit for the project, or as otherwise specified in the Restrictive Covenant, the property owner, its successors or assigns, shall adhere or agree to the following conditions:
  - a. Provide/install lighting deflectors on all perimeter parking lot light fixtures that are adjacent to or across the street to minimize overspill of lighting to single-family residential properties. This provision does not exempt minimum lighting standards as required per applicable Code.
  - b. No exterior paging systems or music shall be installed or audible outside the confines of any buildings.
  - c. The hours of operation of the commercial uses of property shall be prohibited from 12 a.m. (midnight) to 6:00 a.m. daily.

- d. All nighttime lighting of parking lot shall be extinguished from 12:30 a.m. to dawn daily. Lighting for purposes of health and safety of the site as required by Code shall be exempt from these provisions.
- e. A six foot (6') CBS wall shall be constructed along the east property line between the commercial parking lot and existing residence as required by the Zoning Code.
- f. All landscaping proposed within public right-of-way shall require review and approved by the Public Service Director and approval by the City's Landscaping Encroachment Review Committee.
- g. Prepare and submit a vehicular directional signage plan for review and approval by the Public Works Director.
- h. All costs associated with the installation of landscaping, irrigation, maintenance and other improvements contained herein and within the rights-of-way, etc., shall be the responsibility of the applicant, successors or assigns.
- i. Maintain all landscaping as detailed on the landscaping plan, and replace all dead or non-complying plant materials in accordance with the plant materials identified.
- j. All landscaped areas shall be irrigated to provide 100% coverage.
- k. Prepare and submit an infrastructure improvement plan for the coordination and construction of water, sewer, gas, electrical and other infrastructure facilities subject to the Director of the Public Works Department review and approval.
- l. The applicant, its successors or assigns, shall submit a construction parking and traffic management plan for the Building and Zoning Department review and approval.

**SECTION 3.** All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

**SECTION 4.** All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

**SECTION 5.** If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 6.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

**SECTION 7.** This ordinance shall become effective ten days from the date of its adoption by the City Commission.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF JANUARY, A.D., 2005.

(Moved: Anderson/Seconded: Kerdyk)

(Yeas: Kerdyk, Withers, Anderson, Cabrera)

(Absent: Slesnick)

(Vote: 4/0)

(Agenda Item E-1)

APPROVED:



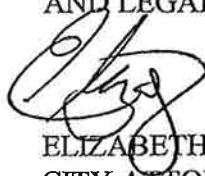
DONALD D. SLESNICK II  
MAYOR

ATTEST.



WALTER FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH HERNANDEZ  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2008-07**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES FOR A CHANGE OF LAND USE FROM "RESIDENTIAL USE (SINGLE-FAMILY) LOW DENSITY" TO "COMMERCIAL USE, LOW-RISE DENSITY" ON LOT 24, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBANS PARK SECTION (230 FLORIDA AVENUE), CORAL GABLES, FLORIDA; FOR A CHANGE OF LAND USE, REZONING AND SITE PLAN REVIEW; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Application No. 08-07-024-P was submitted requesting an amendment to the Future Land Use Map of the "City of Coral Gables Comprehensive Plan" in order to provide that Lot 24, Block 18, MacFarlane Homestead and St. Albans Park Section (230 Florida Avenue), Coral Gables, Florida, shall be changed from "Residential Use (Single-Family) Low Density" to "Commercial, Low-Rise Intensity" revising the previously approved commercial project referred to as "Bahamian Village"; and

**WHEREAS**, a change of land use, rezoning and site plan approval was granted for the "Bahamian Village" project on property the surrounding the subject single-family residence on January 25, 2005 (Ordinances No. 2005-03 and 2005-04), at which time the single-family residence was under separate ownership and was not a part of the application; and

**WHEREAS**, the developer of the surrounding "Bahamian Village" project has since purchased the subject single-family residence located on Lot 24 and wishes to revise the previously approved site plan by incorporating this property into the project; and

**WHEREAS**, the change of land use is necessary to permit the proposed revisions for the previously approved "Bahamian Village" project; and

**WHEREAS**, the City of Coral Gables, pursuant to Florida Statutes and the City of Coral Gables Zoning Code, has designated the Planning and Zoning Board as the Local Planning Agency; and

**WHEREAS**, after notice of public hearing duly published and notification of all property owners of record within one thousand (1000) feet, public hearings were held before the Local Planning Agency (Planning and Zoning Board) of the City of Coral Gables on January 9, 2008, at which hearings all interested persons were afforded the opportunity to be heard; and

**WHEREAS**, at a public hearing held on January 9, 2008, the Local Planning Agency (Planning and Zoning Board) recommended approval of the change of land use, change in zoning and site plan approval (vote: 5-0); and

**WHEREAS**, as a part of this application, the applicant at the Planning and Zoning Board meeting agreed to the conditions of approval; and

**WHEREAS**, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on February 12, 2008 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on first reading (vote: 5-0); and

**WHEREAS**, this request is considered a small scale amendment, and would not require review by the Department of Community Affairs;

**NOW, THEREFORE, BE IT ORDAINED 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 Ordinance upon adoption hereof.

**SECTION 2.** That the request for a land use amendment to the "City of Coral Gables Comprehensive Plan," and in particular that portion of the Future Land Use Element, known as the Future Land Use Map of Coral Gables, shall be and it is hereby amended to show henceforth a change in the Future Land Use by changing the "Land Use Category" on Lot 24, Block 18, MacFarlane Homestead and St. Albans Park Section (230 Florida Avenue), Coral Gables, Florida, from "Residential Use (Single-Family) Low Density" to "Commercial, Low-Rise Intensity."

**SECTION 3.** All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

**SECTION 4.** All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.


**SECTION 5.** If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 6.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

**SECTION 7.** This ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF MARCH, A.D., 2008.  
(Moved: Anderson / Seconded: Kerdyk)  
(Yeas: Withers, Anderson, Kerdyk, Slesnick)  
(Absent: Cabrera)  
(Majority (4-0) Vote)  
(Agenda Item: E-3)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. EOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH HERNANDEZ  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2008-08**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES FOR A CHANGE OF ZONING FROM "SFR", SINGLE FAMILY RESIDENTIAL TO "CL", COMMERCIAL LIMITED ON LOT 24, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBANS PARK SECTION (230 FLORIDA AVENUE), AND REVIEW OF PROPOSED AMENDMENTS TO A PREVIOUSLY APPROVED SITE PLAN REFERRED TO AS "BAHAMIAN VILLAGE" ON LOTS 7-27, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBANS PARK SECTION (INTERSECTION OF GRAND AVENUE AND U.S. 1), CORAL GABLES, FLORIDA, AND INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Application No. 08-07-024-P was submitted requesting a change of zoning from "SFR", Single Family Residential to "CL", Commercial Limited on Lot 24, Block 18, MacFarlane Homestead and St. Albans Section (230 Florida Avenue), and review of proposed amendments to a previously approved site plan referred to as "Bahamian Village" on Lots 7-27, Block 18, MacFarlane Homestead and St. Albans Section (intersection of Grand Avenue and U.S. 1), Coral Gables, Florida; and

**WHEREAS**, a change of land use, rezoning and site plan approval was granted for the "Bahamian Village" project on property the surrounding the subject single-family residence on January 25, 2005 (Ordinances No. 2005-03 and 2005-04), at which time the single-family residence was under separate ownership and was not a part of the application; and

**WHEREAS**, the developer of the "Bahamian Village" project has since purchased the subject single-family residence located on Lot 24 and wishes to revise the previously approved site plan by incorporating this property into the commercial project; and

**WHEREAS**, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1000) feet, public hearings were held before the Planning and Zoning Board of the City of Coral Gables on January 9, 2008, at which hearings all interested persons were afforded the opportunity to be heard; and

**WHEREAS**, the change of zoning and site plan review are required to permit the proposed revisions for the previously approved "Bahamian Village" project; and

**WHEREAS**, the conditions of approval required for the previously approved "Bahamian Village" project remain in effect with revised plan references; and

**WHEREAS**, at a public hearing held on January 9, 2008, the Planning and Zoning Board recommended approval of the change of zoning and amendments to previously approved site plan with previously required conditions (vote: 5-0); and

**WHEREAS**, this application is accompanied by a Change of Land Use which was reviewed by the Local Planning Agency (Planning and Zoning Board) and City Commission at the same public hearings; and

**WHEREAS**, the City Commission held a public hearing on February 12, 2008 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on first reading (vote: 5-0);

NOW, THEREFORE, BE IT ORDAINED 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 Ordinance upon adoption hereof.

**SECTION 2.** The proposed change of zoning from "SFR", Single Family Residential to "CL", Commercial Limited, and proposed amendments to the previously approved site plan referred to as "Bahamian Village" submitted in accordance with the requirements of the Zoning Code shall be and are hereby approved with the following conditions:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following documents as modified subject to the conditions contained herein:
  - a. Site plan, building elevations and building program prepared by Hersh Vitalini Corazzini, dated August 1, 2007.
  - b. Landscape Plan prepared by Hersh Vitalini Corazzini, dated August 1, 2007 and revised on December 20, 2007.
  - c. Traffic impact study prepared by Civil Works, Inc., dated August 2007.
  - d. Any changes to the plans and drawings referenced above as a part of building permit may require Planning and Zoning Board and City Commission review and approval dependent upon the changes. The applicant, successors or assigns shall advise the Planning Department of any applicable changes in writing.
  - e. Improvements and/or conditions contained herein, unless otherwise specified herein, shall be completed prior to receipt of final Certificate of Occupancy (CO). Prior to the issuance of a CO for the principal building, the applicant shall provide an affidavit, in a form acceptable to the City Attorney, averring that all the conditions set forth herein are satisfied.
  - f. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated December 28, 2007.
  - g. All representations proffered by the applicant's representatives provided as a part of the review of the application at public hearings.
  - h. Changes to the proposed plans required by the City Commission as part of the review of this application at public hearings.
2. Restrictive Covenant. Within 90 days of approval of the adopting ordinance, the property owner, its successors or assigns shall secure City Attorney review and approval of Restrictive Covenant outlining

all conditions of approval. Prior to the issuance of a building permit for the project, or as otherwise specified in the Restrictive Covenant, the property owner, its successors or assigns, shall adhere or agree to the following conditions:

- a. Provide/install lighting deflectors on all perimeter parking lot light fixtures that are adjacent to or across the street from single-family residential properties to minimize overspill of lighting. This provision does not exempt minimum lighting standards as required per applicable Code.
- b. No exterior paging systems or music shall be installed or audible outside the confines of any buildings.
- c. The hours of operation of the commercial uses of property shall be prohibited from 12 a.m. (midnight) to 6:00 a.m. daily.
- d. All nighttime lighting of parking lot shall be extinguished from 12:30 a.m. to dawn daily. Lighting for purposes of health and safety of the site as required by Code shall be exempt from these provisions.
- e. A six foot (6') CBS wall shall be constructed along the east property line between the commercial parking lot and existing residence as required by the Zoning Code.
- f. Prepare and submit a vehicular directional signage plan for review and approval by the Public Works Director.
- g. Prepare and submit an infrastructure improvement plan for the coordination and construction of water, sewer, gas, electrical and other infrastructure facilities subject to the Director of the Public Works Department review and approval.

