

# Proposed Mid-Rise Mixed Use Residential Project



# MM

# THE MARK

1250 S DIXIE HIGHWAY CORAL GABLES, FL 33146

Planning and Zoning Board Application Submittal

March 13, 2024

# Table of Contents - Planning and Zoning Board Application Submittal

“The Mark” – Proposed Mid-Rise Mixed Use Project – 1250 South Dixie Highway

## A General Information

Planning and Zoning Division Application	A-1
Statement of Use	A-2
Supplemental Statement of Use	A-3
Zoning Information	A-4
Aerial and Location Map	A-5
Property Survey and Legal Description	A-6
Photographs of Property and Surrounding Properties	A-7
Surrounding Building Height Comparison/Context	A-8

## B Zoning Code/Comprehensive Plan Analysis and Findings of Fact

Comprehensive Plan Map Amendment – Zoning Code Analysis and Findings of Fact	B-1
Zoning Map Amendment - Zoning Code Analysis and Findings of Fact	B-2
Planned Area Development - Zoning Code Analysis and Findings of Fact	B-3
Conditional Use Mixed Use Site Plan Application and Live Work Units – Zoning Code Analysis and Findings of Fact	B-4
Zoning Code Text Amendment – Site Specific Standards – Zoning Code Analysis and Findings of Fact	B-5
Abandonment and Vacation – Zoning Code Analysis and Findings of Fact	B-6

Comprehensive Plan Goals, Objectives and Policies - Consistency Evaluation and Findings of Fact	B-7
---	-----

## C Site Plans, Landscape Plans, Renderings and Miscellaneous Plans

Site Plan – Ground Level Floor Plan	C-1
Landscape Plan – Ground Level Floor Plan	C-2
Illustrative Master Site Plan – Ground Level Floor Plan	C-3
Renderings (Cover Page)	C-4
US1 View	C-4.1
US1 Paseo View	C-4.2
Madruga Avenue/Mariposa Court View	C-4.3
Madruga Avenue Paseo View	C-4.4
Madruga Avenue View	C-4.5
Paseo Renderings	C-4.6
Landscape Plans (Cover Page)	C-5
Paseo Enlargement - Character Imagery	C-5.1
Streetscape Plan - Sections	C-5.2
Hardscape - Amenity Plan	C-5.3
Landscape Plan - 5 <sup>th</sup> Floor Amenity Decks	C-5.4
Landscape Plan - 8 <sup>th</sup> Floor/Roof Top	C-5.5
Mobility Plans (Cover Page)	C-6
Pedestrian and Bicycle Circulation Plans	C-6.1
Mobility Boulevard Plan	C-6.2

# Table of Contents - Planning and Zoning Board Application Submittal

“The Mark” – Proposed Mid-Rise Mixed Use Project – 1250 South Dixie Highway

Multi-Use Path Plan at Mariposa Court	C-6.3	Art in Public Places Statement	E-2
Madruga Sidewalk Connection Plan (Streetscape Plan)	C-6.4	Historic Preservation Determination Letter	E-3
Vehicle and Bicycle Parking Plan	C-6.5	Plats	E-4
Building Plans (Cover Page) <i>(Preliminary Board of Architects Approval Plan Set provided as separate copy)</i>	C-7	Warranty Deed	E-5
Building Elevations	C-7.1	Concurrency Impact Statement Application	E-6
Mediterranean Bonus Tables	C-7.2	Public School Concurrency Application	E-7
Building Floor Plans	C-7.3	Legislative History - Ordinances, Resolutions, Covenants, etc.	E-8
Loading Operations Plan	C-8	Vegetation Assessment and Tree Disposition Plan	E-9
Signage Plan	C-9	Landscape Plan Notes	E-10
Lighting Plan	C-10	Underground Utilities Location Plan	E-11

## D City Traffic Impact Analysis (TIA)

City of Coral Gables Consultant Traffic Impact Analysis (Report Cover)	D-1	Utilities Consent Letters	E-12
Table of Contents	D-2	Property Owners Radius Map – First and Second Neighborhood Meetings	E-13
Executive Summary	D-3	Affidavit of Noticing for City Required Neighborhood Meeting	E-14
Background	D-4	Affidavit of Noticing for Additional Neighborhood Meeting	E-15
Conclusions and Recommendations	D-5	Summary and Attendance Sheets of Two Neighborhood Meetings	E-16
Appendices A - B	D-6	Application Representation and Lobbyist Forms	E-17
Appendices C - E	D-7		
Appendices F - G	D-8		

## E Application Support Materials

Project Review Timeline and Public Outreach	E-1
---	-----

# General Information





# 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
- Comprehensive Plan Map Amendment - Small Scale
- Comprehensive Plan Map Amendment - Large Scale
- Comprehensive Plan Text Amendment
- Conditional Use - Administrative Review
- Conditional Use with Site Plan
- Conditional Use without Site Plan
- Coral Gables Mediterranean Architectural Design Special Locational 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
- Separation/Establishment of a Building Site
- Site Plan
- 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: 1250 S. Dixie Highway, Coral Gables, FL

Property/project name: The Mark

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

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

Property owner(s): University Shopping Center, LLP, a Florida limited liability partnership

Property owner(s) mailing address: 2875 NE 191 Street, Suite 605, Aventura, FL 33180

Telephone: Business 305-794-7338 Fax \_\_\_\_\_

Other \_\_\_\_\_ Email Fredi9C @AOL.com



## City of Coral Gables Planning Division Application

Applicant(s)/agent(s): Laura L. Russo, Esq.  
Applicant(s)/agent(s) mailing address: 2334 Ponce de Leon Blvd., Suite 240, Coral Gables, FL 33134  
Telephone: Business 305-476-8300 Fax 305-476-8383  
Other \_\_\_\_\_ Email Laurar@Laurarussolaw.com

### Property information

Current land use classification(s): Commercial Low Rise Intensity  
Current zoning classification(s): Mixed Use 1  
Proposed land use classification(s) (if applicable): Commercial Mid Rise Intensity  
Proposed zoning classification(s) (if applicable): Mixed Use 2

### 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.
- Art in Public Places plan or statement.
- Building floor plans.
- Comprehensive Plan analysis.
- Comprehensive Plan text amendment justification.
- 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.
- City of Coral Gables Annual Registration Application and Issue Application Lobbyist forms.
- Ordinances, resolutions, covenants, development agreements, etc. previously granted for the property.
- Parking study.
- Photographs of property, adjacent uses and/or streetscape.
- Plat.



## City of Coral Gables Planning Division Application

- Property owners list, notification radius map and two sets of labels.
- Property survey and legal description.
- 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.
- Warranty Deed.
- Zoning Analysis (Preliminary).
- Zoning Code text amendment justification.
- Other: Alley vacation justification

### Application submittal requirements

1. Hard copies. The number of application binders to be submitted shall be determined by Staff at the preapplication meeting. The application shall include all the items identified in the preapplication meeting.
2. Digital media copy. One (1) thumb-drive of the entire application including all 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.

### Applicant/agent/property owner affirmation and consent

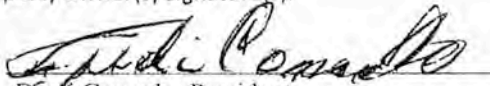
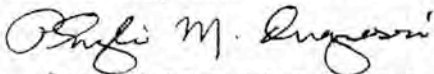
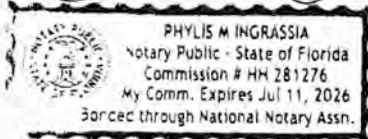
(I) (We) affirm and certify to all of the following:

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): By:  Fredi Consolo, President	Property owner(s) print name: University Shopping Center, LLP	
Property owner(s) signature(s):	Property owner(s) print name:	
Property owner(s) signature(s):	Property owner(s) print name:	
Address: 2875 NE 191 Street, Suite 605, Aventura, FL 33180		
Telephone: 305-794-7338	Fax:	Email: Fredi9C@AOL.com
<b>NOTARIZATION</b>		
STATE OF FLORIDA/COUNTY OF <u>Miami Dade</u>		
The foregoing instrument was acknowledged before me this <u>13</u> day of <u>December</u> by <u>Fredi Consolo</u>		
(Signature of Notary Public - State of Florida)		
		
		
(Print, Type or Stamp Commissioned Name of Notary Public)		
<input checked="" type="checkbox"/> Personally Known OR <input type="checkbox"/> Produced Identification; Type of Identification Produced: _____		





# City of Coral Gables Planning Division Application

Contract Purchaser(s) Signature: 	Contract Purchaser(s) Print Name: LCD Acquisitions, LLC
Contract Purchaser(s) Signature:	Contract Purchaser(s) Print Name:

Address: 315 Oconee Street, Athens, GA 30606

Telephone:	Fax:	Email:
------------	------	--------

### NOTARIZATION

STATE OF <sup>Georgia</sup> ~~FLORIDA~~ / COUNTY OF Athens-Clarke  
 The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of December, <sup>2023</sup> ~~2022~~ by Jason Doornbos  
 (Signature of Notary Public - State of ~~Florida~~ <sup>Georgia</sup>)



Reagan Walters

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

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

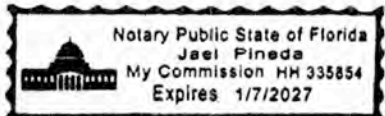
Applicant(s)/Agent(s) Signature: 	Applicant(s)/Agent(s) Print Name: Laura L. Russo
--------------------------------------	---

Address: 2334 Ponce de Leon Blvd., Suite 240, Coral Gables, FL 33134

Telephone: 305-476-8300	Fax: 305-476-8383	Email: Laurar@Laurarussolaw.com
-------------------------	-------------------	---------------------------------

### NOTARIZATION

STATE OF FLORIDA / COUNTY OF Miami-Dade  
 The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of DEC, 2023 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 27, 28, 29, 30 and 31, in Block 156, of Coral Gables Riviera Section Part 8, according to the plat thereof, as recorded in Plat Book 25, Page 55, of the Public Records of Miami-Dade County, Florida.

And

That part of Tract "A" (which said Tract "A" includes areas indicated as parking area and unloading area) as shown on plat entitled Replat of Part of Coral Gables Riviera Section Part 8, and recorded in Plat Book 46, Page 100, of the Public Records of Miami-Dade County, Florida, that lies Northeasterly of the following described line:

Commence at a point where the Southeasterly line of Miami Homestead Highway intersects the Northeasterly line of Hardee Road; thence Northeasterly along the Southeasterly line of Miami Homestead Highway a distance of 760.0 feet to the Point of Beginning of the line being described; thence Southeasterly parallel to and 760.0 feet Northeasterly at right angles to the Northeasterly line of Hardee Road a distance of 325.0 feet to a point located on the Northwesterly line of Avenue Madruga, said point being 703.70 feet Northeasterly from a point where the Northwesterly line of Avenue Madruga intersects the Northerly line of Hardee Road.

And

The 45.0 foot alley lying between the said Tract "A" and the said Lots 27, 28, 29, 30 and 31, more particularly described as follows:

Begin at the most Northerly corner of the said Tract "A"; thence Southwesterly along the Northwesterly line of the said Tract "A" for a distance of 300.0 feet to a point; thence Southeasterly at right angles to the Northwesterly line of the said Tract "A" for a distance of 325.0 feet to a point on the Southeasterly line of the said Tract "A"; thence Northeasterly along the Southeasterly line of the said Tract "A" for a distance of 400.0 feet to the beginning of a tangential circular curve; thence Northeasterly, Northerly and Northwesterly along said curve having a radius of 25.0 feet through a central angle of 90 degrees for an arc distance of 39.27 feet to the end of said curve and a point on the Southwesterly line of Avenue Cardenas; thence Northwesterly tangent to the last mentioned curve and along the Southwesterly line of Avenue Cardenas, for a distance of 200.0 feet to a point on the Northwesterly line of the alley, as the same is shown on the said plat of Replat of Part of Coral Gables Riviera Section Part 8; thence Southwesterly at right angles to the last course and along the Northwesterly line of the said alley for a distance of 125.0 feet to a point; thence Northwesterly at right angles to the last course for a distance of 100.0 feet to the Point of Beginning.

And

The following described portion of the North 1/2 of the North 1/2 of the SW 1/4 of the NE 1/4 of Section 30, Township 54 South, Range 41 East, Miami-Dade County, Florida:

Begin at the intersection of the Southeasterly right-of-way line of the Miami-Homestead Highway as the same is shown on the plat of Coral Gables Riviera Section Part 8, recorded in Plat Book 25, Page 55, of the Public Records of Miami-Dade County, Florida, and the South line of the North 1/2 of the North 1/2 of the SW 1/4 of the NE 1/4 of the said Section 30; thence North 50° 39' 20" East along the prolongation Northeasterly of the Southeasterly right-of-way line of the said Miami-Homestead Highway for a distance of 44.10 feet to the

intersection thereof with the prolongation Northwesterly of the Southwesterly right-of-way line of Avenue Cardenas as the same is shown on the said plat of Coral Gables Riviera Section Part 8; thence South  $39^{\circ} 20' 40''$  East along the prolongation Northwesterly of the Southwesterly right-of-way line of the said Avenue Cardenas for a distance of 36.15 feet to the intersection thereof with the South line of the North 1/2 of the North 1/2 of the SW 1/4 of the NE 1/4 of the said Section 30; thence North  $89^{\circ} 59' 40''$  West along the South line of the North 1/2 of the North 1/2 of the SW 1/4 of the NE 1/4 of the said Section 30 for a distance of 57.02 feet to the Point of Beginning.