**SECTION 3.** All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

**SECTION 4.** All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.


**SECTION 5.** If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 6.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

**SECTION 7.** This ordinance shall become effective upon the date of its passage and adoption herein.

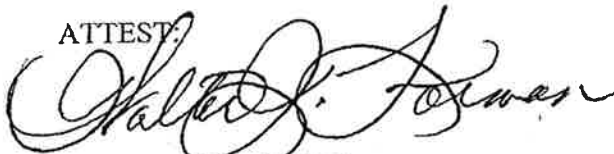
PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF MARCH, A.D., 2008.  
(Moved: Anderson / Seconded: Kerdyk)  
(Yeas: Anderson, Kerdyk, Withers, Slesnick)  
(Absent: Cabrera)  
(Majority (4-0) Vote)  
(Agenda Item: E-4)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY

## Preliminary Zoning Analysis: Gables Pointe Plaza

Prepared by Planning and Zoning Division on April 28, 2014

Review based on plans received April 14, 2014

### Existing designations and site data:

Category	Site Info
Property address	280 South Dixie Highway
Property legal description	Lots 7-27, Block 1B, MacFarlane Homestead Section
Total site area (sq. ft.)	59,623 sq. ft. (see Survey)
Existing property uses	MacFarlane Linear Park and vacant land
Existing Comprehensive Plan Future Land Use Map designation(s)	Open Space and Commercial Low-Rise Intensity
Proposed Comprehensive Plan Future Land Use Map designation(s)	No change
Existing Zoning Map designation(s)	S; Special Use and CL; Commercial Limited
Proposed Zoning Map designation(s)	S; Special Use, CL; Commercial Limited and C; Commercial
Within Mediterranean Architectural District (citywide)	Yes
Within Coral Gables Redevelopment Infill District (GRID) (Traffic Concurrency Exemption Zone)	Yes
Restrictive Covenant	Restrictive Covenant required in Lieu of a Unity of Title.

Category	Site Info
Total site area (sq. ft.)	59,623 sq. ft. (see Survey)
Floor area ratio (FAR) permitted – Maximum 3.0 FAR (without Mediterranean bonus)	178,869 sq. ft.
Floor area ratio (FAR) permitted – Maximum 3.5 FAR (with Mediterranean bonus)	208,681 sq. ft.
Floor area ratio (FAR) proposed	0.15 FAR; 8,646 sq. ft.
Building height (feet) permitted	Up to 50 feet maximum, or up to 77' maximum with architectural incentives
Building height (feet) proposed	Commercial building: 22'-4" habitable; 31'-6" total Community Center: 14'-0" habitable; 24'-0" total

## Preliminary Zoning Analysis: Gables Pointe Plaza

### Zoning Code Review:

Zoning Code Section	Reference/Provision	Required/Provided
Sec. 3-206.E.1	All buildings or structures located in Districts shall be constructed or erected upon a building site containing at least one (1) platted lot and such building site shall have a minimum street frontage of fifty (50) feet.	Complies.
Sec. 3-401	Conditional Uses	Conditional uses require review and approval by the Planning and Zoning Board and City Commission.
Sec. 3-1201	Abandonment and Vacation of Non-Fee Interests	Not applicable.
Sec. 3-2001	Art in Public Places	Requires review by Economic Sustainability.
<b>Article 3, Division 5. Planned Area Development</b>		
Sec. 3-502.A	Uses permitted. Unless approved as a mixed use development, the uses permitted within a PAD shall be those uses specified and permitted within the underlying District in which the PAD is located.	Complies.  Community Center is a Conditional Use within the Commercial Limited Zoning District.
Sec. 3-502.C.1	Minimum site area. The minimum site area required for a PAD shall be not less than one (1) acre for residentially or commercially designated property.	Complies.
Sec. 3-502.C.2	Configuration of lands. The parcel of land for which the application is made for a PAD shall be a contiguous unified parcel with sufficient width and depth to accommodate the proposed use. The minimum lot width shall be two hundred (200) feet and minimum lot depth shall be one hundred (100) feet.	Complies.
Sec. 3-502.C.3	Floor area ratio for a PAD. The floor area ratio for a PAD shall conform to the requirements for each intended use in the underlying zoning districts; provided, however, that the total combined floor area ratio for all uses within the PAD shall be allowed to be distributed throughout the PAD.	Complies.
Sec. 3-502.C.4	Density for multi-family dwellings and overnight accommodations. The density requirements for multi-family dwellings and overnight accommodations shall be in accordance with the provisions of the applicable zoning district.	Not applicable.
Sec. 3-502.C.5	Transfer of density within a PAD. The density within a PAD may be permitted to be transferred throughout the development site provided that such transfer is not intrusive on abutting single family residential areas.	Complies.
Sec. 3-502.C.6	Landscaped open space. The minimum landscaped open space	Complies.

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	required for a PAD shall be not less than twenty (20%) percent of the PAD site. Landscaped or urban open space which is located on elevated portions of the site may count toward this requirement.	37% of PAD site provided as landscaping (21,799 sq. ft.) as indicated on Sheet A-0.3.
Sec. 3-502.C.7	Height of buildings. The maximum height of any building in a PAD shall conform to the provisions of the underlying zoning district.	Complies.
Sec. 3-502.C.8.a	Architectural relief and elements (i.e. windows, cornice lines, etc.) shall be provided on all sides of buildings, similar to the architectural features provided on the front façade.	To be reviewed and approved by the Board of Architects.  Complies <input type="checkbox"/> Does not comply <input type="checkbox"/>
Sec. 3-502.C.8.b	Facades in excess of one hundred and fifty (150) feet in length shall incorporate design features such as: staggering of the façade, use of architectural elements such as kiosks, overhangs, arcades, etc.	To be reviewed and approved by the Board of Architects.  Complies <input type="checkbox"/> Does not comply <input type="checkbox"/>
Sec. 3-502.C.8.c	Parking garages shall include architectural treatments compatible with buildings and structures which occupy the same street.	Not applicable.
Sec. 3-502.C.8.d	Where necessary and appropriate to enhance public pedestrian access, no block face shall have a length greater than two hundred and fifty (250) feet without a public pedestrian passageway or alley providing through access.	Complies.
Sec. 3-502.C.8.e	All buildings, except accessory buildings, shall have their main pedestrian entrance oriented towards the front or side property line.	Complies.
Sec. 3-502.C.9	Perimeter and transition. Any part of the perimeter of a PAD which fronts on an existing street or open space shall be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping and screening. Properties which are adjacent to residentially zoned or used land shall be limited to a maximum height of forty five (45) feet within one hundred (100) feet of the adjacent right-of-way.	Complies.
Sec. 3-502.C.10	Minimum street frontage; building site requirement, number of buildings per site, lot coverage and all setbacks. There shall be no specified minimum requirements for street frontage, building sites, number of buildings within the development, or lot coverage.	Complies.

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
Sec. 3-502.C.11	Platting and/or replatting of development site. Nothing contained herein shall be construed as requiring the platting and/or replatting of a development site for a PAD provided, however, that the Planning and Zoning Board and City Commission may require the platting or replatting of the development site when it determines that the platting or replatting would be in the best interest of the community.	Complies.  Planning and Zoning Board and/or City Commission may require the platting or replatting of the development site if it determines that the platting or replatting would be in the best interest of the community.
Sec. 3-502.C.12	Facing of buildings. Nothing in this Division shall be construed as prohibiting a building in a PAD from facing upon a private street when such buildings are shown to have adequate access in a manner which is consistent with the purposes and objectives of these regulations and such private street has been recommended for approval by the Planning and Zoning Board and approved by the City Commission.	Complies.
Sec. 3-502.C.13	Off-street parking and off-street loading standards and requirements. The off-street parking and off-street loading standards and requirements for a PAD shall conform to the requirements of the applicable zoning district. Off-street parking for bicycles shall be provided as may be required by the Planning and Zoning Board and approved by the City Commission. Where the parking for the development is to be located within a common parking area or a parking garage, a restrictive covenant shall be filed reserving within the parking area or the parking garage the required off-street parking for each individual building and/or use and such off-street parking spaces shall be allocated proportionately.	Complies.  Off-street parking for bicycles shall be provided as may be required by the Planning and Zoning Board and approved by the City Commission.  A restrictive covenant shall be filed reserving within the parking area the required off-street parking for each individual building and such off-street parking spaces shall be allocated proportionately.
Sec. 3-502.C.14	Boats and recreational vehicle, parking. No boats and/or recreational vehicles shall be parked on the premises of a PAD unless such boats and/or recreational vehicles are located within an enclosed garage.	To be regulated by Code Enforcement.
Sec. 3-502.C.15	Accessory uses and structures. Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are permitted in a PAD subject to the provisions of Article 5, Division 1. Any use permissible as a principal	Complies.

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	use may be permitted as an accessory use, subject to limitations and requirements applying to the principal use.	
Sec. 3-502.C.16	Signs. The number, size, character, location and orientation of signs and lighting for signs for a PAD shall be in accordance with Article 5, Division 19.	<p><b>Does not comply.</b></p> <ol style="list-style-type: none"> <li>Two wall signs are proposed on front (north) elevation where only one is permitted per street frontage.</li> <li>Awning sign on rear (south) elevation is not located on valance as required.</li> <li>Signage plan required to determine compliance with maximum size signage requirements.</li> </ol>
Sec. 3-502.C.17	Refuse and service areas. Refuse and service areas for a PAD shall be so designed, located, landscaped and screened and the manner and timing of refuse collection and deliveries, shipment or other service activities so arranged as to minimize impact on adjacent or nearby properties or adjoining public ways, and to not impede circulation patterns.	<p><b>To be determined.</b></p> <p>Additional screening of the "Trash Room" may be required on the north and west facades. Provide plan and elevation details of the proposed trash enclosure including height.</p>
Sec. 3-502.C.18	Minimum design and construction standards for private streets and drainage systems. The minimum design and construction standards for private streets in a PAD shall meet the same standards as required for public streets as required by the Public Works Department of the City of Coral Gables. The minimum construction standards for drainage systems shall be in accordance with the Florida Building Code.	Not applicable.
Sec. 3-502.C.19	<p>Ownership of PAD. All land included within a PAD shall be owned by the applicant requesting approval of such development, whether that applicant be an individual, partnership or corporation, or groups of individuals, partnerships or corporations. The applicant shall present proof of the unified control of the entire area within the proposed PAD and shall submit an agreement stating that if the owner(s) proceeds with the proposed development they will:</p> <ol style="list-style-type: none"> <li>Develop the property in accordance with: <ol style="list-style-type: none"> <li>The final development plan approved by the City Commission for the area.</li> <li>Regulations existing when the PAD ordinance is adopted.</li> <li>Such other conditions or</li> </ol> </li> </ol>	<p>Complies.</p> <p>Provide agreements and declarations of restrictive covenants as required by ZC Sec. 3-502.C.19.b.</p>

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	<p>modifications as may be attached to the approval of the special-use permit for the construction of such PAD.</p> <p>b. Provide agreements and declarations of restrictive covenants acceptable to the City Commission for completion of the development in accordance with the final development plan as well as for the continuing operation and maintenance of such areas, functions and facilities as are not to be provided, operated or maintained at general public expense.</p> <p>c. Bind the successors and assigns in title to any commitments made under the provisions of the approved PAD.</p>	
Sec. 3-502.C.20	Compatibility with historic landmarks. Where an historic landmark exists within the site of a PAD the development shall be required to be so designed as to insure compatibility with the historic landmark.	Not applicable.
Sec. 3-502.C.21	Easements. The City Commission may, as a condition of PAD approval, require that suitable areas for easements be set aside, dedicated and/or improved for the installation of public utilities and purposes which include, but shall not be limited to water, gas, telephone, electric power, sewer, drainage, public access, ingress, egress, and other public purposes which may be deemed necessary by the City Commission.	<p>To be determined.</p> <p>The City Commission may, as a condition of PAD approval, require that suitable areas for easements be set aside, dedicated and/or improved for the installation of public utilities and purposes and indicated herein.</p>
Sec. 3-502.C.22	Installation of utilities. All utilities within a PAD including but not limited to telephone, electrical systems and television cables shall be installed underground.	<p><b>Does not comply.</b></p> <p>Submit a utilities plan or statement indicating all utilities within the PAD will be installed underground.</p>
Sec. 3-502.C.23	Mixed-uses within a PAD. A PAD may be so designed as to include the establishment of complementary and compatible combinations of office, hotel, multi-family and retail uses which shall be oriented to the development as well as the district in which the development is located.	Complies.
Sec. 3-502.C.24	Common areas for PADs. Any common areas established for the PAD shall be subject to the following: <p>a. The applicant shall establish a</p>	<p>To be determined.</p> <p>Land utilized for common areas shall be restricted by appropriate legal instrument satisfactory to the City Attorney as common</p>

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	<p>property owner's association for the ownership and maintenance of all common areas, including open space, recreational facilities, private streets, etc. Such association shall not be dissolved nor shall it dispose of any common areas by sale or otherwise (except to an organization conceived and established to own and maintain the common areas), however, the conditions of transfer shall conform to the Development Plan.</p> <p>b. Membership in the association shall be mandatory for each property owner in the PAD and any successive purchaser that has a right of enjoyment of the common areas.</p> <p>c. The association shall be responsible for liability insurance, local taxes, and the maintenance of the property.</p> <p>d. Property owners that have a right of enjoyment of the common areas shall pay their pro rata share of the cost, or the assessment levied by the association shall become a lien on the property.</p> <p>e. In the event that the association established to own and maintain commons areas or any successor organization, shall at any time after the establishment of the PAD fail to maintain the common areas in reasonable order and condition in accordance with the Development Plan, the City Commission may serve written notice upon such association and/or the owners of the PAD and hold a public hearing. If deficiencies of maintenance are not corrected within thirty (30) days after such notice and hearing the City Commission shall call upon any public or private agency to maintain the common areas for a period of one year. When the City Commission determines that the subject organization is not prepared or</p>	<p>areas in perpetuity. Such instrument shall be recorded in the Public Records of Dade County and shall be binding upon the developer, property owners association, successors, and assigns and shall constitute a covenant running with the land.</p>

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	<p>able to maintain the common areas such public or private agency shall continue maintenance for yearly periods.</p> <p>f. The cost of such maintenance by such agency shall be assessed proportionally against the properties within the PAD that have a right of enjoyment of the common areas and shall become a lien on said properties.</p> <p>g. Land utilized for such common areas shall be restricted by appropriate legal instrument satisfactory to the City Attorney as common areas in perpetuity in accordance with the provisions of Article 5, Division 23. Such instrument shall be recorded in the Public Records of Dade County and shall be binding upon the developer, property owners association, successors, and assigns and shall constitute a covenant running with the land.</p>	
Sec. 3-502.D	<p>Exemptions to PAD minimum development standards for configuration of land requirements. Exemptions to minimum development standards may be considered for Assisted Living Facilities (ALF) and/or Affordable Housing Facilities that would allow parcels of land to be noncontiguous as prescribed herein. These exemptions shall only be available to PAD developments that satisfy all of the following criteria:</p> <ol style="list-style-type: none"> <li>1. The project demonstrates that it would result in beneficial effects, serve important public interests, and not result in significant adverse impacts to the environment, residential areas, public services and facilities, or the desired character of an area.</li> <li>2. A minimum of seventy five (75%) percent of the total gross square footage of all buildings and ancillary ALF support uses (including square footage of recreational areas, support services, mechanical, etc) is dedicated as an assisted living</li> </ol>	Not applicable.

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	<p>facility and/or affordable housing facility.</p> <p>3. A maximum of two (2) noncontiguous parcels may be combined.</p> <p>4. The two (2) noncontiguous properties have the following designations:</p> <ul style="list-style-type: none"> <li>a. Commercial land use designation(s) and commercial zoning designation(s); or</li> <li>b. Industrial land use designation and industrial zoning designation.</li> </ul> <p>5. The proposed noncontiguous parcels are within one hundred and twenty (120) feet of one another. Such distance shall be measured by a straight line between the closest property lines of the properties.</p>	
<b>Sec. 3-505.D. Development plan – General requirements.</b>		
Sec. 3-505.D.1	Professional services required: plans for buildings or structures within a Planned Area Development shall be prepared by a registered Architect with the assistance of a registered Engineer and a registered Landscape Architect, all being qualified under the laws of the State of Florida to prepare such plans.	Complies.
Sec. 3-505.D.2	Legal description of site: should the legal description of the site for a Planned Area Development contain a metes and bounds description, such description shall be prepared by a registered land surveyor. The legal description shall be accompanied by a map at a scale suitable for reproduction for advertising for public hearing, showing exact location of the development.	Complies.
Sec. 3-505.D.3	Development proposal: the Development Plan shall consist of a map or map series and any technical reports and supporting data necessary to substantiate, describe or aid the Development Plan. The plans for the development proposal shall include the following written and graphic materials:	See comments provided below.
Sec. 3-505.D.3.a	Site condition map: site condition map or map series indicating the following:	Complies.

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	<ul style="list-style-type: none"> <li>i. Title of Planned Area Development and name of the owner(s) and developer.</li> <li>ii. Scale, date, north arrow and the relationship of the site to such external facilities as highways, roads, streets, residential areas, shopping areas and cultural complexes.</li> <li>iii. Boundaries of the subject property, all existing streets, buildings, water courses, easements, section lines and other important physical features within the proposed project. Other information on physical features affecting the proposed project as may be required.</li> <li>iv. Existing contour lines at one foot intervals. Datum shall be National Geodetic Vertical Datum (N.G.V.D.) (if required by City Staff).</li> <li>v. The location of all existing storm drainage, water, sewer, electric, telephone and other utility provisions.</li> </ul>	
Sec. 3-505.D.3.b	Plan of pedestrian and vehicular circulation showing the location and proposed circulation system of arterial, collector, local and private streets, including driveways, service areas, loading areas and points of access to existing public rights-of-way and indicating the width, typical sections and street names. The applicant is encouraged to submit one (1) or more companion proposals for a pedestrian system, transit system or other alternative for the movement of persons by means other than privately owned automobiles.	<p><b>To be provided.</b></p> <p>Submit circulation plans for the following types of systems: pedestrian, vehicular, bicycle, and public transit.</p>
Sec. 3-505.D.3.c	Exterior facade elevations (if deemed appropriate or necessary by City Staff) of all proposed buildings to be located on the development site.	Complies.
Sec. 3-505.D.3.d	Isometrics or perspective and/or massing model(s) (if deemed appropriate or necessary by City Staff) of the proposed development.	Complies.
Sec. 3-505.D.3.e	Map of existing land use.	<p><b>Does not comply.</b></p> <p>Please provide an existing land use map with the location of the subject property identified.</p>
Sec. 3-505.D.3.f	Existing and proposed lot(s) lines and/or property lines.	Complies.

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
Sec. 3-505.D.3.g	Master site plan--A general plan for the use of all lands within the proposed Planned Area Development. The plan shall serve as the generalized zoning for the development and shall guide the location of permissible uses and structures. Such plan shall show the general location, function and extent of all components or units of the plan, indicating the proposed gross floor area and/or floor area ratio of all existing and proposed buildings, structures and other improvements including maximum heights, types and number of dwelling units, landscaped open space provisions such as parks, passive or scenic areas, common areas, leisure time facilities, and areas of public or quasi-public institutional uses.	Complies.
Sec. 3-505.D.3.h	Location and size of all existing and proposed signs.	<b>Does not comply.</b>  Submit a signage plan that includes the location and size of all proposed signs.
Sec. 3-505.D.3.i	Existing and proposed utility systems including sanitary sewers, storm sewers and/or storm water drainage system and water, electric, gas and telephone lines. The applicant shall submit a statement indicating what proposed arrangements have been made with appropriate agencies for the provision of needed utilities to and within the Planned Area Development including, water supply, sewer, storm drainage collection and disposal, electric power, gas, and telephone.	<b>Does not comply.</b>  Submit a utilities statement indicating what proposed arrangements have been made with appropriate agencies for the provision of needed utilities to and within the Planned Area Development as required herein.
Sec. 3-505.D.3.j	General landscape plan indicating the proposed treatment of materials used for public, private and common open spaces and treatment of the perimeter of the development including buffering techniques such as screening, berms and walls, significant landscape features or areas shall be noted as shall the provisions for same.	Complies.
Sec. 3-505.D.3.k	Description of adjacent land areas, including land uses, zoning, densities, circulation systems, public facilities, and unique natural features of the landscape.	<b>Does not comply.</b>  Provide land use map which shows the land use classifications of all surrounding properties.
Sec. 3-505.D.3.l	Proposed easements for utilities, including water, power, telephone, storm sewer, sanitary sewer and fire lanes showing dimensions and use.	Complies.