*Via On-Line Submittal*

December 20, 2023

Ms. Jennifer Garcia  
Planning Official  
Development Services Department  
City of Coral Gables  
427 Biltmore Way, 2nd Floor  
Coral Gables, FL 33134

Subject: "The Mark" Mid-Rise Mixed Use Project located at 1250 U.S. One/ South Dixie Highway (University Shopping Center)

Dear Ms. Garcia:

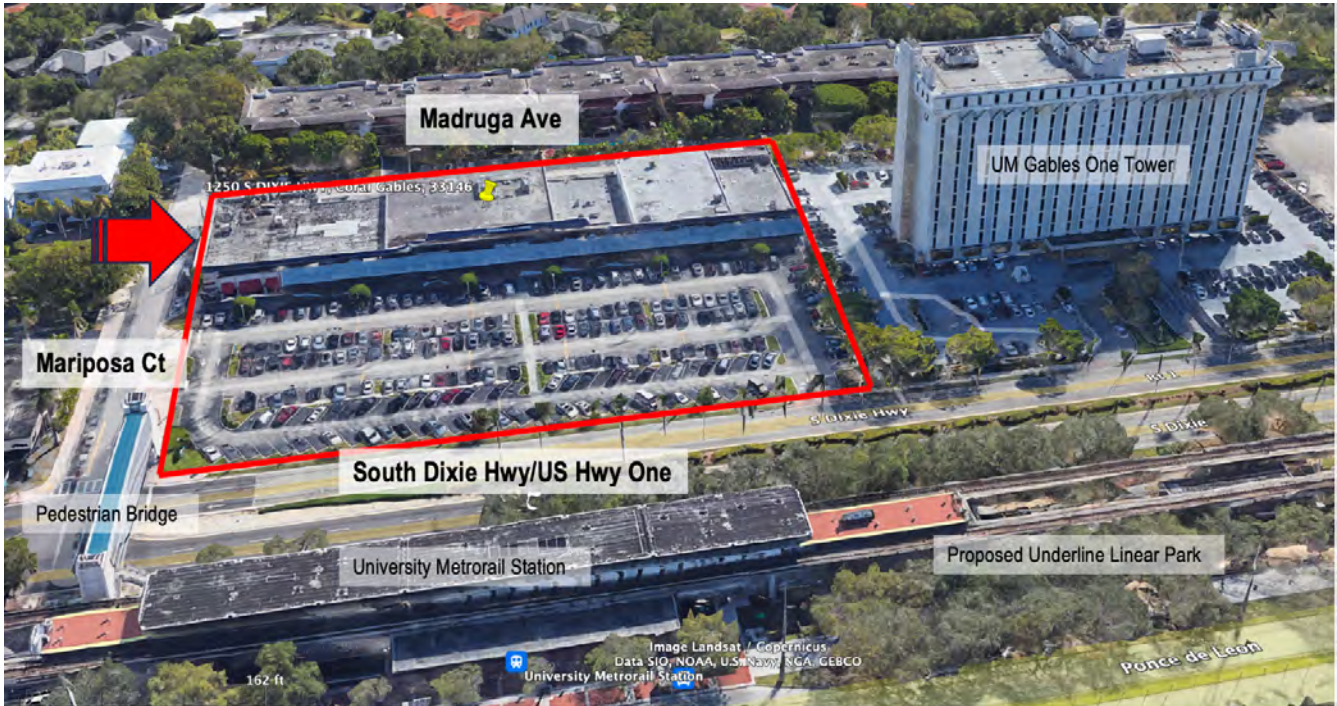
On behalf of LCD Acquisitions, LLC ("LCD") (hereinafter referenced as the "Developer"), the contract purchaser of the property located at 1250 U.S. One/ South Dixie Highway ("Property") we respectfully submit this Statement of Use to the City of Coral Gables, Florida ("City") in support of the Application for the redevelopment of the Property as a Mid-Rise Mixed Use Project. The Application request includes the following:

1. *Comprehensive Plan Map (Small Scale) Amendment.*  
Change in Land Use from Low-Rise Commercial Intensity Land Use Designation (50 feet or up to 77 feet with Mediterranean Bonus II) to Mid-Rise Commercial Intensity Land Use Designation (70 feet up to 97 feet/8 stories with Mediterranean Bonus II).
2. *Zoning Map Amendment (Rezoning).*  
Change in Zoning from Mixed Use 1 (MX1) Zoning (45 feet and 77 feet/6 stories with Mediterranean Bonus II) to Mixed-Use 2 (MX2) Zoning (70 feet and up to 97 feet/8 stories with Mediterranean Bonus II).
3. *Assignment as a Planned Area Development (PAD).*
4. *Conditional Use Mixed Use Site Plan and Live Work Units.*
5. *Zoning Code Text Amendments - Site Specific Standards.*
6. *Vacation and Abandonment of a dead-end alley.*

**Property Location and Description**

The 3.2-acre site is currently occupied by the 52,000+ square foot aging retail strip center known as "University Shopping Center." The Shopping center was constructed in the early 1950's and has been updated throughout the 70+ years and has been occupied by a range of retail commercial uses including a large restaurant (TGIF's Restaurant – currently closed), smaller restaurants, medical services, and veterinarian offices. A large portion of the center is currently vacant.

The parcel fronts US1/South Dixie Highway, the University Metrorail Station, Underline Open Space/Linear Park Phase 3 and the University of Miami Campus. The US1 overhead pedestrian/bicycle bridge is located and abuts the Mariposa Court/US One corner of the property.



**Surrounding Land Use/Zoning/Existing Land Uses**


Location	City Land Use Designation	City Zoning	Existing Land Uses
North	Commercial Low-Rise Intensity	MX1	Citibank Bank and Drive thru
South	Commercial Low-Rise Intensity	MX1 + MX	UM Gables One Tower (150+ ft. height) + Thesis/Paseo Project
East	Multi-Family Low Density	MF3	Villa Capri Condominiums
West	University Use	University Campus	US One/University Metrorail Station/Proposed Underline Linear Park

**Proposal**

The Proposal is to demolish the existing 1950’s aging retail strip center and large asphalt surface parking lot and construct an appropriately scaled mid-rise mixed use residential building with two separate buildings connected with an elevated pedestrian bridge. The Project includes ground floor retail, restaurant, office uses, and 12 live work residential units. The Project shall include a large 18,775 sq.ft. or 0.43 acre (56.4 ft. width x 326 ft. length) open space/greenway or “Pedestrian Paseo” in between the two buildings spanning from US1 to Madruga Avenue and expansive, wide sidewalks around the entire perimeter of the building ranging from 10 to 30 feet in width. The Project also accommodates the City required twenty (20) foot “Build to Line (BTL)” setback along US One. This is the first CG project to adhere to the BTL provisions. This site is also the only property within the City that has a direct pedestrian and bicycle connection that is literally steps to the US1 Pedestrian Bridge and the regional University “Metrorail” Station.

## Site Plan Information

Description	Project Proposal		
Total Project Site Area	137,997 sq.ft. / 3.168 acres		
Mix of Uses	<ul style="list-style-type: none"> <li>• 393 Residential Apartments</li> <li>• 12 Live Work Units (12,676 sq.ft.)</li> <li>• 19,571 sq. ft. Retail/Restaurant</li> <li>• 2,388 sq.ft. Office</li> </ul>		
Mixed Use Percentage	34,635 sq.ft. Ground Level Retail/Restaurant/Office/Live Work Units (8.03 Mixed Use Percentage)		
Apartment Mix	<ul style="list-style-type: none"> <li>• 393 Residential Apartments               <ul style="list-style-type: none"> <li>• 114 One-bedroom units - 557 sq.ft. per unit</li> <li>• 121 Two-bedroom units - 839 sq.ft. per unit</li> <li>• 158 Three-bedroom units - 1,309 sq.ft. per unit</li> </ul> </li> </ul>		
Building Height	Maximum of 97 feet / 8 floors within two separate residential buildings. A 5 <sup>th</sup> floor pedestrian bridge connects the two buildings.		
Building Setbacks	<i>Location</i>	<i>MX2 Required</i>	<i>Proposed PAD</i>
	Front (US1/South Dixie)	20 ft.	25 ft - 8 inches
	Side (Gables One Tower)	0 ft.	0.7 inches
	Side (Madruga Avenue)	0 ft.	2 feet - 7 inches
	Side( Mariposa Court)	0 ft.	11 inches
Building Stepbacks	<i>Location</i>	<i>MX2 Required</i>	<i>Proposed PAD</i>
	Front (US1/South Dixie)	10.0 ft.	5 ft. – 8 inches
	Side (Gables One Tower)	15.0 ft	10 ft – 5 inches
	Side (Madruga Avenue)	10.0 ft	5 ft.
	Side( Mariposa Court)	10.0 ft.	10 ft. – 9 inches
Allowable FAR / Med Bonus II FAR	3.0 / 3.5		
Mixed Use Residential Density Permitted per Zoning Code	125 units per acre permitted or a total of 396 units / Proposal is 393 Residential Apartment Units		
Proposed Floors	<p>Two buildings. Each building includes the following:</p> <ul style="list-style-type: none"> <li>• Underground/basement – One floor vehicle parking.</li> <li>• Ground Floor – Restaurant/Retail/Office/Live Work Units + Landscaped Paseo + Internal Sanitation Pick-up Area + Internal Delivery Loading/Unloading + Building Support Services + Bike Storage + Internal Vehicle Parking.</li> <li>• Floors 2 to 4 – Internal Vehicle Parking + Apartments.</li> <li>• 5th Floor – Apartments + Pedestrian bridge crossover between bldgs. + Court Yard/Amenity Deck.</li> <li>• Floors 6 to 7 – Apartments.</li> <li>• 8th Floor/Roof – Apartments + Pool + Spa + Amenity Deck + Gym + Entertainment Room + Club Room. All outdoor rooftop amenities front US One/South Dixie Highway.</li> </ul>		
Vehicle Parking/ Handicapped Parking/ Electric Vehicle Parking	<ul style="list-style-type: none"> <li>• 701 Total Parking Spaces.</li> <li>• 14 Handicap Parking Spaces (3 Van Accessible).</li> <li>• 36 Electric Vehicle Parking Spaces (5% Required).</li> <li>• 106 Electric Vehicle Ready Pk. Spaces (15% Required).</li> <li>• 141 Electric Vehicle Capable Pk. Spaces (20% Required).</li> </ul>		
On Street Parking	Three (3) on-street parking spaces.		
“Garden/Green Corridor” Paseo	<p>Large 18,775 sq.ft. or 0.43 acre (56.4 ft. width x 326 ft. length) “Pedestrian Paseo”.</p> <ul style="list-style-type: none"> <li>• The proposed width of 56.4 ft exceeds the Zoning Code requirements by 36.4 ft. (Zoning Code requires a 20 foot paseo width based upon total building frontage)</li> </ul>		