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
Sec. 3-505.D.3.m	Location of proposed off-street parking. Smaller developments (as determined by the Planning Director) shall also be required to include stall size, aisle widths, location of attendant spaces, number of spaces by use, number of standard and compact spaces.	Complies.
Sec. 3-505.D.3.n	Location and designation of historic landmarks located within the development site which have been approved as provided within the Zoning Code or notation of those structures which may be worthy of historic designation.	Not applicable.
Sec. 3-505.D.3.o	Certified survey showing property boundary, existing buildings and their dimensions, setbacks from streets, (public and private) and property lines, easements, streets, alleys, topographical data, water areas, unique natural features, existing vegetation and all trees with an upright trunk of either nine (9) or more inches in circumference (as measured at the narrowest point below four and one-half (4½) feet above ground level) or twelve (12) or more feet in height (if required by City Staff).	Complies.
Sec. 3-505.D.3.p	Proposed development schedule indicating the appropriate date when construction of the development can be expected to begin and be completed, including initiation and completion dates of separate phases of a phased development and the proposed schedule for the construction and improvement of common areas within said phases, including any auxiliary and/or accessory buildings and required parking.	<b>To be provided prior to City Commission review.</b>  Include in City Commission application submittal package a phasing plan with projected construction initiation and completion dates.
Sec. 3-505.D.3.q	Location and designation of proposed traffic regulation devices within the development.	<b>Does not comply.</b>  Provide plan indicating the location of all proposed traffic regulation devices, as applicable (i.e. stop signs, right-turn only signs, traffic control arms, etc.).
Sec. 3-505.D.3.r	Statistical information including: i. Total square footage and/or acreage of the development site. ii. Maximum building coverage expressed as a percentage of the development site area. ii. The land area (expressed as a percent of the total site area) devoted to:	Complies.

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	(a)Landscaped open space; and (b)Common areas usable for recreation or leisure purposes.	
Sec. 3-505.D.3.s	Copies of any covenants, easements and/or agreements required by this section or any other ordinance and/or regulations for the Planned Area Development.	Complies.
<b>Article 4 – Zoning Districts.</b>		
<b>Section 4-301. Commercial Limited (CL) District</b>		
Sec. 4-301.A	Purpose and applicability. The purpose of the Commercial Limited (CL) District is to provide convenient access to goods and services of low and medium intensity without adversely impacting the integrity of residential neighborhoods, diminishing the scenic quality of the City or negatively impacting the safe and efficient movement of people and things within the City. This District also contains special provisions regarding nighttime commercial uses located in close proximity to residential districts which create special considerations with regard to the compatibility of adjacent land uses.	
Sec. 4-301.B	Permitted uses.	To be reviewed and approved by Zoning when obtaining certificate of use permits.
Sec. 4-301.C	Conditional uses.	Conditional uses require review and approval by the Planning and Zoning Board and City Commission.
<b>D. Performance Standards</b>		
Sec. 4-301.D.1	Minimum parcel of land:  a. Less than forty-five (45) feet in height shall have a minimum of two-thousand-five-hundred (2,500) square feet. b. Greater than forty-five (45) feet in height shall have a minimum of two-hundred (200) feet of primary street frontage and minimum land area of twenty-thousand (20,000) square feet.	Complies.
Sec. 4-301.D.2	Minimum parcel dimensions:  a. Width. Twenty (25) feet. b. Depth. One-hundred (100) feet.	Complies.
Sec. 4-301.D.3	Minimum setbacks. The following setbacks shall be provided for all buildings in the CL District:  a. Front: None.  b. Side: i. Interior side: None. ii. Side street: None.	Complies.

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	<p>c. Rear:</p> <ul style="list-style-type: none"> <li>i. Where there is a dedicated alley in the rear: Five (5) feet.</li> <li>ii. Where there is no dedicated alley in the rear: Ten (10) feet.</li> </ul> <p>d. Setback from canal, waterway, lake or bay: On all building sites abutting upon a canal, waterway, lake or bay, the minimum setback from the waterway for all buildings, or portions thereof designed or used shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted.</p>	
Sec. 4-301.D.4	Floor area ratio: 3.0.	Complies.
Sec. 4-301.D.5	<p>Height. The maximum permitted height is as follows:</p> <ul style="list-style-type: none"> <li>a. Pursuant to the Comprehensive Plan Map designation and/or Site Specific Zoning regulations.</li> <li>b. CL properties shall have a height limitation of three (3) floors or forty-five (45) feet, whichever is less, within one-hundred (100) feet of an adjacent, abutting or contiguous (including streets, waterways, or alleys) SFR and/or MF1 property, as measured from the CL property line.</li> </ul>	Complies.
Sec. 4-301.E	<p>Performance standards for nighttime uses.</p> <ul style="list-style-type: none"> <li>1. Parking lots for nighttime uses shall be screened with opaque wall, fences or hedges to a minimum height of six (6) feet at time of planting so that vehicle headlamps cannot illuminate land which is designated as a residential district.</li> <li>2. No patron or customer access for nighttime uses which is visible from land designated as a residential district shall be available from the hours of 8:00 PM to 6:00 AM.</li> <li>3. No deliveries shall be accepted between the hours of 8:00 PM and 6:00 AM.</li> <li>4. Windows and doors facing land designated as a residential district shall be opaque or shall be</li> </ul>	<p><b>To be determined.</b></p> <p>Must meet all performance standards for nighttime uses as required by Zoning Code Section 4-301.E.</p>

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	<p>provided with shades, screens, or drapes to screen illumination from within the building.</p> <p>5. A landscape buffer comprised of a continuous hedge, at a minimum height of six (6) feet at time of planting, and small trees with a height of at least fourteen (14) feet at intervals of not less than ten (10) feet on centers shall be located along any property line of a nighttime use which has a common property line with property designated as a residential district, or is separated only by an alley.</p> <p>6. Signage which is visible from land designated as a residential district shall not be illuminated between the hours of 10:00 PM and 6:00 AM.</p> <p>7. Additional criteria for medical clinics:</p> <ul style="list-style-type: none"> <li>a. Overnight stays at a medical clinic shall not exceed twenty-four (24) consecutive hours.</li> <li>b. Overnight stays shall be prohibited on Saturday or Sunday on property that abuts a residential district.</li> <li>c. Patients shall not be admitted or discharged between the hours of 10:00 PM and 6:00 AM.</li> <li>d. A maximum of six (6) beds or sleeping rooms shall be permitted, and a total of six (6) patients at one time may remain overnight in any medical clinic, regardless of the number of medical personnel affiliated with such clinic.</li> <li>e. The medical clinic shall be closed to the public between the hours of 10:00 PM and 6:00 AM.</li> <li>f. All doors in the medical clinic that face a residential district shall remain closed at all times between the hours of 10:00 PM and 6:00 AM.</li> <li>g. No loitering of any kind shall be permitted in any area which is visible from land which is designated as a residential district.</li> <li>h. Compliance with all applicable federal, state, and local laws,</li> </ul>	

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	<p>including, without limitation, all licensing requirements.</p> <p>8. Overnight accommodations and restaurants.</p> <p>a. No outdoor facilities, including pools, decks, outdoor dining or drinking facilities which are visible from land designated residential shall be used or operated between the hours of 10:00 PM and 8:00 AM weekdays and 10:00 PM and 8:00 AM on weekends.</p> <p>b. No music (live or recorded) shall be performed or played except within an enclosed building between the hours of 8:00 PM and 6:00 AM.</p> <p>c. No kitchen with outside venting shall be directed toward residential districts and shall not be operated between the hours of 10:00 PM and 6:00 AM.</p>	
<b>Section 4-302. Commercial District (C)</b>		
Sec. 4-302.A	Purpose and applicability. The purpose of the Commercial (C) District is to provide convenient access to higher intensity goods and services throughout the City in conjunction with providing economic stability without adversely impacting the integrity of residential neighborhoods, diminishing the scenic quality of the City or negatively impacting the safe and efficient movement of people and things within the City.	
Sec. 4-302.B	Permitted uses.	To be reviewed and approved by Zoning when obtaining certificate of use permits.
Sec. 4-302.C	Conditional uses.	Conditional uses require review and approval by the Planning and Zoning Board and City Commission.
<b>D. Performance Standards</b>		
Sec. 4-302.D.1	<p>Minimum parcel of land:</p> <p>a. Less than forty-five (45) feet in height shall be a minimum two-thousand-five-hundred (2,500) square feet.</p> <p>b. Greater than forty-five (45) feet in height shall have a minimum of two-hundred (200) feet of primary street frontage and minimum land area of twenty-thousand (20,000) square feet.</p>	Complies.
Sec. 4-302.D.2	<p>Minimum parcel dimensions:</p> <p>a. Width. Twenty (25) feet.</p>	Complies.