	<ul style="list-style-type: none"> <li>The pedestrian pass-through/paseo is located at ground level between the two buildings designed with different landscape themes as you traverse from US One to Madruga Avenue.</li> <li>The “Green landscape amenity theme zones” type of improvements are dependent upon proximity to ground floor uses (adjacent to retail, restaurants or residential). The Zones include an urban courtyard, retail outdoor space, amenity garden and residential garden.</li> <li>The Paseo will be a populated with over and understory landscaping and numerous hardscape features such as pedestrian seating, a water feature, outdoor dining, pet friendly amenities/comfort stations and ground level lighting.</li> </ul>	
Landscaping/ Open Space	<i>Required</i>	<i>Provided</i>
	10% or 13,799 sq.ft. based upon the 137,997 sq.ft. @ Ground Level	<ul style="list-style-type: none"> <li>25,515.68 sq.ft. (18.5% @ Ground level + Paseo)</li> <li>13,709 sq.ft. (9.94% @ 5<sup>th</sup> Floor Amenity Decks)</li> <li>8,005 sq.ft. (5.81% @ Roof Top Pool/Amenity Deck)</li> <li>A total of 47,266.44 sq.ft. or 24% + more than required per the ZC Ground Level requirements -- 34% of open space provided</li> </ul>
Bicycle Storage/Parking	<ul style="list-style-type: none"> <li>Bicycle Spaces – 99 bicycle spaces required/122 provided <ul style="list-style-type: none"> <li>Short-term storage rooms – 974.66 sq.ft. (50 spaces).</li> <li>Long-term storage rooms = 1,012 sq.ft. (72 spaces)</li> </ul> </li> <li>Above numbers do not include outdoor bicycle racks located throughout property at key entrances/locations.</li> </ul>	
Building Support Services - Internal Sanitation Loading and Deliveries	<ul style="list-style-type: none"> <li>Trash/recycling container located within a fully enclosed area/room.</li> <li>Sanitation vehicles will enter the building and pick-up waste/recycling and maneuver entirely within the confines of the building.</li> <li>All deliveries/pickups for both bldg. uses (Restaurant/Retail/Office/Live Work units) will occur within the enclosed area/room and parking garage.</li> </ul>	
Utilities	All on and off-site utilities shall be underground (including all adjacent rights-of-way)	
Pedestrian/Bicycle Circulation	<ul style="list-style-type: none"> <li>Wide pedestrian sidewalks ranging from 10 to 30 foot wide occupy all building frontages/sides. This provides a “clear path” for bicycle and pedestrian circulation on all building sides.</li> <li>The largest sidewalk width (up to 30 ft sidewalk) is proposed along the US One/South Dixie Highway side.</li> </ul>	
Land Planning/Med Arch design Features/	<ul style="list-style-type: none"> <li>All on-site operations including vehicle parking, loading/unloading of deliveries, trash pickup shall occur entirely within the interior confines of the bldgs.</li> <li>Four “front bldg. faces” with Mediterranean Architectural features on all sides of the bldg. No rear or “back of the house” objectionable uses.</li> <li>Restaurant/Retail/Office/Live Work uses “line” the exterior building facades and Paseo.</li> </ul>	
Mobility Opportunities	<ul style="list-style-type: none"> <li>Direct pedestrian/bicycle connection to US One/South Dixie Hwy Pedestrian Bridge, Proposed Underline Phase 3, Univ. of Miami Campus and University Metro-Rail Station providing regional public transportation access to the City of Miami, Coconut Grove, South Miami, Pinecrest, all northern/southern areas of Miami-Dade County and other areas of the State via Florida’s Brightline Train and Tri Rail Service</li> <li>Direct pedestrian/bicycle connection to Downtown Coral Gables via the new UM/Miracle Mile City Trolley Route.</li> <li>Project supports “First Mile to Last Mile (FMLM)” connectivity.</li> </ul> <div style="text-align: center;">  </div> <p>FMLM is defined as the ease and efficiency of securing “access” (from home or point of origin) to public transit via a “main transit” option such as a train, trolley or similar bus/rail service to your “end” destination (employment, retail uses, etc.).</p>	

Pet Friendly	The site includes various pet friendly opportunities which includes a dog comfort stations strategically located throughout the Project site for easy access.
Proposed LEED Certification	Silver

**Consistency with Mixed Use Design Standards**

The Project includes numerous components supporting and superseding the City’s Mixed Use Zoning and Coral Gables Mediterranean Architecture development and design standards. The proposed Project satisfies and promotes the MXD District Purpose and Intent by providing is to a continuous, pedestrian-friendly urban environment, that brings together the activities of daily living, and reduces dependence on vehicular mobility. The Project also improves the public realm and provides a functional and lushly landscaped adjoining streets and public open spaces.

*Project Qualities/Features*

The Project includes numerous distinctive architectural and design elements focused to a pedestrian scale exceeding the City’s Mixed Use and Mediterranean Standards to include the following:

- The “built form” of the proposed Project proposes the construction of two (2) separate buildings to reduce the scale of the structures and limit building facade length/street frontage to promote more pedestrian friendly environment.
- Four “front bldg. faces” with Mediterranean Architectural features on all sides of the building. No rear or “back of the house” uses.
- All parking spaces and all support services for the building shall be internal to the building. A separate fully enclosed sanitation/delivery space (room) will be provided within each building. This area is designed to allow all sanitation trucks and delivery trucks the ability to maneuver entirely internal within the space. All deliveries of goods and services will be completed internally within this space or within the parking garage.
- Creation of a large 56 foot wide, 18,775 square foot (0.43 acre) green corridor or “Pedestrian Paseo” between the two buildings spanning from US One to Madruga Avenue. The Paseo will be entirely “open to the sky” except for a small portion where a pedestrian bridge connects the buildings. The total open space green area with the paseo, elevated green areas, expanded sidewalks provides 47,266.44 sq.ft. or 34% total open space—24% additional open space exceeding the 10% ZC requirements.
- Pedestrian amenities will be provided within the Paseo, surrounding building perimeter as well as within the adjacent rights-of-way include outdoor dining areas, meditation garden, dog comfort stations, benches, planters, ground level/overhead lighting, numerous exterior bicycle racks, refuse containers, sidewalk pavement treatments, under-and-overstory landscaping, a centrally located water feature and lawn areas for yoga or other similar activities.
- Wide 10 to 30 foot pedestrian sidewalks providing a “clear path” on all building sides. A 30 foot sidewalk will be provided along US One/South Dixie Highway.
- Restaurant/Retail/Office/Live Work uses “line” the exterior building facades and Paseo. Live Work residential units occupy the rear portion of the Paseo as well as the facade adjacent to the multi-family condominium on Madruga Avenue. This will promote increased on street pedestrian activity and provide a compatible use with the adjacent residential uses.
- “Dog friendly” comfort stations strategically located throughout the Project site for easy access.



- Two amenity decks will be provided on the 5<sup>th</sup> floor of each building, internal to the building and “open to the sky” entirely wrapped by apartment units.
- All roof top outdoor amenities such as the pool, meditation garden, outdoor open spaces face/front the US One property line. No outdoor open areas shall front/face any adjoining residential uses along Madrugá Avenue. Apartment units line the 2<sup>nd</sup> to 8<sup>th</sup> floor (roof top units) along the Mariposa Court, Madrugá Avenue and UM Gable One property lines.
- To support mobility measures, given the Property location adjacent to a regional transit system and proposed Underline Linear Park, additional exterior bike racks as well as interior bike storage rooms have been provided. The use of bicycles based the proximity of the Property next to a regional public transit station is expected to be substantial. The delineation of escooter locations has also been included on Mariposa Court next to the US1 Pedestrian bridge. Upon selection of an ebike vendor for the City, this corner can also accommodate an area for ebike station/racks.
- All utilities on Property shall be installed underground in accordance with the City Code.
- Numerous architectural design elements have been provided that are consistent and exceed the Coral Gables Mediterranean Architecture Design Standards. The Project is consistent with “George Merricks” vision and Historic Buildings references as outlined in the Zoning Code. These design elements in support include the following: perimeter building setbacks to articulate the facade surfaces; cantilevered open balconies on all facades; frequent use of doors and windows (retail display windows); archways; building/door awnings providing shade; arcade; loggias or covered areas; architectural relief elements (.i.e., windows, cornice lines, balcony brackets, facade mounted and ceiling mounted light fixtures with the loggias/building overhangs, fenestration of exterior overhead doors, etc.). All walls shall have articulation and/or fenestration - no blank walls. Please refer to the complete Architectural Plan Set included with the Application Package for further details.

*Land Planning, Architectural Design and Surrounding Land Use Compatibility*

Significant attention was exercised ensuring the land planning and architectural design of the Project is compatible with the surrounding built environment. The Project height is reduced in comparison to the adjacent existing 150+ foot UM Gables One Tower as well as the adjoining taller Thesis/Paseo Property located to the south of the Property. The importance of scale and compatibility with adjoining uses is a predominate quality of the Project. Particular attention was also placed upon including architectural attributes to create a sense of place, including the spatial relationship of buildings and the characteristics created to ensure attractive and functional areas

The Change in Zoning and Land Use providing for the 97 foot building height allowed for the opportunity to exercise better land planning and architectural design attributes that promoted a significantly better pedestrian friendly environment that is compatible with the surrounding built environment. The increase in height provided for the following:

1. Creation of large ground floor open/green space or “Paseo” 56 feet in width or 18,775 square foot (0.43 acre) far exceeding the City open/green space requirements.
2. Create two smaller scaled buildings thereby limiting the total overall building/bulk/ mass as well as reduction in building facade length/street frontage.
3. Internalization of all parking and building supports services
4. Placement of live/work units facing Madrugá Avenue to complement the adjoining multifamily residential uses.

5. Wider pedestrian sidewalks on all building sides with a larger 30 foot along US One/South Dixie Highway frontage.
6. With the expanded ground floor open space, additional public realm amenities have been provided, including additional benches, planters, bicycle racks, refuse containers, water feature and additional under-and-overstory landscaping.

It should also be noted that per Zoning Code Section 2-201. Mixed Use 1, 2 and 3 (MX1, MX2 and MX3) Districts, Purpose and Applicability indicates “South Dixie Highway (Route 1) is appropriate for more intense MX3 Zoning which permits building height up to 150/190.5 feet. More specifically this section states the following:

*“These (MXD Districts) are differentiated by their intensity and location. The MX1 District allows a low intensity of development and is located along some of the City’s primary corridors, such as Eighth Street, Grand Avenue, Ponce De Leon Boulevard and Giralda Plaza, and often has an adjacency with single-family residential areas. The MX2 District allows a medium intensity of development and is located on Miracle Mile, the Design/Industrial District area, and in the southern and northern-most reaches of the City. The MX3 District allows the highest intensity of development and is located in the City’s downtown area, along North Ponce de Leon Boulevard, Biltmore Way, and South Dixie Highway (Route 1).”*

Therefore, based upon the above ZC provisions, the request to amend the Zoning from MX1 to MX2 for this Property (to permit a 97 foot/8 stories) given it location on US One/South Dixie Highway is appropriate and less intense than the permissible MX3 Zoning “*which allows for the highest intensity of development and is located in the City’s downtown area, along North Ponce de Leon Boulevard, Biltmore Way, and South Dixie Highway (Route 1).*” The adjacent UM Gables One Tower building height of 150+ feet and taller Thesis/Paseo Project at US One/Hardee Road are consistent with the MX3 height regulations that permit up to heights of 150 – 190.5 feet (16 stories).

It also should be noted, that the several Comprehensive Plan Policies support placement of higher intensity uses along US One and promotion of development in locations to support use of alternative modes of transportation and in close proximity to employment centers such as the University of Miami. These CP Policies include the following:

*Policy MOB-1.1.1. Promote mixed use development to provide housing and commercial services near employment centers, thereby reducing the need to drive.*

*Policy MOB-1.1.3. Locate higher density development along transit corridors and near multimodal stations.*

*Policy MOB-1.1.4. Support incentives that promote walking, bicycling and public transit and those that improve pedestrian and bicycle access to/and between local destinations such as public facilities, governmental facilities, schools, parks, open space, employment centers, downtown, commercial centers, high concentrations of residential, private/public schools, University of Miami and multimodal transit centers/stations.*

*Policy GRN-1.3.6. Continue promotion of mixed use, research creation of transit-oriented development design standards.*

## Zoning Code (ZC) Analysis and Findings of Fact for Applications Filed

(The ZC Analysis and Findings of Fact provided in this section may be repetitive due to the fact the ZC requires each individual Application to be evaluated/analyzed based upon specific ZC Criteria/Standards/Findings of Fact).

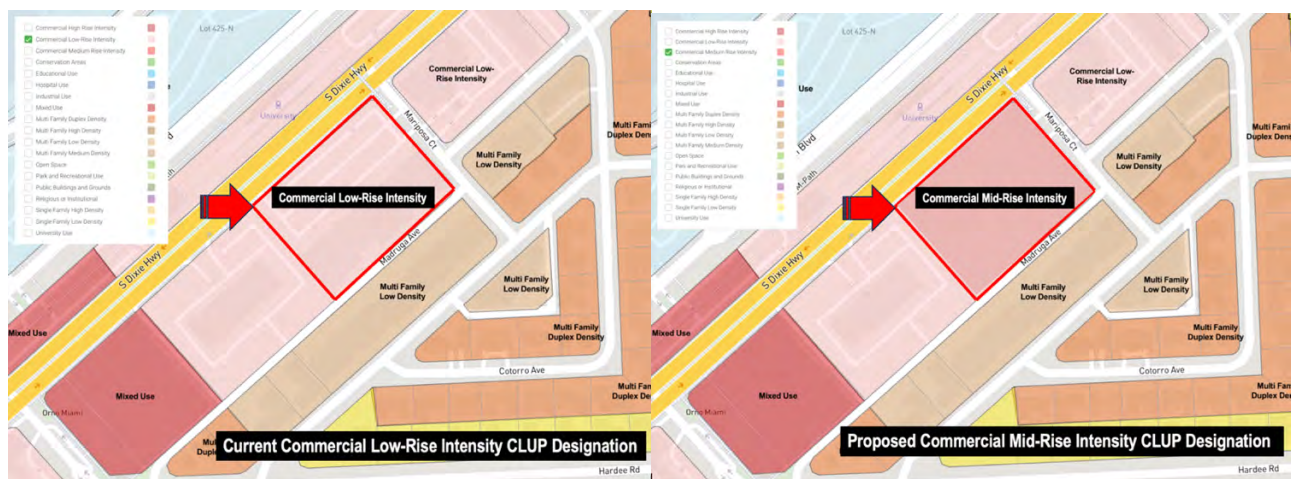
### 1. Comprehensive Plan Map Amendment – Small Scale Application

Change in Land Use from Low-Rise Commercial Intensity Land Use Designation (50 feet or up to 77 feet with Mediterranean Bonus II) to Mid-Rise Commercial Intensity Land Use Designation (70 feet up to 97 feet/8 stories with Mediterranean Bonus II).