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
Sec. 4-302.D.3	<p>b. Depth. One-hundred (100) feet.</p> <p>Minimum setbacks. The following setbacks shall be provided for all buildings:</p> <p>a. Front:</p> <ul style="list-style-type: none"> <li>i. Up to fifteen (15) feet in height: None.</li> <li>ii. The portion of a building above fifteen (15) feet shall be set back ten (10) feet from the property line at the lower of: a) a cornice line above fifteen (15) feet; b) the top of a parking pedestal; or c) forty (40) feet.</li> </ul> <p>b. Side:</p> <ul style="list-style-type: none"> <li>i. Interior side: Up to forty-five (45) feet in height – zero (0) feet, greater than forty-five (45) feet in height – fifteen (15) feet plus one (1) foot of additional setback for each three (3) feet of height above forty-five (45) feet.</li> <li>ii. Side street: Fifteen (15) feet.</li> </ul> <p>c. Rear:</p> <ul style="list-style-type: none"> <li>i. Abutting a dedicated alley or street: None.</li> <li>ii. Not abutting dedicated alley or street: Ten (10) feet.</li> </ul> <p>d. Setback from canal, waterway, lake or bay: On all building sites abutting upon a canal, waterway, lake or bay, the minimum setback from the waterway for all buildings, or portions thereof designed or used shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted.</p> <p>e. Balconies: Cantilevered open balconies may project into the required setback areas a maximum of six (6) feet.</p>	Complies.
Sec. 4-302.D.4	Floor area ratio: 3.0.	Complies.
Sec. 4-302.D.5	<p>Height. The maximum permitted height is as follows:</p> <p>a. Pursuant to the Comprehensive Plan Map designation and/or Site Specific Zoning regulations.</p> <p>b. C properties shall have a height limitation of three (3) floors or forty-five (45) feet, whichever is less,</p>	Complies.

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	within one-hundred (100) feet of an adjacent, abutting or contiguous (including streets, waterways, or alleys) SFR and/or MF1 property, as measured from the C property line.	
Sec. 4-302.D.6	<p>Nighttime uses adjacent to a residential district.</p> <ul style="list-style-type: none"> <li>a. Parking lots for nighttime uses shall be screened with opaque wall, fences or hedges to a height of a minimum of four (4) feet at time of installation so that vehicle headlamps cannot illuminate land which is designated as a residential district.</li> <li>b. No patron or customer access for nighttime uses which is visible from land designated as a residential district shall be available for use from the hours of 8:00 PM to 6:00 AM.</li> <li>c. No deliveries shall be accepted between the hours of 8:00 PM and 6:00 AM for nighttime uses.</li> <li>d. Windows and doors facing land designated as a residential district shall be opaque or shall be provided with shades, screens, or drapes to screen illumination from within the building.</li> <li>e. A landscape buffer comprised of a continuous hedge and small trees with a height of at least fourteen (14) feet at intervals of not less than ten (10) feet on centers shall be located along any property line of a nighttime use which has a common property line with property designated as a residential district, or is separated only by an alley.</li> <li>f. Signage which is visible from land designated as a residential district shall not be illuminated between the hours of 10:00 PM and 6:00 AM.</li> <li>g. Additional criteria for medical clinics. <ul style="list-style-type: none"> <li>i. Overnight stays at a medical clinic shall not exceed twenty-</li> </ul> </li> </ul>	<p><b>To be determined.</b></p> <p>Must meet all performance standards for nighttime uses as required by Zoning Code Section 4-302.D.6.</p>

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	<p>four (24) consecutive hours.</p> <ul style="list-style-type: none"> <li>ii. Overnight stays shall be prohibited on Saturday or Sunday on property that abuts a residential district.</li> <li>iii. Patients shall not be admitted or discharged between the hours of 10:00 PM and 6:00 AM.</li> <li>iv. A maximum of six (6) beds or sleeping rooms shall be permitted, and a total of six (6) patients at one time may remain overnight in any medical clinic, regardless of the number of medical personnel affiliated with such clinic.</li> <li>v. The medical clinic shall be closed to the public between the hours of 10:00 PM and 6:00 AM.</li> <li>vi. All doors in the medical clinic that face a residential district shall remain closed at all times between the hours of 10:00 PM and 6:00 AM.</li> <li>vii. No loitering of any kind shall be permitted in any area which is visible from land which is designated as a residential district.</li> <li>viii. Compliance with all applicable federal, state, and local laws, including, without limitation, all licensing requirements.</li> </ul> <p>h. Overnight accommodations.</p> <ul style="list-style-type: none"> <li>i. No outdoor facilities, including pools, decks, outdoor dining or drinking facilities which are visible from land designated residential shall be used or operated after 10:00 PM.</li> <li>ii. No music (live or recorded) shall be performed or played except within in an enclosed building between the hours of 8:00 PM and 6:00 AM.</li> <li>iii. No kitchen with outside venting shall be operated between the hours of 10:00 PM and 6:00 AM.</li> </ul>	
Sec. 4-302.D.7	Additional standards for mixed-use development.	Not applicable.
<b>Article 5 – Development Standards.</b>		

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
Article 5 – Development Standards. Division 11. Landscaping		
Sec. 5-1104.A	See Zoning Code Sec. 5-1104.A for general requirements that are applicable to all rights-of-way and private properties within the City.	Compliance required at time of final plan submittal.
Section 5-1105. Landscape requirements.		
Sec. 5-1105.A	Public rights-of-way. Must comply with items 1 thru 6 of Zoning Code Section 5-1105.A.	Requires review and approval by Public Service and Public Works.
Sec. 5-1105.C	Other properties. Must comply with items 1 thru 3 of Zoning Code Section 5-1105.C.	Requires review and approval by Public Service and Public Works.
Article 5 – Development Standards. Division 14. Parking, Loading, and Driveway Requirements		
Sec. 5-1402.A	<p>Dimensions and configuration of parking spaces.</p> <ol style="list-style-type: none"> <li>Required parking space dimensions: <ol style="list-style-type: none"> <li>Parallel parking spaces: 9 feet by 22 feet.</li> <li>Angled parking spaces: 8½ feet by 18 feet.</li> <li>Disabled parking spaces shall be dimensioned in accordance with Chapter 11 of the Florida Building Code.</li> </ol> </li> <li>Wheel stops and curbing. Precast concrete wheel stops or curbing shall be provided for all angled parking spaces that abut a sidewalk such that cars are curbed at 16 ½ feet. The balance of the required depth of the parking spaces between the wheel stop or curb and the sidewalk shall be clear of obstructions.</li> <li>Required aisle widths. Minimum required aisle widths for two-way aisles: 22 feet.</li> </ol>	<p>To be determined.</p> <p>Determination requires full-size set of plans for review.</p>
Sec. 5-1402.B	Dimensions of loading spaces. Loading spaces shall be at least 10 feet wide by 25 feet long, and shall provide at least 14 feet of vertical clearance.	<p>To be determined.</p> <p>Determination requires full-size set of plans for review.</p>
Sec. 5-1406.A	<p>General.</p> <ol style="list-style-type: none"> <li>All triangles of visibility that are required by this Section shall be kept clear of visual obstructions between a height of 2½ feet and 8 feet above the established grade.</li> <li>Visibility triangles for driveways and intersections that are not included in this section shall be</li> </ol>	<p>Complies.</p> <p>Compliance is indicated on Sheet L-2 of application submittal binder.</p>

## Preliminary Zoning Analysis: Gables Pointe Plaza

Zoning Code Section	Reference/Provision	Required/Provided
	provided in accordance with the standards set out in the Miami-Dade County Code.	
Sec. 5-1409.B	Calculation of parking requirements.  (List parking requirements for each proposed use as specified in Zoning Code Section 5-1409. Amount of required parking)	<b>To be determined.</b>  Determination requires full-size set of plans for review. Applicant's parking calculations are provided on Sheet A-0.3.
Sec. 5-1410.A	Tandem spaces. Tandem spaces are permitted as required parking; provided each set of tandem parking spaces are assigned to an individual unit within the building.	Not applicable.
Sec. 5-1410.B.2	Vertical parking lifts may utilize the following maximum percentages to satisfy required parking spaces, calculated at two (2) parking spaces per lift, within a building:  a. Twenty percent (20%) of the first fifty (50) parking spaces; and, b. Ten percent (10%) from fifty-one (51) spaces to two-hundred (200) spaces; and c. Five (5%) percent thereafter.  Vertical parking lift systems shall be limited to two-levels/decks and each lift shall be controlled exclusively by one (1) tenant/unit	Not applicable.

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10. Does not add property to the parcel proposed for development.
  11. Does not increase the height of the buildings.
- B. Other revisions. Any other adjustments or changes not specified as "minor" shall be granted only in accordance with the procedures for original approval.

**Section 3-411. Expiration of approval.**

An application for a building permit shall be made within one (1) year of the date of the conditional use approval, and all required certificates of occupancy shall be obtained within one (1) year of the date of issuance of the initial building permit. Permitted time frames do not change with successive owners and an extension of time may be granted by the Development Review Official for a period not to exceed two (2) years but only within the original period of validity.

**Division 5. Planned Area Development****Section 3-501. Purpose and applicability.**

- A. Purpose. The purpose of this Division is to encourage the construction of Planned Area Developments (PAD) by providing greater opportunity for construction of quality development on tracts and/or parcels of land through the use of flexible guidelines which allow the integration of a variety of land uses and densities in one development. Furthermore it is the purpose of the PAD to:
1. 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.
  2. Encourage enhancement and preservation of lands which are unique or of outstanding scenic, environmental, cultural and historical significance.
  3. 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.
  4. 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.
  5. 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.
- B. Applicability. A PAD may be approved as a conditional use in any zoning district, except single family residential, in accordance with the standards and criteria of this Division, the procedures of Article 3, Division 4 and other applicable regulations.

**Section 3-502. Standards and criteria.**

The City Commission may approve a conditional use for the construction of a PAD subject to compliance with the development criteria and minimum development standards set out in this Division.

- A. Uses permitted. Unless approved as a mixed use development, the uses permitted within a PAD shall be those uses specified and permitted within the underlying District in which the PAD is located.

## **ARTICLE 3 - DEVELOPMENT REVIEW**

- B. Relation to general zoning, subdivision, or other regulations. Where there are conflicts between the PAD provisions and general zoning, subdivision or other regulations and requirements, these regulations shall apply, unless the Planning and Zoning Board recommends and the City Commission finds, in the particular case:
1. That the PAD provisions do not serve public benefits to a degree at least equivalent to such general zoning, subdivision, or other regulations or requirements, or
  2. That actions, designs, construction or other solutions proposed by the applicant, although not literally in accord with these PAD regulations, satisfy public benefits to at least an equivalent degree.
- C. Minimum development standards. Any parcel of land for which a PAD is proposed must conform to the following minimum standards:
1. Minimum site area. The minimum site area required for a PAD shall be not less than one (1) acre for residentially or commercially designated property.
  2. Configuration of lands. The parcel of land for which the application is made for a PAD shall be a contiguous unified parcel with sufficient width and depth to accommodate the proposed use. The minimum lot width shall be two hundred (200) feet and minimum lot depth shall be one hundred (100) feet.
  3. Floor area ratio for a PAD. The floor area ratio for a PAD shall conform to the requirements for each intended use in the underlying zoning districts; provided, however, that the total combined floor area ratio for all uses within the PAD shall be allowed to be distributed throughout the PAD.
  4. Density for multi-family dwellings and overnight accommodations. The density requirements for multi-family dwellings and overnight accommodations shall be in accordance with the provisions of the applicable zoning district.
  5. Transfer of density within a PAD. The density within a PAD may be permitted to be transferred throughout the development site provided that such transfer is not intrusive on abutting single family residential areas.
  6. Landscaped open space. The minimum landscaped open space required for a PAD shall be not less than twenty (20%) percent of the PAD site. Landscaped or urban open space which is located on elevated portions of the site may count toward this requirement.
  7. Height of buildings. The maximum height of any building in a PAD shall conform to the provisions of the underlying zoning district.
  8. Design requirements. All buildings within a PAD shall conform to the following:
    - a. Architectural relief and elements (i.e. windows, cornice lines, etc.) shall be provided on all sides of buildings, similar to the architectural features provided on the front façade;
    - b. Facades in excess of one hundred and fifty (150) feet in length shall incorporate design features such as: staggering of the façade, use of architectural elements such as kiosks, overhangs, arcades, etc.;
    - c. Parking garages shall include architectural treatments compatible with buildings and structures which occupy the same street;
    - d. Where necessary and appropriate to enhance public pedestrian access, no block face shall have a length greater than two hundred and fifty (250) feet without a public pedestrian

## ARTICLE 3 - DEVELOPMENT REVIEW

passageway or alley providing through access; and

- e. All buildings, except accessory buildings, shall have their main pedestrian entrance oriented towards the front or side property line.
9. Perimeter and transition. Any part of the perimeter of a PAD which fronts on an existing street or open space shall be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping and screening. Properties which are adjacent to residentially zoned or used land shall be limited to a maximum height of forty five (45) feet within one hundred (100) feet of the adjacent right-of-way.
10. Minimum street frontage; building site requirement, number of buildings per site, lot coverage and all setbacks. There shall be no specified minimum requirements for street frontage, building sites, number of buildings within the development, or lot coverage.
11. Platting and/or replatting of development site. Nothing contained herein shall be construed as requiring the platting and/or replatting of a development site for a PAD provided, however, that the Planning and Zoning Board and City Commission may require the platting or replatting of the development site when it determines that the platting or replatting would be in the best interest of the community.
12. Facing of buildings. Nothing in this Division shall be construed as prohibiting a building in a PAD from facing upon a private street when such buildings are shown to have adequate access in a manner which is consistent with the purposes and objectives of these regulations and such private street has been recommended for approval by the Planning and Zoning Board and approved by the City Commission.
13. Off-street parking and off-street loading standards and requirements. The off-street parking and off-street loading standards and requirements for a PAD shall conform to the requirements of the applicable zoning district. Off-street parking for bicycles shall be provided as may be required by the Planning and Zoning Board and approved by the City Commission. Where the parking for the development is to be located within a common parking area or a parking garage, a restrictive covenant shall be filed reserving within the parking area or the parking garage the required off-street parking for each individual building and/or use and such off-street parking spaces shall be allocated proportionately.
14. Boats and recreational vehicle, parking. No boats and/or recreational vehicles shall be parked on the premises of a PAD unless such boats and/or recreational vehicles are located within an enclosed garage.
15. Accessory uses and structures. Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are permitted in a PAD subject to the provisions of Article 5, Division 1. Any use permissible as a principal use may be permitted as an accessory use, subject to limitations and requirements applying to the principal use.
16. Signs. The number, size, character, location and orientation of signs and lighting for signs for a PAD shall be in accordance with Article 5, Division 19.
17. Refuse and service areas. Refuse and service areas for a PAD shall be so designed, located, landscaped and screened and the manner and timing of refuse collection and deliveries, shipment or other service activities so arranged as to minimize impact on adjacent or nearby properties or adjoining public ways, and to not impede circulation patterns.
18. Minimum design and construction standards for private streets and drainage systems. The minimum design and construction standards for private streets in a PAD shall meet the same standards as required for public streets as required by the Public Works Department of the City of Coral Gables. The minimum construction standards for drainage systems shall be in accordance with the Florida Building Code.
19. Ownership of PAD. All land included within a PAD shall be owned by the applicant requesting approval of such development, whether that applicant be an individual, partnership or corporation,

## **ARTICLE 3 - DEVELOPMENT REVIEW**

or groups of individuals, partnerships or corporations. The applicant shall present proof of the unified control of the entire area within the proposed PAD and shall submit an agreement stating that if the owner(s) proceeds with the proposed development they will:

- a. Develop the property in accordance with:
    - i. The final development plan approved by the City Commission for the area.
    - ii. Regulations existing when the PAD ordinance is adopted.
    - iii. Such other conditions or modifications as may be attached to the approval of the special-use permit for the construction of such PAD.
  - b. Provide agreements and declarations of restrictive covenants acceptable to the City Commission for completion of the development in accordance with the final development plan as well as for the continuing operation and maintenance of such areas, functions and facilities as are not to be provided, operated or maintained at general public expense.
  - c. Bind the successors and assigns in title to any commitments made under the provisions of the approved PAD.
20. Compatibility with historic landmarks. Where an historic landmark exists within the site of a PAD the development shall be required to be so designed as to insure compatibility with the historic landmark.
21. Easements. The City Commission may, as a condition of PAD approval, require that suitable areas for easements be set aside, dedicated and/or improved for the installation of public utilities and purposes which include, but shall not be limited to water, gas, telephone, electric power, sewer, drainage, public access, ingress, egress, and other public purposes which may be deemed necessary by the City Commission.
22. Installation of utilities. All utilities within a PAD including but not limited to telephone, electrical systems and television cables shall be installed underground.
23. Mixed-uses within a PAD. A PAD may be so designed as to include the establishment of complementary and compatible combinations of office, hotel, multi-family and retail uses which shall be oriented to the development as well as the district in which the development is located.
24. Common areas for PADs. Any common areas established for the PAD shall be subject to the following:
- a. The applicant shall establish a property owner's association for the ownership and maintenance of all common areas, including open space, recreational facilities, private streets, etc. Such association shall not be dissolved nor shall it dispose of any common areas by sale or otherwise (except to an organization conceived and established to own and maintain the common areas), however, the conditions of transfer shall conform to the Development Plan.
  - b. Membership in the association shall be mandatory for each property owner in the PAD and any successive purchaser that has a right of enjoyment of the common areas.
  - c. The association shall be responsible for liability insurance, local taxes, and the maintenance of the property.
  - d. Property owners that have a right of enjoyment of the common areas shall pay their pro rata share of the cost, or the assessment levied by the association shall become a lien on the property.
  - e. In the event that the association established to own and maintain commons areas or any successor organization, shall at any time after the establishment of the PAD fail to maintain the common areas in reasonable order and condition in accordance with the Development Plan, the City Commission may serve written notice upon such association and/or the owners

## **ARTICLE 3 - DEVELOPMENT REVIEW**

of the PAD and hold a public hearing. If deficiencies of maintenance are not corrected within thirty (30) days after such notice and hearing the City Commission shall call upon any public or private agency to maintain the common areas for a period of one year. When the City Commission determines that the subject organization is not prepared or able to maintain the common areas such public or private agency shall continue maintenance for yearly periods.

- f. The cost of such maintenance by such agency shall be assessed proportionally against the properties within the PAD that have a right of enjoyment of the common areas and shall become a lien on said properties.
  - g. Land utilized for such common areas shall be restricted by appropriate legal instrument satisfactory to the City Attorney as common areas in perpetuity in accordance with the provisions of Article 5, Division 23. Such instrument shall be recorded in the Public Records of Dade County and shall be binding upon the developer, property owners association, successors, and assigns and shall constitute a covenant running with the land.
- D. Exemptions to PAD minimum development standards for configuration of land requirements. Exemptions to minimum development standards may be considered for Assisted Living Facilities (ALF) and/or Affordable Housing Facilities that would allow parcels of land to be noncontiguous as prescribed herein. These exemptions shall only be available to PAD developments that satisfy all of the following criteria:
- 1. The project demonstrates that it would result in beneficial effects, serve important public interests, and not result in significant adverse impacts to the environment, residential areas, public services and facilities, or the desired character of an area.
  - 2. A minimum of seventy five (75%) percent of the total gross square footage of all buildings and ancillary ALF support uses (including square footage of recreational areas, support services, mechanical, etc) is dedicated as an assisted living facility and/or affordable housing facility.
  - 3. A maximum of two (2) noncontiguous parcels may be combined.
  - 4. The two (2) noncontiguous properties have the following designations:
    - a. Commercial land use designation(s) and commercial zoning designation(s); or
    - b. Industrial land use designation and industrial zoning designation.
  - 5. The proposed noncontiguous parcels are within one hundred and twenty (120) feet of one another. Such distance shall be measured by a straight line between the closest property lines of the properties.

### **Section 3-503. Required findings.**

The Planning and Zoning Board shall recommend to the City Commission the approval, approval with modifications, or denial of the plan for the proposed PAD and shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth with particularity in what respects the proposal would or would not be in the public interest. These findings shall include, but shall not be limited to the following:

- A. In what respects the proposed plan is or is not consistent with the stated purpose and intent of the PAD regulations.
- 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.

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- C. The extent to which the proposed plan meets the requirements and standards of the PAD regulations.
- 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.
- E. The compatibility of the proposed PAD with the adjacent properties and neighborhood as well as the current neighborhood context including current uses.
- F. The desirability of the proposed PAD to physical development of the entire community.
- 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.

### **Section 3-504. Binding nature of approval for a PAD.**

All terms, conditions, restrictive covenants, safeguards and stipulations made at the time of approval of the Development Plan for a PAD shall be binding upon the applicant or any successors in interest. Deviations from approved plans or failure to comply with any requirements, conditions, restrictions or safeguards imposed by the City Commission shall constitute a violation of these regulations.