Respectfully we submit the following Findings of Fact indicating the CP Map Amendment for the Proposed Project **satisfies** Zoning Code Section 14-213. Comprehensive Plan Text and Map Amendments, specifically Section 14-213.6. Standards for Comprehensive Plan Text and Map Amendments. A summary of the Findings of Fact supporting this determination is as follows:

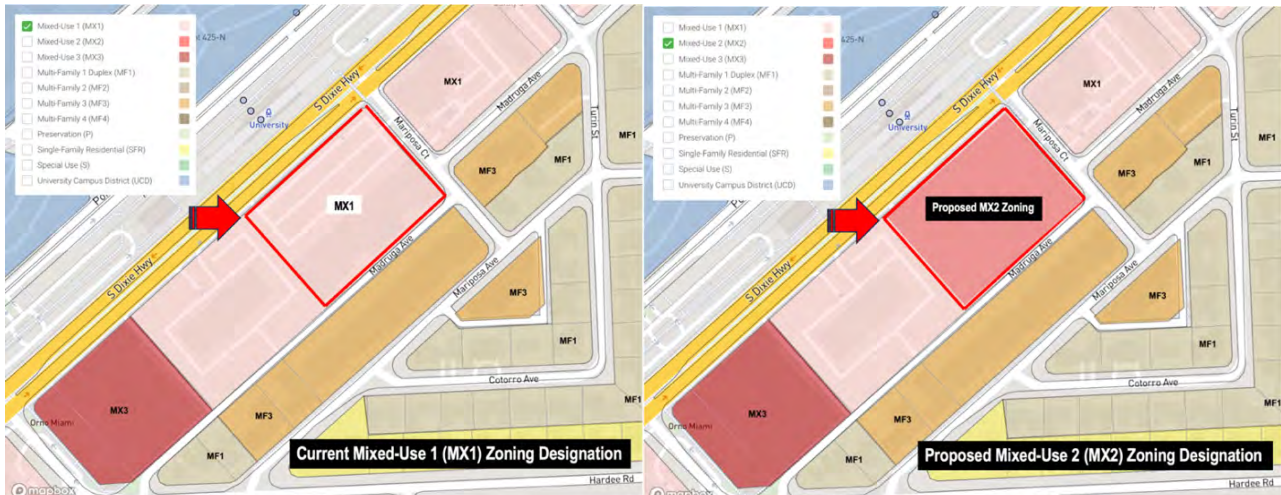
- a. The CP Map Amendment advances numerous CP Goals, Objectives and Policies (GOP's) within the following CP Elements: Future Land Use, Design, Housing, Mobility, Recreation Open Space and Green.
- b. The proposed Project shall improve the Level of Service of public infrastructure by providing more open space, increased pedestrian/bicycle ridership and reduction in vehicle trips, based upon its proximity to a regional transit station/line. This Property's location and proposed density shall increase in the use of alternative modes of mobility/transportation (transit ridership, walking, or bicycle use). The Project supports "First Mile to Last Mile (FMLM)" connectivity.
- c. The proposed Amendment shall have no detrimental or negative effect on the level of service of public infrastructure.

Please refer to the Comprehensive Plan Map Amendment Zoning Code Analysis and Findings of Facts for a detailed evaluation.



## 2. Zoning Map Amendment (Rezoning) Application

Change in Zoning (Rezoning) from Mixed Use 1 (MX1) Zoning (45 feet and 77 feet/6 stories with Mediterranean Bonus II) to Mixed-Use 2 (MX2) Zoning (70 feet and up to 97 feet/8 stories with Mediterranean Bonus II).



Respectfully, we submit the following Findings of Fact indicating the Zoning Map Amendment for the Proposed Project is **consistent and satisfies** Section 14-212. Zoning Code Text and Map Amendments, specifically Section 14-212.4. Standards for review of district boundary changes. A summary of the Findings of Fact supporting this determination is as follows:

- a. The assignment of MX2 Zoning to permit a Mixed Use Project at this location is appropriate and less intense than provided for within the Zoning Code. The City Zoning Code Section 2-201. Mixed Use 1, 2 and 3 (MX1, MX2 and MX3) Districts, Purpose and Applicability specifically states *“The purpose of the (MX) Mixed Use Districts is to accommodate various forms and densities of mixed uses, including commercial and residential, to serve the needs of a diverse community.”* The City has three MX Districts - MX1, MX2, and MX3. The Zoning Code specifically states the following:

*“These (MXD Districts) are differentiated by their intensity and location. The MX1 District allows a low intensity of development and is located along some of the City’s primary corridors, such as Eighth Street, Grand Avenue, Ponce De Leon Boulevard and Giralda Plaza, and often has an adjacency with single-family residential areas. The MX2 District allows a medium intensity of development and is located on Miracle Mile, the Design/Industrial District area, and in the southern and northern-most reaches of the City. The MX3 District allows the highest intensity of development and is located in the City’s downtown area, along North Ponce de Leon Boulevard, Biltmore Way, and South Dixie Highway (Route 1).”*

Therefore, based upon the above ZC provisions, the request to change the Zoning from MX1 to MX2 for this Property (to permit a 97 foot/8 stories) given its location on US One/South Dixie Highway is appropriate and less intense than the permissible MX3 Zoning *“which allows for the highest intensity of development and is located in the City’s*

*downtown area, along North Ponce de Leon Boulevard, Biltmore Way, and South Dixie Highway (Route 1).*” The adjacent UM Gables One Tower building height of 150+ feet and taller Thesis/Paseo Project at US One/Hardee Road are consistent with the MX3 height regulations that permit up to heights of 150/190.5 feet (16 stories).

- b. The Amendment does not does not change any of the permitted uses which are prohibited or permitted. The type of uses and allowable mix of uses (parentages) acre remains the same with either the MX1 and MX2 Zoning.
- c. The maximum allowable density of 125 units per acre remains the same in either the MX1 and MX2 Zoning.
- d. Adequate infrastructure is available to support the proposed Project.
- e. The proposed Project shall improve the level of service of public infrastructure by providing more open space, increased pedestrian/bicycle ridership and reduction in vehicle trips, based upon its proximity to a regional transit station/line. No other property within the City will exhibit such an increase in the use of alternative modes of mobility/transportation (transit ridership, walking, or bicycle use) given its location. The Project supports “First Mile to Last Mile (FMLM)” connectivity.
- f. No decline in Level of Service is expected on the adjacent roadways per the completed City Traffic Consultant (Caltran Group) Traffic Impact Analysis (TIA). The TIA indicates trip generation that the proposed development will generate 716 less daily trips than the current existing retail/commercial land uses.

Please refer to the Zoning Map Amendment Zoning Code Analysis and Findings of Facts for a detailed evaluation.

### 3. *Assignment of Planned Area Development (PAD)Application*

The request to assign of Planned Area Development (PAD) is to accommodate minor encroachment into the Madrugá Avenue and Mariposa Court building facade “setbacks” and “stepbacks” pursuant to the Board of Architects (BOA) approval granted on 11.16.2023. As a part of the BOA approval, the BOA requested additional “architectural facade articulation” from ground level to the top floor – with specific emphasis on additional articulation at the ground floor. This necessitated the need to submit a PAD Application to modify the MX2 required setbacks/stepbacks. The changes are minimal and all other applicable Zoning Code Standards have been satisfied. See the Building Setback and Building Stepbacks Table within the Application Zoning Information (Attachment A-4) for specific details.

The Zoning Code PAD Section 14-206.1. Required Findings requires that 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.”

Thorough review of the above referenced Zoning Code Section notes the proposed Project **complies and/or advances** the assignment of PAD based upon the following.

- a. The proposed Project per the Board of Architect request and approval for encroachment complies and advances the PAD regulations by “encouraging compatible 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, reduce land utilization for roads and separate pedestrian and vehicular circulation systems and promote urban design amenities.”
- b. Complies and advances numerous Comprehensive Plan (CP) Goals, Objective and Policies (GOP's) with the following CP Elements: Future Land Use, Design, Mobility, Recreation Open Space and Green.
  - c. Includes numerous components supporting the City's Mixed Use Zoning, Coral Gables Mediterranean Architecture development and design standards as well as Zoning Code Section 2-500.A.3, PAD Standards and Criteria. More specifically the proposed mixed use project satisfies the following PAD Standards and Criteria:
    - Compatible with the area as identified in the below detailed Findings of Fact Analysis provided in Section B-3 of the Application.
    - Conforms to all applicable development standards, including floor area ratio, allowable density, exceeds landscape and open/green space requirements.
    - Exceeds numerous design requirements including additional architectural relief, all retail/residential operations and parking are internal to the building.
    - Provides adequate transition and is designed to complement and be compatible with the adjacent land use with respect to scale, density, bulk, height, landscaping and screening.
  - d. Satisfies and promotes a continuous, pedestrian-friendly urban environment, reducing dependence on vehicular mobility, installation of pedestrian oriented public realm improvements and lushly landscaped adjoining streets and large “open to the sky” 56 foot wide, 18,775 square foot (0.43 acre) green corridor or “Pedestrian Paseo” between the two buildings spanning from US1 to Madruga Avenue. The total open space/landscape/green area with the Paseo, elevated green areas, expanded sidewalks is 34.25% exceeding the 10% Zoning Code requirement.
  - e. Significant attention was employed ensuring the land planning and architectural design of the Project is compatible with the surrounding built environment. The Project height is reduced in comparison to the adjacent existing 150+ foot UM Gables One Tower as well as the taller Thesis/Paseo Property located to the south of the Property.
  - f. Innovative land planning and architectural design standards were utilized to negate any impacts.
  - g. The proposed mixed use mid-rise Project is a compatible use and proposed 97 feet building height and intensity is 50+ feet less than the existing mixed use building heights along the US1 corridor. US1 is a regional State Highway whose intended purpose is move vehicles through the “Region.”
  - h. No additional residential density is being requested above the minimum 125 units permitted pursuant to the Zoning Code MX provisions.
  - i. The proposed Project will not increase the total amount of trips or create an increase in traffic. The City of CG Traffic Consultant Traffic Impact Analysis (TIA) noted “most intersections will be able maintain similar traffic conditions in reference to the baseline conditions. As a result, “the proposed re-development of The Mark is not expected to have a negative impact in the surrounding roadway network.” Traffic mitigation measures were NOT recommended by the City's Traffic Consultant due to no negative impact on the surrounding roadways.
  - j. The assignment of MX2 Zoning and PAD at this location is appropriate and less intense than adjacent properties (UM Gables One Tower). The UM property is

assigned a Low-Rise Commercial Land Use, however is 150+ feet in height and the adjacent Thesis/Paseo Project located at Hardee Road/US1 is also taller and is assigned a MX Zoning and Commercial Intensity-High Land Use Designation. As is noted in Zoning Code Section 2-201. Mixed Use 1, 2 and 3 (MX1, MX2 and MX3) Districts. “The MX2 District is a medium intensity of development and is located on Miracle Mile, the Design/Industrial District area, and in the southern and northern-most reaches of the City. The MX3 District allows the highest intensity of development and is located in the City’s downtown area, along North Ponce de Leon Boulevard, Biltmore Way, and South Dixie Highway (Route 1).” This parcel given its location adjacent to the regional transit station/line in comparison to similar sites along US1 is typically developed as a high density, high intensity high rise development.

Please refer Section B-3 for the PAD Zoning Code Analysis and Findings of Facts for a detailed evaluation.

#### 4. *Conditional Use Mixed Use Site Plan and Live Work Units Application*

Thorough review of the Zoning Code notes the proposed Project **complies and/or advances** the following City Standards to permit the Conditional Use Mixed-Use Site Plan:

- a. The proposed Project complies and advances with numerous Comprehensive Plan (CP) Goals, Objective and Polices (GOP’s) with the following CP Elements: Future Land Use, Design, Housing, Mobility, Recreation Open Space and Green.
- b. The proposed Project includes numerous components supporting the City’s Mixed Use Zoning and Coral Gables Mediterranean Architecture development and design standards.
- c. The proposed Project satisfies and promotes the MXD District Purpose and Intent by providing a continuous, pedestrian-friendly urban environment, reducing dependence on vehicular mobility, installation of pedestrian oriented public realm improvements and lushly landscaped adjoining streets and a 18,775 sq.ft./0.43 acre ground floor “Paseo.”
- d. Significant attention was exercised ensuring the land planning and architectural design of the Project is compatible with the surrounding built environment. The height of the Project is reduced in comparison to the adjacent existing 150+ foot UM Gables One Tower as well as the taller Thesis/Paseo Property located to the south of the Property.
- e. The proposed conditional use will not adversely or unreasonably affect the use of other property in the area. Innovative land planning and architectural design standards were utilized to negate any impacts.
- f. The proposed Mixed use Project is a compatible use and proposed building height and intensity is 50+ feet less than the existing mixed use building heights along the US One corridor. US1 is a regional State Highway whose intended purpose is move vehicles through the “Region.”
- g. No additional residential density is being requested above the minimum 125 units permitted pursuant to the Zoning Code.
- h. The proposed Project shall not increase the total amount of trips or create an increase in traffic. The City of CG Traffic Consultant completed a Traffic Impact Analysis (TIA) and noted “most intersections will be able maintain similar traffic conditions in reference to the baseline conditions. As a result, the proposed re-development of The Mark is not expected to have a negative impact in the surrounding roadway network.”
- i. The assignment of MX2 Zoning and Conditional Use to permit a mixed use Project at this location is appropriate and less intense than permitted pursuant to the Zoning Code.