### **Section 3-505. General procedures for plan approval.**

- a. Pre-application conference - Planning department. Before submitting an application for approval of a Planned Area Development the applicant or his representative shall confer with the City of Coral Gables Planning Department before entering into binding commitments or incurring substantial expense. The applicant is encouraged to submit a tentative land use sketch for review and to obtain information on any projected plans, programs or other matters that may affect the proposed development. The pre-application conference should address, but shall not be limited to, such matters as:
  - 1. The proper relationship between the proposed development and the surrounding uses and the effect of the plan upon the Comprehensive Plan of the City of Coral Gables.
  - 2. The adequacy of existing and proposed streets, utilities and other public facilities and services within the proposed Planned Area Development.
  - 3. The character, design and appropriateness of the proposed land uses and their adequacy to encourage desirable living conditions, to provide separation and screening between uses where desirable and to preserve the natural and scenic areas and vistas of property.
  - 4. The adequacy of open space and recreation areas existing and proposed to serve the needs of the development.
- B. Pre-application review. The applicant shall distribute a copy of his plans or exhibits to the Director of Building and Zoning, Public Works Director, Public Service Director, Planning Director, Fire Chief and the Historical Resources Director (if applicable) and upon their review of the plans they shall advise the applicant of any recommended revisions, changes or additional information necessary before the filing of a formal application.
- C. Board of Architects review. After preliminary review by the departments, and the Historical Resources Department (if applicable), the applicant shall revise the plans to incorporate all recommended revisions and changes and shall submit such plans to the Board of Architects for review and preliminary approval prior to filing a formal application for Planning and Zoning Board review.
- D. Development plan--General requirements.
  - 1. Professional services required: plans for buildings or structures within a Planned Area Development shall

## **ARTICLE 3 - DEVELOPMENT REVIEW**

be prepared by a registered Architect with the assistance of a registered Engineer and a registered Landscape Architect, all being qualified under the laws of the State of Florida to prepare such plans.

2. Legal description of site: should the legal description of the site for a Planned Area Development contain a metes and bounds description, such description shall be prepared by a registered land surveyor. The legal description shall be accompanied by a map at a scale suitable for reproduction for advertising for public hearing, showing exact location of the development.
3. Development proposal: the Development Plan shall consist of a map or map series and any technical reports and supporting data necessary to substantiate, describe or aid the Development Plan. The plans for the development proposal shall include the following written and graphic materials:
  - a. Site condition map: site condition map or map series indicating the following:
    - i. Title of Planned Area Development and name of the owner(s) and developer.
    - ii. Scale, date, north arrow and the relationship of the site to such external facilities as highways, roads, streets, residential areas, shopping areas and cultural complexes.
    - iii. Boundaries of the subject property, all existing streets, buildings, water courses, easements, section lines and other important physical features within the proposed project. Other information on physical features affecting the proposed project as may be required.
    - iv. Existing contour lines at one foot intervals. Datum shall be National Geodetic Vertical Datum (N.G.V.D.) (if required by City Staff).
    - v. The location of all existing storm drainage, water, sewer, electric, telephone and other utility provisions.
  - b. Plan of pedestrian and vehicular circulation showing the location and proposed circulation system of arterial, collector, local and private streets, including driveways, service areas, loading areas and points of access to existing public rights-of-way and indicating the width, typical sections and street names. The applicant is encouraged to submit one (1) or more companion proposals for a pedestrian system, transit system or other alternative for the movement of persons by means other than privately owned automobiles.
  - c. Exterior facade elevations (if deemed appropriate or necessary by City Staff) of all proposed buildings to be located on the development site.
  - d. Isometrics or perspective and/or massing model(s) (if deemed appropriate or necessary by City Staff) of the proposed development.
  - e. Map of existing land use.
  - f. Existing and proposed lot(s) lines and/or property lines.
  - g. Master site plan--A general plan for the use of all lands within the proposed Planned Area Development. The plan shall serve as the generalized zoning for the development and shall guide the location of permissible uses and structures. Such plan shall show the general location, function and extent of all components or units of the plan, indicating the proposed gross floor area and/or floor area ratio of all existing and proposed buildings, structures and other improvements including maximum heights, types and number of dwelling units, landscaped open space provisions such as parks, passive or scenic areas, common areas, leisure time facilities, and areas of public or quasi-public institutional uses.
  - h. Location and size of all existing and proposed signs.
  - i. Existing and proposed utility systems including sanitary sewers, storm sewers and/or storm water drainage system and water, electric, gas and telephone lines. The applicant shall submit a statement indicating what proposed arrangements have been made with appropriate agencies for

## **ARTICLE 3 - DEVELOPMENT REVIEW**

the provision of needed utilities to and within the Planned Area Development including, water supply, sewer, storm drainage collection and disposal, electric power, gas, and telephone.

- j. General landscape plan indicating the proposed treatment of materials used for public, private and common open spaces and treatment of the perimeter of the development including buffering techniques such as screening, berms and walls, significant landscape features or areas shall be noted as shall the provisions for same.
- k. Description of adjacent land areas, including land uses, zoning, densities, circulation systems, public facilities, and unique natural features of the landscape.
- l. Proposed easements for utilities, including water, power, telephone, storm sewer, sanitary sewer and fire lanes showing dimensions and use.
- m. Location of proposed off-street parking. Smaller developments (as determined by the Planning Director) shall also be required to include stall size, aisle widths, location of attendant spaces, number of spaces by use, number of standard and compact spaces.
- n. Location and designation of historic landmarks located within the development site which have been approved as provided within the Zoning Code or notation of those structures which may be worthy of historic designation.
- o. Certified survey showing property boundary, existing buildings and their dimensions, setbacks from streets, (public and private) and property lines, easements, streets, alleys, topographical data, water areas, unique natural features, existing vegetation and all trees with an upright trunk of either nine (9) or more inches in circumference (as measured at the narrowest point below four and one-half (4½) feet above ground level) or twelve (12) or more feet in height (if required by City Staff).
- p. Proposed development schedule indicating the appropriate date when construction of the development can be expected to begin and be completed, including initiation and completion dates of separate phases of a phased development and the proposed schedule for the construction and improvement of common areas within said phases, including any auxiliary and/or accessory buildings and required parking.
- q. Location and designation of proposed traffic regulation devices within the development.
- r. Statistical information including:
  - i. Total square footage and/or acreage of the development site.
  - ii. Maximum building coverage expressed as a percentage of the development site area.
  - ii. The land area (expressed as a percent of the total site area) devoted to:
    - (a) Landscaped open space; and
    - (b) Common areas usable for recreation or leisure purposes.
- s. Copies of any covenants, easements and/or agreements required by this section or any other ordinance and/or regulations for the Planned Area Development.

### **Section 3-506. Application and review procedures for approval of plans.**

- A. Application. The applicant for a Planned Area Development shall file a written application therefore with the Planning Department on forms prepared by such department. Such application shall be accompanied by fifteen (15) sets of required plans, technical reports, update reports and/or exhibits. All plans shall have the details needed to enable the department heads, Fire Chief, Boards and City Commission to determine whether the proposed development complies with this section and all other applicable ordinances and regulations of the City. The plans shall have the preliminary approval of the Board of Architects as provided for under Section 3-506(C) herein. Upon receipt of such completed

## **ARTICLE 3 - DEVELOPMENT REVIEW**

application, all supporting data and exhibits and payment of the required costs and fees, the time periods established in this subsection shall commence. Any application for approval of a plan for a Planned Area Development which meets the definition of a development of regional impact under Chapter 28 of the Florida Administrative Code and/or Development of County Impact as defined under Chapter 33A of the Code of Metropolitan Dade County must be accompanied by the reports, studies and recommendations required for Developments of Regional Impact and/or Development of County Impact provided, however, that the provisions of Development of County Impact does not apply where the development meets the requirement of a Development of Regional Impact.

- B. Review of plans. Upon acceptance of the application, the Planning Department shall transmit the Plan Package to the Director of Building and Zoning, Public Works Director, Public Service Director, Fire Chief and the Historical Resources Director (if applicable) for their review and comments. Within sixty (60) days from the filing date, the Director of Building and Zoning, Public Works Director, Public Service Director, Planning Director, Fire Chief and the Historical Resources Director (if applicable) shall review the preliminary plan and shall submit in writing to the Planning and Zoning Board their comments concerning the proposed development. The comments shall include any changes which should be made to bring the plans in compliance with applicable rules and regulations.
- C. Public hearing. The Planning and Zoning Board shall hold a public hearing within ninety (90) days from the date of filing the application. Such public hearing shall be in accordance with the provisions of Section 3-302 herein. The Planning and Zoning Board shall recommend to the City Commission the approval, approval with modifications, or denial of the plan for the proposed Planned Area Development and shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth particularly in what respects the proposal would or would not be in the public interest. These findings shall include, but shall not be limited to the following:
  - 1. In what respects the proposed plan is or is not consistent with the stated purpose and intent of the Planned Area Development regulations.
  - 2. 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.
  - 3. The extent to which the proposed plan meets the requirements and standards of the Planned Area Development regulations.
  - 4. The physical design of the proposed Planned Area Development 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.
  - 5. The compatibility of the proposed Planned Area Development with the adjacent properties and neighborhood.
  - 6. The desirability of the proposed Planned Area Development to physical development of the entire community.
  - 7. The conformity of the proposed Planned Area Development with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Plan.
- D. Approval by the City Commission. The City Commission upon receipt of the recommendations of the Planning and Zoning Board shall approve, approve with modifications, or disapprove the Preliminary Development Plan for the proposed Planned Area Development. The approval of the Development Plan shall be by Ordinance. No building permits shall be issued, no construction shall be permitted and no plats shall be recorded on land within a Planned Area Development until the Final Development Plan has been approved by the City Commission.

## **ARTICLE 3 - DEVELOPMENT REVIEW**

### **Section 3-507. Amendments to the development plan.**

Amendments to the Development Plan shall be considered as major or minor. Minor amendments as specified in Section 3-508(A) herein may be approved administratively by the Building and Zoning Department with recommendations from other departments, as needed. Major amendments as specified in Section 3-508(B) herein shall be subject to the review and approval process set forth in Section 3-507. The Building and Zoning Department, with recommendations from other departments, as needed, shall determine whether proposed changes are major or minor. Requests for major amendments may be made no more than once (1) per twelve (12) month period.

- A. Minor amendments. Minor amendments are changes which do not substantially alter the concept of the Planned Area Development in terms of density, floor area ratio, land usage, height, provision of landscaped open space, or the physical relationship of elements of the development. Minor amendments shall include, but shall not be limited to, small changes in floor area, density, lot coverage, height, setbacks, landscaped open space, the location of buildings, parking, or realignment of minor streets which do not exceed twenty (20%) percent of the guideline limits contained within this Article specific to that type of development or that which is shown on the approved development plan.
- B. Major amendments. Major amendments represent substantial deviations from the development plan approved by the City Commission. Major amendments shall include, but not be limited to significant changes in floor area, density, lot coverage, height, setbacks, landscaped open space, the location of buildings, or parking, which exceed twenty (20%) percent of the guidelines contained within this Article specific to that type of development or that which is shown on the approved Development Plan, or changes in the circulation system.

### **Section 3-508. Time limitation of approval and construction.**

- A. Approvals granted pursuant to this Division shall obtain a building permit and begin construction within eighteen (18) months from time of the approval. Failure to obtain a building permit and/or begin construction shall render the approval null and void. Permitted time frames do not change with successive owners, provided however, one (1), six (6) month extension of time may be granted by the Development Review Official.
- B. If the Planned Area Development is to be developed in stages, the developer must begin construction of each stage within the time limits specified in the Development Plan (or subsequent updates). Construction in each phase shall include all the elements of that phase specified in the Development Plan.

### **Section 3-509. Monitoring construction.**

The City Manager or his designee shall periodically monitor the construction within the Planned Area Development with respect to start of construction and Development Phasing. If the City Manager or his designee finds that either the developer has failed to begin construction within the specified time period or that the developer is not proceeding in accordance with the approved Development Phasing with respect to timing of construction of an approved mix of project elements, he shall report to the City Commission and the City Commission shall review the Planned Area Development and may extend the time for start of construction or the length of time to complete a phase, revoke approval of the Planned Area Development or recommend that the developer amend the Development Plan subject to procedures specified in Section 3-508 herein.

## **Division 6. Appeals**

### **Section 3-601. Purpose and applicability.**

The purpose of this Division is to set forth procedures for appealing the decisions of City staff where it is alleged that there is an error in any order, requirement, decision or interpretation made in the enforcement or interpretation of these regulations and to set forth standard procedures for appealing the decisions of the City's decisionmaking bodies.

CITY OF CORAL GABLES  
PLANNING DEPARTMENT  
2014 MAY -5 PM 3:04

# CITY OF CORAL GABLES, FLORIDA NOTICE OF PUBLIC HEARING

## MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared  
M. ZALDIVAR, who on oath says that he or she is the  
LEGAL CLERK, Legal Notices of the Miami Daily Business  
Review f/k/a Miami Review, a daily (except Saturday, Sunday  
and Legal Holidays) newspaper, published at Miami in Miami-Dade  
County, Florida; that the attached copy of advertisement,  
being a Legal Advertisement of Notice in the matter of

CITY OF CORAL GABLES - PUBLIC HEARING 5/14/14  
LOCAL PLANNING AGENCY - PLANNING AND ZONING BOARD

in the XXXX Court,  
was published in said newspaper in the issues of

05/02/2014

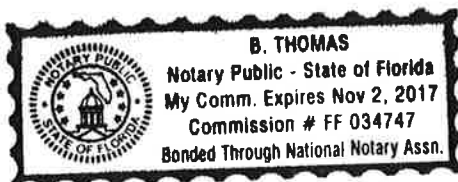
Affiant further says that the said Miami Daily Business  
Review is a newspaper published at Miami in said Miami-Dade  
County, Florida and that the said newspaper has  
heretofore been continuously published in said Miami-Dade County,  
Florida, each day (except Saturday, Sunday and Legal Holidays)  
and has been entered as second class mail matter at the post  
office in Miami in said Miami-Dade County, Florida, for a  
period of one year next preceding the first publication of the  
attached copy of advertisement; and affiant further says that he or  
she has neither paid nor promised any person, firm or corporation  
any discount, rebate, commission or refund for the purpose  
of securing this advertisement for publication in the said  
newspaper.

Sworn to and subscribed before me this

02 day of MAY, A.D. 2014

(SEAL)

M. ZALDIVAR personally known to me



City Public Hearing  
Local Planning Agency (LPA)  
Planning and Zoning Board  
Dates/Times Wednesday, May 14, 2014, 6:00 - 9:00 p.m.

Location City Commission Chambers, City Hall,  
405 Biltmore Way, Coral Gables, Florida, 33134

**PUBLIC NOTICE** is hereby given that the City of Coral Gables, Florida,  
Local Planning Agency (LPA)/ Planning and Zoning Board (PZB) will  
conduct Public Hearings on the following:

Items 1 and 2 are related.

1. An Ordinance of the City Commission of Coral Gables, Florida requesting review of a Planned Area Development (PAD) pursuant to Zoning Code Article 3, "Development Review", Division 5, "Planned Area Development (PAD)", for the proposed project referred to as the "Gables Pointe Plaza" on the property legally described as Lots 7-27, Block 1B, MacFarlane Homestead and St. Alban's Park Section (280 South Dixie Highway), Coral Gables, Florida; including required conditions; providing for severability, repealer and an effective date. (Legal description on file at the City)
2. An Ordinance of the City Commission of Coral Gables, Florida requesting a change of zoning pursuant to Zoning Code Article 3, "Development Review", Division 14, "Zoning Code Text and Map Amendments" from Commercial Limited District (CL) to Commercial District (C) for the property legally described as Lot 13 and Lots 17-23, Block 1B, MacFarlane Homestead and St. Alban's Park Section (280 South Dixie Highway), Coral Gables, Florida; and providing for severability, repealer and an effective date. (Legal description on file at the City)
3. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code: amending Article 5, "Development Standards", Section 5-1408, "Common driveways and remote off-street parking", by providing regulations, restrictions and procedures for the use of remote parking in and near the Central Business District ("CBD"); amending the reference to remote parking in Article 5, "Development Standards", Section 5-1409, "Amount of required parking" to match the changes to Section 5-1408; providing for severability, repealer, codification and an effective date. (This item was continued from the March 12, 2014 and April 9, 2014 Planning and Zoning Board meetings).

Items 4 and 5 are related.

4. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, Article 4, "Zoning Districts", Division 1, "Residential Districts", Section 4-102, "Multi-Family 1 Duplex (MF1) District", by adding townhouses/row houses as a conditional use within an MF1 zoned district and establishing development standards for such MF1 uses; providing for severability, repealer, codification and an effective date. (This item was continued from the April 9, 2014 Planning and Zoning Board meeting).
5. An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the text of the City of Coral Gables Comprehensive Plan, Future Land Use Element, Policy FLU-1.1.2, "Table FLU-1. Residential Land Uses", pursuant to large scale amendment procedures subject to ss. 163.3184 Florida Statutes, as amended, amending the maximum density permitted for the Land Use Classification "Multi-Family Duplex Density" from nine (9) units per acre to eighteen (18) units per acre; providing for severability, repealer, codification and an effective date. (Local Planning Agency)

CITY OF CORAL GABLES  
PLANNING DEPARTMENT


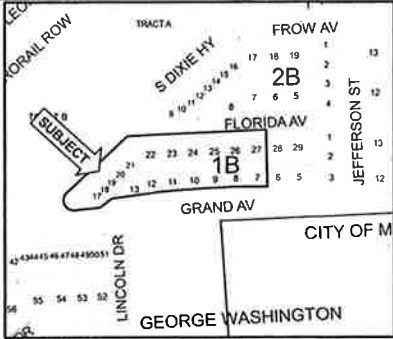
2014 MAY -5 PM 3:04

6. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, Article 2, "Decision Making and Administrative Bodies", Division 8, "Development Review Committee", by updating and codifying Development Review Committee (DRC) procedures and review requirements as originally established in Ordinance No. 2003-45; providing for severability, repealer, codification, and an effective date.

All interested parties are invited to attend and participate. Upon recommendation by the Board, the applications will be scheduled for City Commission consideration. Please visit the City webpage at [www.coralgables.com](http://www.coralgables.com) to view information concerning the applications. The complete applications are on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134. Questions and written comments can be directed to the Planning Division at [planning@coralgables.com](mailto:planning@coralgables.com) (FAX: 305.460.5327) or 305.460.5211.

Ramon Trias  
Director of Planning and Zoning  
Planning & Zoning Division  
City of Coral Gables, Florida

Any person, who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, as amended, must register with the City Clerk prior to engaging in lobbying activities before City Staff, Boards, Committees or City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall. If a person decides to appeal any decision made by a Board, Committee or City Commission with respect to any matter considered at a meeting or hearing, that person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). Any meeting may be opened and continued and, under certain circumstances, additional legal notice will not be provided. Any person requiring special accommodations for participation in the proceedings or the materials in accessible format should contact Walter Carlson, Assistant City Planner at 305.460.5211, no less than three working days prior to the meeting. All meetings are telecast live on Coral Gables TV Channel 77.

	<p align="center"><b>City of Coral Gables Courtesy Public Hearing Notice</b></p> <p align="center"><b>May 2, 2014</b></p>	
<b>Applicant:</b>	<b>Bahamian Village, LLC</b>	
<b>Application:</b>	<b>Review of Planned Area Development (PAD) and Change of Zoning</b>	
<b>Property:</b>	<b>280 South Dixie Highway (Gables Pointe Plaza)</b>	
<b>Public Hearing - Date/Time/ Location:</b>	<b>Planning and Zoning Board/ Local Planning Agency, May 14, 2014, 6:00 – 9:00 p.m., City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134</b>	

**PUBLIC NOTICE** is hereby given that the City of Coral Gables, Florida, Planning and Zoning Board (PZB)/Local Planning Agency (LPA) will conduct a Public Hearing on May 14, 2014 on the following applications at the Coral Gables City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida:

1. *An Ordinance of the City Commission of Coral Gables, Florida requesting review of a Planned Area Development (PAD) pursuant to Zoning Code Article 3, "Development Review", Division 5, "Planned Area Development (PAD)", for the proposed project referred to as the "Gables Pointe Plaza" on the property legally described as Lots 7-27, Block 1B, MacFarlane Homestead and St. Alban's Park Section (280 South Dixie Highway), Coral Gables, Florida; including required conditions; providing for severability, repealer and an effective date. (Legal description on file at the City)*
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All interested parties are invited to attend and participate. Upon recommendation by the Board, the application will be scheduled for City Commission consideration. Please visit the City webpage at [www.coralgables.com](http://www.coralgables.com) to view information concerning the application. The complete application is on file and available for examination during business hours at the Planning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134. Questions and written comments regarding the application can be directed to the Planning Division at [planning@coralgables.com](mailto:planning@coralgables.com), FAX: 305.460.5327 or 305.460.5211. Please forward to other interested parties.

Sincerely,

*City of Coral Gables, Florida*