The adjacent property (UM Gables One Tower) is assigned a Low-Rise Commercial Land Use, however is 150+ feet in height and taller Thesis/Paseo Project at Hardee Road/US One is assigned a “MX Land Use,” which is consistent with the Commercial Intensity-High Land Use Designation. As is noted in Section Zoning Code Section 2-201. Mixed Use 1, 2 and 3 (MX1, MX2 and MX3) Districts. “The MX2 District is a medium intensity of development and is located on Miracle Mile, the Design/Industrial District area, and in the southern and northern-most reaches of the City. The MX3 District allows the highest intensity of development and is located in the City’s downtown area, along North Ponce de Leon Boulevard, Biltmore Way, and South Dixie Highway (Route 1).” The properties with the same block as this Project are constructed at Commercial High Rise Land Use and MX Zoning Code heights of 150+ feet. This parcel given its location adjacent to the regional transit station/line in comparison to similar sites along US1 is typically developed as a high density, high intensity high rise development.

Please refer to the Conditional Use Mixed Use Site Plan and Live Work Units Zoning Code Analysis and Findings of Facts for a detailed analysis.

5. *Zoning Code Text Amendments – Site Specific Standards.*

The request is to amend the Zoning Code, Appendix A, Site Specific Zoning Regulations, specifically, Section A-83 Riveria Section Part 8. The amendment is necessary to be consistent with the proposed Project land development parameters. These regulations date back to the 1994 Zoning Code and as written are inconsistent and in conflict with currently assigned MX1 Zoning Map Designation and MX1 Zoning Code Land Development regulations (i.e., permitted height, number of stories, etc.). The City determined at the time of the Zoning Code rewrite as each parcel undergoes discretionary City review, the Site Specific Regulations would be amended on a case-by-case basis.

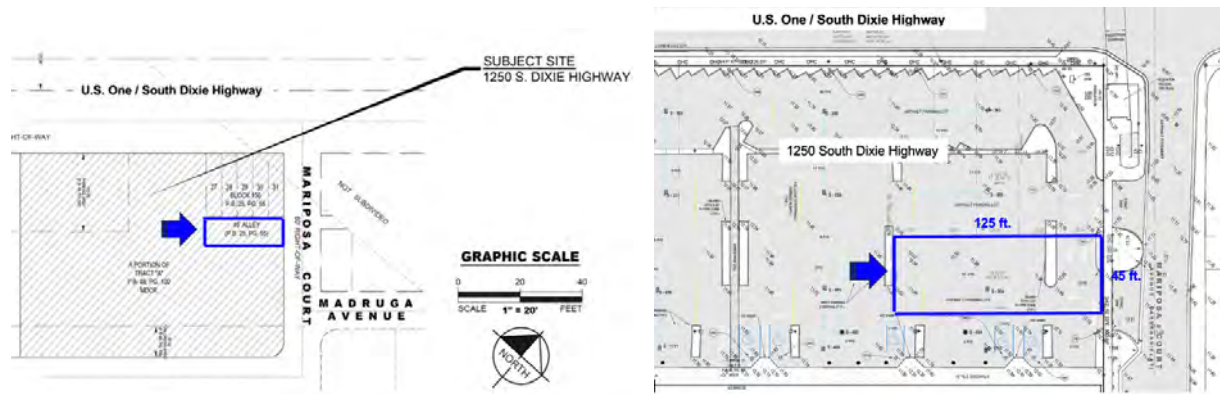
Respectfully, based upon the Zoning Code Analysis and Findings of Fact provided herein, we find the Zoning Code Text Amendment Request **complies** with the City Zoning Code “Standards for Review” for granting the Request.

Please refer to the Zoning Code Text Amendments Analysis and Findings of Facts for a proposed deletions/additions and evaluation.

6. *Vacation and Abandonment of a dead-end alley.*

The request is for vacation and abandonment of 125 feet by 45 feet alley located on the northeastern portion of the property. The alley does not serve any public purpose due to its “dead-end” configuration and has been used since the 1950’s as vehicle parking spaces, landscape islands and partial driveway for the shopping center. No through access to another alley or public rights-of-way exists on any portion western of the property.





Respectfully, based upon the below listed Zoning Code Analysis and Findings of Fact, we find the Abandonment and Vacation Application Request **complies** with the City Zoning Code “Standards for Review for granting the Request.

Please refer to the Abandonment and Vacation Zoning Code Analysis and Findings of Facts for a detailed analysis.

### **Board of Architects (BOA) Public Hearing**

The proposed Project was submitted to the BOA for Conceptual Review on 08.10.23 to solicit BOA preliminary input in advance of formal BOA review. The Board provided clear and concise direction and provided positive input noting the project was well organized from a “land planning” standpoint. The internalization of the parking, building support services (i.e., internal sanitation facility, etc.) and deliveries was well received.

The BOA on 10.05.23 and 11.16.23 reviewed the Architectural Plans to determine if the Project satisfied the Zoning Code Provisions for granting Mediterranean design development bonuses. At the 10.05.23 meeting (first BOA meeting), the BOA recommended Approval (7 to 0 Vote) to grant the Level II bonuses for Coral Gables Mediterranean Architectural Design. The Bonuses provided for an additional 0.3 floor area ratio and two (2) stories.

At the 11.16.23 public hearing, the BOA determined the Project satisfied the Zoning Code Sections, 5-102. Design Review Standards and 5-202., Coral Gables Mediterranean Architecture Design and recommended unanimous Approval (7 to 0 vote).

As noted in the PAD Application section of the Statement of Use, the BOA at time of review and approval requested additional “architectural facade articulation” from ground level to the top floor – with specific emphasis on additional articulation at the ground floor. This request resulted in minor encroachments into Madruga Avenue and Mariposa Court building facade “setbacks” and “stepbacks” to satisfy the required MX2 setback/stepback requirements. This necessitated the need to submit a PAD Application to modify the MX2 required setbacks/stepbacks. The changes are minimal and all other applicable Zoning Code Standards have been satisfied.

## City of CG Traffic Consultant Traffic Impact Analysis (TIA) Summary

In advance of Planning Application submittal, meetings were completed with City Public Works Staff to discuss the parameters of the City's Traffic Impact Analysis (TIA). The City retained its Traffic Consultant, The Caltran Group to complete the TIA. The Development Team, City Consultant and Public Works Staff reviewed and agreed upon a final Traffic Methodology or Memorandum of Understanding which outlined the parameters of the TIA. As a result of the public outreach meetings with the neighborhood, various neighbors had concerns regarding potential increase in traffic, pedestrian/vehicular conflicts, and truck access to the Project. To address the neighbors' concerns, the Development Team asked the City /City Traffic Consultant to increase the TIA Study area boundaries, research potential pedestrian/vehicular conflicts, complete in-field pedestrian counts and review large vehicle access (truck) access to the site. All of the requested information and findings are included in the final 11.14.23 TIA and outlined in the below Executive Summary/Recommendations. A copy of the completed City TIA was also forwarded to interested neighbors.

Several neighbors also asked that the TIA be presented to the City's Traffic Advisory Board (TAB) for a courtesy review. The Development Team agreed and the City Traffic Consultant and the Development Team attended the 12.19.23 TAB meeting. The Development Team and City Public Works Staff presented the Project and the TIA Findings.

The TIA Executive Summary prepared by the City's Traffic Consultant concluded the following:

*"That during the future build-out conditions (Scenario 3) the Mark Development could generate about 3,218 daily-trips and a maximum of 171 and 154 net trips for the AM and PM peak period of the adjacent roadway, respectively. The following are the final observations:*

*> The Level of Service (LOS) analysis concluded that, as expected, with additional traffic growth and trips generated by the re-development of The Mark, all analyzed intersections will have a nominal increase in traffic demands and delays. However, the analysis showed that during the future conditions most of the intersections will be able to operate with an acceptable Level of Service or maintain similar conditions as those expected during Scenario 2-Future Condition no-build during the highest peak traffic demands.*

*> For the Mariposa Court & US-1/South Dixie Highway intersection, the northwest bound approach presents saturated conditions during the AM and PM peak hours. Signal retiming in coordination with Miami-Dade County Traffic and Signal Division (TSS) is recommended as mitigation measure at this intersection. However, due to the importance of the US-1/South Dixie Highway corridor, additional traffic studies such as corridor signal offset optimization and corridor travel time studies will be required to validate this signal re-timing recommendation*

*> At the intersection of Caballero Boulevard and US-1/South Dixie Highway, the stop-controlled northwest-bound approach presents saturated conditions during both AM and PM peak hours. It is important to mention that LOS failing conditions in the northwest-bound approach is experienced due to the high vehicular volume along the mainline. However, field reviews revealed that the upstream and downstream signalized intersections provide traffic metering for this intersection by creating gaps and allowing vehicles to turn northwest left from Caballero Boulevard onto US-1/South Dixie Highway.*

*> The turn lane evaluation analysis concluded that the southwest-bound left turn lane storage bay at the intersection of Mariposa Court and US-1/South Dixie Highway provides sufficient storage capacity to satisfy existing and future queue demands.*

*> The re-development of The Mark is not anticipated to require exclusive right turn lanes at its proposed driveways.*

*> The re-development of The Mark should present a loading operation plan that ensures that service vehicles will not adversely impact free movement of vehicles along Madruga Avenue.*

*> AUTO Turn analysis concludes that large (WB-40) trucks Will NOT be able to ingress the service driveways at the proposed re-development, which is a concern for this project.*

➤ Although smaller trucks (SU-40) will be able to ingress through the proposed service driveways by making left turn movements along Madruga Avenue, it is recommended that delivery/service trucks avoid performing right turns along Madruga Avenue.

Based on the findings, the traffic impacts associated with the proposed redevelopment of The Mark it is concluded that most of the intersections will be able maintain similar conditions in reference to the baseline conditions. As a result, the proposed re-development of The Mark is not expected to have a negative impact in the surrounding roadway network after implementing the recommendations included in this report.”

**City of CG Traffic Consultant Traffic Impact Analysis (TIA) Findings**

As noted in the above City Traffic Consultants TIA Findings, “Most intersections will be able maintain similar traffic conditions in reference to the baseline traffic conditions.” As a result, “The proposed re-development of The Mark is not expected to have a negative impact in the surrounding roadway network after implementing the recommendations included in this report.” As indicated in below Table 1, the results of the trip generation analysis indicate that the proposed development will generate 716 less daily trips, 126 more AM peak hour trips, and 20 more PM peak hour trips when compared to the existing traffic the University Center commercial, retail, and medical land uses generate.

Table 1: Trip Generation Summary			
Development Plan	Total Weekday	A.M. Peak Hour	P.M. Peak Hour
Existing	3,934	45	134
Proposed	3,218	171	154
ΔTrips	-716	126	20

Traffic mitigation measures were not recommended by the City’s Traffic Consultant due to no negative traffic impacts on the surrounding roadways.

The Consultant did recommend the preparation of a Loading Operational Plan. The Plan is provided as part of the Application submittal and Developer has agreed to restrict large (WB-40) trucks from accessing the site as noted in the above Consultants Recommendations

It should also be noted the Property is with the City’s Concurrency Exemption Area, also known as the Gables Redevelopment In fill District and therefore the following CP Policies applies to the Property.

*“Policy MOB-2.2.2. A proposed development will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the adopted Comprehensive Plan and it meets the following criteria pursuant to Section 163.3180*

*(5) (b), Florida Statutes, as amended:*

- *The proposed development is located within the Gables Redevelopment and Infill District.*
- *If the project would result in an increase in peak-period traffic volume on a Florida Intrastate Highway System (FIHA).*
- *FIHA roadway that is operating below any adopted LOS standard, which increase would exceed two (2%) percent of the capacity of the roadway at the adopted LOS standard, the City shall require the developer and successors to implement and maintain trip reduction measures to reduce travel by single-occupant vehicles so that the resultant increase in traffic volume does not exceed two (2%) percent.”*

A complete copy of the City TIA including the Appendices has been provided with the Application Submittal.

### **Other Traffic Management and Street Scap Design Considerations**

Presently, Madruga Avenue located to the rear of the Property is 30 foot rights-of-way (ROW). Madruga Avenue separates the subject property from the Villa Capri Condominium project behind it. The Villa Capri Condominium building front building entrance faces Mariposa Avenue and the rear of the property faces the rear of the Project Property. Villa Capri vehicle parking spaces back into Madruga Avenue along the entire rear portion of their property.

Madruga Avenue from Mariposa Court to Hardee Road is substandard ROW width, whereas typically ROW widths of streets are 50 or 60 feet. Research was completed to fully understand how the reduction in ROW width was achieved. This information is important to the overall development of the parcel. A reduced ROW of 30 feet classified as a "Street" has challenges to accommodate vehicular traffic that typically traverse a 60 foot ROW.

The Project design along the Madruga Avenue side took into consideration the reduced ROW and adjusted the building design to mitigate the reduced ROW. The Project proposes the installation of streetscape improvements including the installation of sidewalks, under-and-overstory landscaping, curb and gutter, drainage, etc. to ensure any potential pedestrian and vehicular conflict areas eliminated.

Our research indicates the location on which the Villa Capri Condominium exists today was originally platted as part of Block 156 in the Coral Gables Riviera Section Part 8 Plat that was recorded in Plat Book 25, Page 55 in the public records of Dade County, Florida (April 1926.) Block 156 was a typical block bifurcated with an alley running parallel to U.S.1. In March of 1949, a part of Riviera Section Part 8 was re-platted - including Block 156 except for Lots 27-31, inclusive and the alley behind them. It appears that Block 156 and the property behind it were specifically re-platted to address a desired development pattern - showing loading zones in the rear and parking in front - the typical strip mall pattern. The University Shopping Center was built in 1953. This re-plat specifically states: *"The express purpose of this plat is to relocate Ave. Madruga and to close, abandon, discontinue and vacate Ave. Cotorro between Blocks 156 and 159 and the 20 foot alley in Blocks 156 and 159 as shown on said Plat of Coral Gables Riviera Section Part 8 Plat Book 25 Page 55."* On the re-plat, Madruga is still shown as a 60 foot ROW. The Coga Subdivision was recorded in Plat Book 78 at Page 62 in April of 1964. This plat is also a replat of a portion of Riviera Section Part 8. This plat states: *"That the express purpose of this plat is to close the Avenues, Streets and alley described above and to replat the above described land into more suitable building sites."* On this plat Madruga Avenue has been reduced to 30 feet. A copy of all the above referenced Plats have been provided as a part of the Application package.

## City Review Timeline

The following City reviews and notice have been completed:

Meeting Type	Date	Public Hearing	Property Sign Posted	Email Notification Provided to neighbors*
Development Review Committee	06.30.23	✓	✓	✓
Board of Architects - Conceptual Review	08.10.23	✓	✓	✓
Board of Architects – Preliminary Design Review and Med. Bonus II. (Recommended Approval (7 to 0 Vote) to grant the Level II Bonus for Mediterranean Architectural Design)	10.05.23	✓	✓	✓
Board of Architects – Preliminary Design Review and Med. Bonus II. [Recommended Project Approval (7 to 0 Vote)]	11.16.23	✓	✓	✓
Development Review Committee – Abandonment and Vacation of Alley (Public notice mailed to all Properties within 1,500 of Property perimeter boundaries)	11.15.23	✓	✓	✓
Traffic Advisory Board (Courtesy Review)	12.19.23	✓		✓
Planning and Zoning Board	TBD	✓		
City Commission (First Reading)	TBD	✓		
City Commission (Second Reading)	TBD	✓		

\*Email notification was provided to those neighbors who have had continuous correspondence to Development Team.

## Public Outreach

The Development Team has completed significant public outreach to fully engage the community and solicit input. Outreach included one-on-one meetings with neighbors, smaller and larger group neighborhood meetings in which the neighbors sent out meeting notices (flyers inviting interested parties) as well as on-site/neighborhood “walk-around” with various neighbors. Email correspondence has been provided on a weekly basis since July 2023 to the various neighbors advising of all City meetings, including the two DRC meetings, three BOA meetings and TAB meeting. Various neighbors have participated and/or attended the DRC and BOA meetings.

Since July of 2023, a total of 85+ point of contacts (email correspondence, phone conversations, etc.) has been completed by the Development Team as outreach to the neighbors. The Development Team will continue to provide copies of the plans and forward email notifications to the neighbors of upcoming City meetings/public hearings in addition to the required City neighborhood meeting, public sign posting and mailout notices.

Complete sets of architectural plans/drawings have been forwarded to interested parties as the Project has proceeded through the City review /public hearing process.

As of this date the following neighborhood public outreach has been completed:

Outreach Type	Date(s)	Location	Approximate Attendance
Miscellaneous One-on-One Meetings with Neighbors	06.23 to Present	On-site/neighborhood walk around	1-3 persons per meeting
Neighborhood Meeting	06.06.23	The Standard at CG (1515 San Remo Avenue)	3
Neighborhood Meeting	08.09.23	The Standard	25
Villa Capri Neighborhood Meeting with Board of Directors and Residents (Multi-Family Condominium behind Project – Madruga Ave)	08.30.23	Villa Capri Condominium	16 persons signed In/21+/- Attended
Royal Caribbean Condominium Neighborhood Meeting with the Board of Directors and Residents (North of the Project on Madruga Avenue)	09.21.23	Zoom Call	7
Required City Neighborhood Meeting Written Public Notice mailed to all Properties within 1,500 of Property perimeter boundaries)	01.31.24	TBD	

We look forward to the opportunity to work closely with the City to submit any additional information necessary to complete the City review process. If you have any additional questions regarding submittal, please do not hesitate to contact us.

Respectfully Submitted:



Laura Russo  
 Laura Russo, Esq., LLC  
[laurar@laurarussolaw.com](mailto:laurar@laurarussolaw.com)  
 305.476.8300



Eric Riel  
 eplanning, LLC  
 Planning Consultant  
[eplanning@yahoo.com](mailto:eplanning@yahoo.com)  
 786.216.8088

Via On-Line Submittal

March 17, 2024

Ms. Jennifer Garcia  
Planning Official  
Development Services Department  
City of Coral Gables  
427 Biltmore Way, 2nd Floor  
Coral Gables, FL 33134

Subject: Supplemental Statement of Use as an addendum to the original 12.19.2023 Statement of Use for “The Mark” Mid-Rise Mixed Use Project located at 1250 US1/ South Dixie Highway (University Shopping Center)

Dear Ms. Garcia:

On behalf of LCD Acquisitions, LLC (“LCD”) (hereinafter “Landmark”), we respectfully submit this Supplemental Statement of Use. This Supplemental Statement of Use updates the initial Statement of Use (12.19.2023) and provides additional information in support of the Application.

**Updated City Review Timeline**

The following City reviews and Notice have been completed:

City Meeting	Date	Public Hearing	Property Sign Posted	Email Notification Provided to neighbors*
Development Review Committee	06.30.23	✓	✓	✓
Board of Architects - Conceptual Review	08.10.23	✓	✓	✓
Board of Architects – Preliminary Design Review and Med. Bonus II. [Recommended Approval (7 to 0 Vote) to grant Level II Bonuses for Mediterranean Architectural Design]	10.05.23	✓	✓	✓
Board of Architects – Preliminary Design Review and Med. Bonus II. [Recommended Project Approval (7 to 0 Vote)]	11.16.23	✓	✓	✓
Development Review Committee – Abandonment and Vacation of Alley (Public notice mailed to all Properties within 1,500 of Property perimeter boundaries)	11.15.23	✓	✓	✓
Traffic Advisory Board (Courtesy Review)	12.19.23	✓		✓
Planning and Zoning Board	TBD		TBC	TBC
City Commission (First Reading)	TBD		TBC	TBC
City Commission (Second Reading)	TBD		TBC	TBC

\*Email notification was provided to those neighbors who have had continuous correspondence to Development Team.

**Continued Public Outreach/Transparency**

The Landmark Team has completed significant public outreach and transparency to secure as much neighborhood and public input as possible. Continued efforts include additional one-on-one meetings with neighbors, smaller and larger group neighborhood meetings, as well on-site/neighborhood “walk-around” with various residents. We also offered a second meeting with the Villa Capri Condominium Homeowners Association located directly behind the Project, as well as to the Royal Caribbean Condominiums Homeowners Association located just north of the Project on Madrugá Avenue.

Please find listed below the updated Public Outreach since June 2023.

Public Outreach Type	Date(s)	Location	Approximate Attendance
Miscellaneous One-on-One Meetings with Neighbors	06.2023 to Present	On-site/neighborhood walk around	1-3 persons per meeting
Neighborhood Meeting	06.06.23	The Standard at CG (1515 San Remo Ave)	3
Neighborhood meetings	08.09.23	The Standard at CG	25
Villa Capri Meeting with Board of Directors and Residents	08.30.23	Villa Capri Condominium	16 persons Signed In/ 21 +/- Attended
Royal Caribbean Condominium Neighborhood Meeting with the Board of Directors and Residents (North of the Project on Madrugá Avenue)	09.21.23	Zoom Call	7
Required City Neighborhood Meeting - Written Public Notice mailed to all Properties within 1,500 of Property perimeter boundaries.	01.31.24	The Cocoplum Women’s Club	53+
Additional (2 <sup>nd</sup> ) City Neighborhood Meeting -Written Public Notice mailed to all Properties within 1,500 of Property perimeter boundaries.	02.21.24	The Cocoplum Women’s Club	32+

Various neighbors have participated in and/or attended various City public hearings/meetings, including the Development Review Committee, Traffic Advisory Board and three Board of Architects meetings (One Voluntary Prelim Review and two Prelim Reviews/Approvals).

Since July of 2023, a total of 135+ point of contacts (email correspondence, phone conversations, one-on-one mtgs, etc.) has been completed by the Landmark Development Team as outreach to the neighbors. In addition, complete sets of architectural plans/drawings and the City’s Traffic Impact Analysis have been forwarded to interested parties as the Project has proceeded through the City review /public hearing process. The Landmark Team will continue to provide copies of the plans and forward email notifications to the neighbors of ALL upcoming City meetings/public hearings in addition to the City required property sign posting and mailout notices.

The City required Neighbors meeting was held on January 31, 2024. To continue answering questions, Landmark scheduled a second neighborhood meeting on February 21, 2024. Both



meetings included mail notification to all residents within 1500 feet of the Project. An email data base of neighbors/interested parties was created beginning in July 2023. Notice of the neighborhood meetings was also provided to individuals on this database.

### **Neighborhood and Right-of-way Improvements**

As a result of the public outreach and input received from neighbors, interested parties and City Staff, the Landmark Team has proffered various improvements to promote “mobility” and well as “pedestrian/bicycle safety” within and adjacent to the Project and surrounding neighborhoods. These proffers include the following:

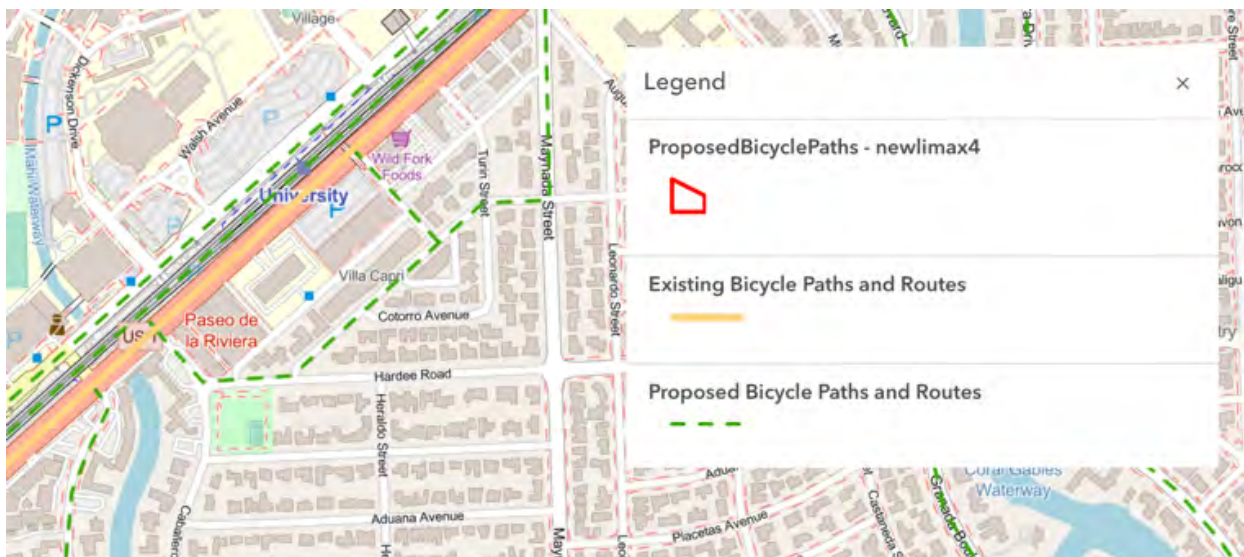
1. *Creation of a Mobility Boulevard on Mariposa Court with connections to the Neighborhood.*
2. *Streetscape Improvements.*
3. *Additional Mariposa Court Ground Floor Uses.*
4. *On-Street Rideshare/Commercial Vehicle Loading/Unloading Area.*
5. *Traffic Calming.*

#### *1. Creation of a Mobility Boulevard on Mariposa Court with connections to the Neighborhood*

Landmark will provide a 10 ft “Mobility Boulevard” (hereinafter referenced as “MB”) and a separate 8 ft pedestrian sidewalk along the entire Mariposa Court property line/R.O.W. The MB will provide an expansive “safe” direct connection for pedestrians, bicyclists, in-line skaters, wheelchair users, joggers, scooters, etc. to the US1 Pedestrian Bridge. The MB begins at the ground floor elevator of the US 1 Pedestrian Bridge, proceeds east along the entire length of Mariposa Court, connecting to a new pedestrian crosswalk on Madruga Avenue, further connecting to a 6-8 ft ‘Multi-Use Path” east along Mariposa Court from Madruga Avenue to Mariposa Avenue. Landmark will also provide a “Sharrow or Shared Lane Markings” (painted markings) in the following locations per the City’s Bicycle Master Plan (See below excerpt from Plan).

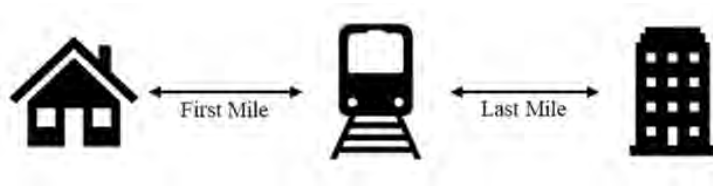
1. Caballero Blvd from US1 to Hardee Road.
2. Hardee Road from Caballero Blvd to Mariposa Avenue
3. Mariposa Avenue from Hardee Road to Maynada Street.
4. Maynada Street from Mariposa Avenue to US1.

This is a significant portion of Proposed Bicycle Paths and Routes per the City’s Plan. Please refer to the Landmarks Mobility Plan documents within the Application for details.



The MB will provide a direct mobility (pedestrian/bicycle) connection to US1 Pedestrian Bridge, Proposed Underline Phase 3, University of Miami Campus and University Metro-Rail Station providing regional public transportation access to the City of Miami, Coconut Grove, Downtown Coral Gables, South Miami, Pinecrest, all northern/southern areas of Miami-Dade County and other areas of the State via Florida’s Brightline Train and Tri Rail Service.

The new MB Boulevard, installation of a crosswalk, additional sidewalks and Sharrows will support “First Mile to Last Mile (FMLM)” connectivity. These improvements will greatly enhance and provide safe mobility options/connections for pedestrians and bicyclists to and from their intended destinations.



## 2. Streetscape Improvements

Landmark will provide Madruga Avenue Streetscape Improvements from the southern Project boundary to the recently constructed Thesis/Paseo Project located on Madruga Avenue/Callabero Boulevard/US1. This will include the removal the existing asphalt on the north shoulder of Madruga Ave behind the UM Gables One High Rise Tower and the installation of a sidewalk and landscaping. The proposed sidewalk will satisfy all applicable Coral Gables Standard sidewalk specifications to match the proposed Project sidewalk. Existing landscape areas will be in-filled with additional ground cover planting.

Additional pedestrian scale light fixture poles (beyond Code Requirements) will be located along the back of the Mariposa Court sidewalk -- adding more lighting to the pedestrian ROW.

## 3. Additional Mariposa Court Ground Floor Uses

Additional ground floor office uses have been included along the Mariposa Court side to enhance the pedestrian experience by providing “transparency” or “eyes on the street.” The mechanical room and electrical room were relocated to provide “active” frontage on Mariposa Court. This improvement with the proposed Mobility Boulevard and other associated amenities (i.e., outdoor seating, bike racks, etc.) will greatly increase the pedestrian experience and provide additional ground floor activity on Mariposa Court.

## 4. On-Street Rideshare/Small Commercial Vehicle Loading/Unloading Area

As a part of the comprehensive outreach to the community, various neighbors identified a citywide problem that exists on all ROW’s adjacent to all mixed use developments – the frequent/daily stopping of smaller delivery vehicles (Amazon, FedEx, UPS, etc.) on the street, disrupting traffic and causing the potential for pedestrian/vehicle conflicts. This is particularly a concern given that Madruga Avenue is a substandard in R.O.W of 30 feet. The R.O.W was

decreased from 60 feet to 30 feet with the replatting of the property to the east of the Madruga Avenue which included the Villa Capri Condominiums and other multi-family buildings.

As shown on the Project Site plan and stated in the original Statement of Use, all commercial deliveries/pickups to support all building non-residential/residential uses (Restaurant/Retail/Office/Live Work units) will occur entirely within the confines of the building within an enclosed area/room as well as the parking garage. Each building will also have separate sanitation and support services area/room.

To further address this identified neighborhood issue, in consultation with the City Parking Department, Landmark is proposing to repurpose the three (3) existing on-street parking spaces on Mariposa Court to a "Rideshare/Small Commercial Vehicle Loading/Unloading area." This 8 ft. by 98 ft. area is located next to the Project Main lobby and mail room and shall provide sufficient area to accommodate the propose uses. Landmark will be responsible for the costs associated with the placement of applicable vertical/pavement signage delineating the area subject to the City Parking Director's review and approval. The City Parking Department will install and manage a "Curb Management System" to monitor compliance within its intended use. Per the City Code requirements, Landmark will provide the City Code required payment per loss of each on-street parking space.

#### 5. *Traffic Calming*

Landmark has requested the City Public Works Department and Planning and Zoning Division to review and approve the placement a restructured "Speed Table" on Madruga Avenue. Numerous neighbors voiced concerns regarding the speed of vehicles traveling along Madruga Avenue. Therefore, Landmark has proffered to reconstruct the existing Speed Table to "operate" as a true traffic calming device. The current Speed Table elevation is marginal in height, and as such does not function as a traffic calming device.

We look forward to work closely with the City to complete the City's public hearing review process. If you have any additional questions regarding this Supplemental Statement of Use, please do not hesitate to contact us.

Respectfully Submitted:

  
Laura L. Russo, Esq.  
Laura L. Russo, Esq., LLC  
[laurar@laurarussolaw.com](mailto:laurar@laurarussolaw.com)  
305.476.8300

  
Eric Riel  
eplanning, LLC  
Planning Consultant  
[eplanning@yahoo.com](mailto:eplanning@yahoo.com)  
786.216.8088

An architectural rendering of a multi-story residential building. The building features a ground-floor storefront with arched openings and red-and-white striped awnings. The upper floors have numerous windows and balconies. The scene includes palm trees in the foreground, a paved street, and a clear blue sky with light clouds. The text "Zoning Code/Comprehensive Plan Analysis and Findings of Fact" is overlaid in the center of the image.

# Zoning Code/Comprehensive Plan Analysis and Findings of Fact

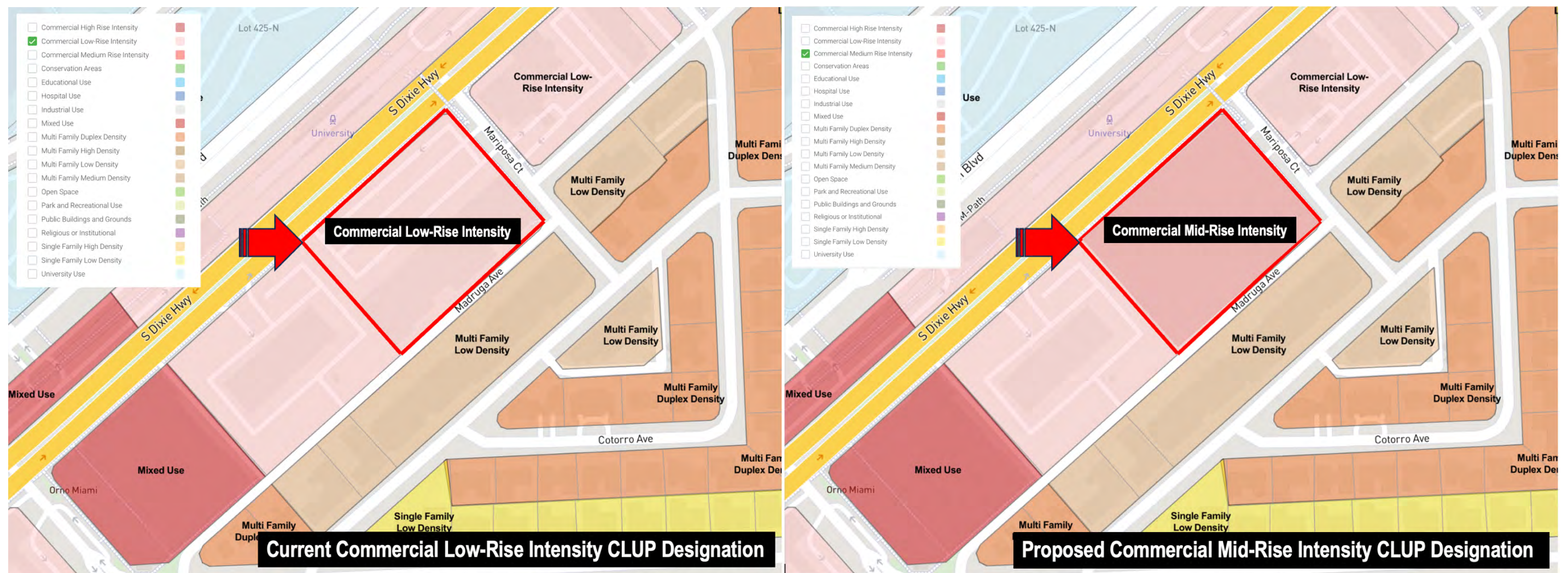
# Comprehensive Plan (CP) Map Amendment (Small Scale) - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

## Request

The current CP Map designation for the Property is Commercial Low-Rise Intensity which allows for up to 50' maximum (no limitation on floors), or up to 77' maximum (with a maximum of 2 additional floors) via Mediterranean Bonus II.

The Request is to change the CP Map designation to “Commercial Mid-Rise Intensity” to allow for the construction of a proposed Project at 97 feet/8 floors with Mediterranean Bonus II. Commercial Mid-Rise Intensity category allows up to 70 feet maximum (no limitation on floors), or up to 97' feet maximum with a maximum 2 additional floors via Mediterranean Bonus II.



# Comprehensive Plan (CP) Map Amendment (Small Scale) - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

## Findings of Fact Executive Summary

Respectfully we submit the following Findings of Fact indicating the CP Map Amendment for the proposed Project **satisfies** Zoning Code Section 14-213. Comprehensive Plan Text and Map Amendments, specifically Section 14-213.6. Standards for Comprehensive Plan Text and Map Amendments. A summary of the Findings of Fact supporting this determination is as follows:

1. The CP Map Amendment advances numerous CP Goals, Objectives and Policies (GOP's) within the following CP Elements: Future Land Use, Design, Housing, Mobility, Recreation Open Space and Green.
2. The proposed Project will improve the Level of Service of public infrastructure by providing more open space, increased pedestrian/bicycle ridership and reduction in vehicle trips, based upon its proximity to a regional transit station/line. This Property's location and proposed density will increase in the use of alternative modes of mobility/transportation (transit ridership, walking, or bicycle use). The proposed Project supports "First Mile to Last Mile (FMLM)" connectivity.
3. The proposed Project will have no detrimental or negative effect on the level of service of public infrastructure.

## Zoning Code Analysis and Findings of Fact

Zoning Code Section 14-213. Comprehensive Plan Text and Map Amendments, specifically Section 14-213.6. Standards for Comprehensive Plan Text and Map Amendments requires amendments to the Maps of the Comprehensive Plan to be reviewed pursuant to the below listed Standards.

Respectfully, we submit the following Findings of Fact indicating the CP Map Amendment for the proposed Project complies with all of the following City Standards:

City Standards	Findings of Facts
1. <i>Whether it specifically advances any objective or policy of the Comprehensive Plan.</i>	<p><b>Advances.</b> The CP Amendment from Low-Rise Intensity to Mid-Rise Intensity facilitates the ability to exercise better land planning techniques of the overall site and architectural design that is more compatible with the surrounding built environment. Particular attention was also placed upon including architectural attributes to create a sense of place, including the spatial relationship of buildings and the characteristics created to ensure attractive and functional areas that promoted a more pedestrian friendly environment. The proposed Project includes the placement of a large ground floor open/green space (Paseo).</p> <p>The proposed Project will improve the Level of Service of public infrastructure by providing more open space, increased pedestrian/bicycle ridership and reduction in vehicle trips, based upon its proximity to a regional transit station/line. No other property within the City will exhibit such an increase in the use of alternative modes of mobility/transportation (transit ridership, walking, or bicycle use) given its location. The proposed Project supports "First Mile to Last Mile (FMLM)" connectivity.</p> <p>Our Findings indicate the CP Map Amendment advances 18 CP GOP's within the following CP Elements: Future Land Use, Design, Housing, Mobility, Recreation Open Space and Green. Please refer the below item number 2 for a listing of the GOP's.</p>
2. <i>Whether it is internally consistent with the Comprehensive Plan.</i>	<p><b>Consistent.</b> The proposed Project as a mixed use project is consistent with the CP Mid-Rise Land Use Intensity provisions. More specifically, the Amendment/Project promotes the following 18 GOP's:</p> <ol style="list-style-type: none"><li>1. <i>Objective FLU-1.1. Preserve Coral Gables as a "placemaker" where the balance of existing and future uses is maintained to achieve a high quality living environment by encouraging compatible land uses, restoring and protecting the natural environment, and providing facilities and services which meet or exceed the minimum Level of Service (LOS) standards and meet the social and economic needs of the community through the Comprehensive Plan and Future Land Use Classifications and Map.</i></li></ol>

# Comprehensive Plan (CP) Map Amendment (Small Scale) - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

2. *Policy FLU-1.7.1. Encourage effective and proper high-quality development of the Central Business District, the Industrial District and the University of Miami employment centers which offer potential for local employment in proximity to protected residential neighborhoods.*
3. *Objective DES-1.1. Preserve and promote high quality, creative design and site planning that is compatible with the City's architectural heritage, surrounding development, public spaces and open spaces.*
4. *Policy DES-1.1.5. Promote the development of property that achieves unified civic design and proper relationship between the uses of land both within zoning districts and surrounding districts, by regulating, limiting and determining the location, height, density, bulk and massing, access to light and air, area of yards, open space, vegetation and use of buildings, signs and other structures.*
5. *Goal HOU-1. Provide a supply of housing that addresses the City's needs that shall include a variety of housing opportunities for all income ranges, provide housing diversity to enhance the City's social and economic growth and continue to be a distinctive, diverse, attractive and desirable place to live.*
6. *Goal MOB-1. Provide accessible, attractive, economically viable transportation options that meet the needs of the residents, employers, employees and visitors through a variety of methods.*
7. *Objective MOB-1.1. Provide solutions to mitigate and reduce the impacts of vehicular traffic on the environment, and residential streets in particular with emphasis on alternatives to the automobile including walking, bicycling, public transit and vehicle pooling.*
8. *Policy MOB-1.1.1. Promote mixed use development to provide housing and commercial services near employment centers, thereby reducing the need to drive.*
9. *Policy MOB-1.1.3. Locate higher density development along transit corridors and near multimodal stations.*
10. *Policy MOB-1.1.4. Support incentives that promote walking, bicycling and public transit and those that improve pedestrian and bicycle access to/and between local destinations such as public facilities, governmental facilities, schools, parks, open space, employment centers, downtown, commercial centers, high concentrations of residential, private/public schools, University of Miami and multimodal transit centers/stations.*
11. *Policy MOB-1.1.5. Improve amenities within public spaces, streets, alleys and parks to include the following improvements: seating; art; architectural elements (at street level); lighting; bicycle parking; street trees; improved pedestrian crossing with bulbouts, 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.*
12. *Goal MOB-2. The City will maintain and enhance a safe, convenient, balanced, efficient and interconnected multi-modal system consisting of vehicular, transit, bicycle, and pedestrian transportation options; and will be coordinated with the City's Comprehensive Plan while maintaining the economic viability of the City's businesses, and continued enhancement of the quality of life for the City's neighborhoods.*
13. *Policy MOB-2.2.5. As a vibrant mature City located in rapidly growing Miami-Dade County, the City shall continue to pursue and promote infill and redevelopment in appropriate parts of the City, especially within the City's GRID. The City shall research the following:*
  - *The possible expansion and upgrade of the current trolley system to other destinations within the City which may include a northern extension beyond 8<sup>th</sup> Street and connection to the University of Miami campus. Potential development incentives and/or economic incentives to promote trolley ridership.*
  - *Maintain the existing Coral Gables Mediterranean Style Design Standards, which awards density and height bonuses for developments which provide pedestrian amenities thereby encouraging walkability.*
14. *Policy MOB-2.3.5. As a part of development review, the City shall promote the safe movement of bicycle and pedestrian traffic.*

# Comprehensive Plan (CP) Map Amendment (Small Scale) - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

- 15. Policy REC-1.3.1. Additional public open space and natural preserves shall be designated and where feasible, acquired by the City in an effort to maintain and exceed the adopted Level of Service standard for parks and open space.
- 16. Objective REC-1.4. Promote convenient public and private recreation and open space resources and opportunities for the optimum use of residents by providing facilities within a 10-minute walk for every resident within the City.
- 17. Policy GRN-1.3.2. All new development proposals shall include designated safe pedestrian paths of travel within the site and provides pedestrian access to and from the public right-of-way to encourage walkability.
- 18. Policy GRN-1.4.5. The City will discourage new above ground power lines in all instances, especially in locations where it would result in minimizing the available right-of-way for the purpose of planting new trees. Through the site plan review process, the City will discourage all instances where new above ground power lines will compromise existing trees or the planting of new trees, favoring the planting of trees as a priority.

<p>3. <i>Its effect on the level of service of public infrastructure.</i></p>	<p>The proposed Project will have no detrimental or negative effect on the level of service of public infrastructure.</p> <p>The proposed Project will support and reduce the impacts and reduce the level of service based upon the following:</p> <ol style="list-style-type: none"> <li>1. Increase the use of alternative modes of transportation (walking, biking, transit) thereby reducing vehicle trips and traffic.</li> <li>2. The proposed Project per the City Traffic Impact Analysis is not expected to have a negative impact in the surrounding roadway network after implementing the recommendations included in this report. As indicated in below Table 1, the results of the trip generation analysis indicate that the proposed development will generate 716 less daily trips, based upon the existing retail commercial strip shopping center.</li> <li>3. Reduce traffic in the area given its proximity to a regional transit station and future Underline Pedestrian/Bicycle Path.</li> <li>4. Creation of an open/green space (Proposed 0.43 acre Paseo) within the Project exceeds the City CP level of service standards in accordance with CP Policy CIE 1.2.1. The 0.43 acres size is of a scale per the CP that is considered a Community Wide Facilities, which far exceeds the CP Level of Services Standards for a Neighborhood Parks (0.25 -3 acres) and Urban Space (0 – 0.25 acre) standards.</li> </ol>
<p>4. <i>Its effect on environmental resources.</i></p>	<p>The proposed Project will discourage the proliferation of urban sprawl by encouraging future infill and redevelopment within existing developed areas, more specifically redevelopment of an aging 1950 strip mall.</p> <p>The proposed Project will satisfy all environmental standards and will have no impact of natural resources.</p>
<p>5. <i>Its effect on the availability of housing that is affordable to people who live or work in the City of Coral Gables.</i></p>	<p>The proposed Project will provide additional multi-family residential housing opportunities near a regional transit station. Housing close to transit is an attractor due to the convenience of being able to walk, bike or use public transit to your place of work or other destinations. The proposed unit mix of 1 to 3 bedrooms units will provide for a variety of housing types for individuals, students or families. The proposed Project will provide additional opportunities to live or work in the City.</p>
<p>6. <i>Any other effect that the City determines is relevant to the City Commission's decision on the application.</i></p>	<p>The Amendment includes the following accompanying Applications: Change in Zoning; Conditional Mixed Use Site Review and ability to locate Live/Work Units; Alley vacation/abandonment of a dead end alley; and Zoning Code Text Amendments.</p>

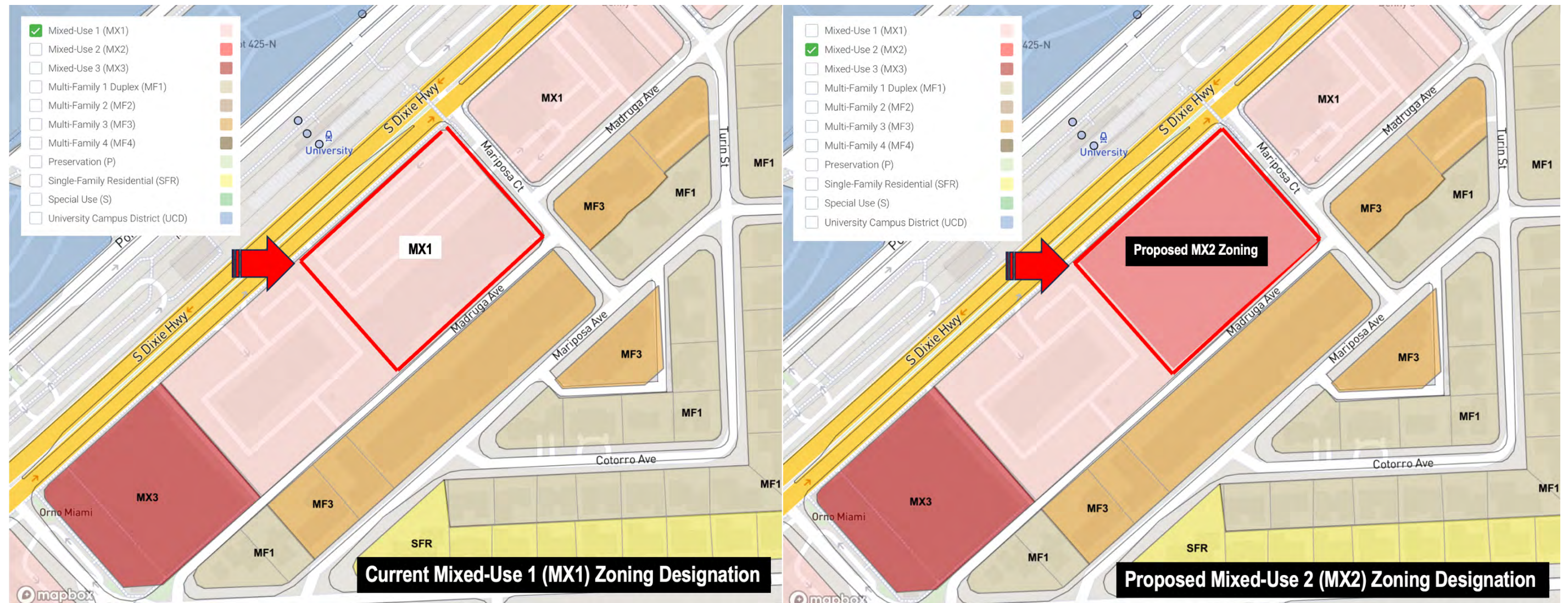


# Zoning Map Amendment (Rezoning) - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

## Request

The current Zoning Map designation for the Property is Mixed Use 1 (MX1) Zoning which allows a building height of 45 ft. and 77 ft./6 stories with Mediterranean Bonus II. The Request is to change the Zoning Map designation to Mixed Use 2 (MX2) to allow for the construction of a proposed Project at 97 feet/8 stories with Mediterranean Bonus II.



# Zoning Map Amendment (Rezoning) - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

## Findings of Fact Executive Summary

Respectfully we submit the following Findings of Fact indicating the Zoning Map Amendment for the Proposed Project is **consistent and satisfies** Section 14-212. Zoning Code Text and Map Amendments, specifically Section 14-212.4. Standards for review of district boundary changes. A summary of the Findings of Fact supporting this determination is as follows:

1. The assignment of MX2 Zoning to permit a Mixed Use Project at this location is appropriate and less intense than provided for within the Zoning Code. The City Zoning Code Section 2-201. Mixed Use 1, 2 and 3 (MX1, MX2 and MX3) Districts, Purpose and Applicability specifically states *“The purpose of the (MX) Mixed Use Districts is to accommodate various forms and densities of mixed uses, including commercial and residential, to serve the needs of a diverse community.”* The City has three MX Districts - MX1, MX2, and MX3. The Zoning Code specifically states the following:

*“These (MXD Districts) are differentiated by their intensity and location. The MX1 District allows a low intensity of development and is located along some of the City’s primary corridors, such as Eighth Street, Grand Avenue, Ponce De Leon Boulevard and Giralda Plaza, and often has an adjacency with single-family residential areas. The MX2 District allows a medium intensity of development and is located on Miracle Mile, the Design/Industrial District area, and in the southern and northern-most reaches of the City. The MX3 District allows the highest intensity of development and is located in the City’s downtown area, along North Ponce de Leon Boulevard, Biltmore Way, and South Dixie Highway (Route 1).”*

Therefore, based upon the above ZC provisions, the request to change the Zoning from MX1 to MX2 for this Property (to permit a 97 foot/8 stories) given its location on US1 South Dixie Highway is appropriate and less intense than the permissible MX3 Zoning *“which allows for the highest intensity of development and is located in the City’s downtown area, along North Ponce de Leon Boulevard, Biltmore Way, and South Dixie Highway (Route 1).”* The adjacent UM Gables One Tower building height of 150+ feet and 146/150 foot Thesis/Paseo Project at US1 Hardee Road are consistent with the MX3 height regulations that permit up to heights of 150/190.5 feet (16 stories).

2. The Amendment does not change any of the permitted uses which are prohibited or permitted. The type of uses and allowable mix of uses (parentages) acre remains the same with either the MX1 and MX2 Zoning.
3. The maximum allowable density of 125 units per acre remains the same in either the MX1 and MX2 Zoning.
4. Adequate infrastructure is available to support the proposed Project.
5. The proposed Project will improve the level of service of public infrastructure by providing more open space, increased pedestrian/bicycle ridership and reduction in vehicle trips, based upon its proximity to a regional transit station/line. No other property within the City will exhibit such an increase in the use of alternative modes of mobility/transportation (transit ridership, walking, or bicycle use) given its location. The Project supports “First Mile to Last Mile (FMLM)” connectivity.
6. No decline in Level of Service is expected on the adjacent roadways per the completed City Traffic Consultant (Caltran Group) Traffic Impact Analysis (TIA). The TIA indicates trip generation that the proposed development will generate 716 less daily trips than the current existing retail/commercial land uses.

## Zoning Code Analysis and Findings of Fact

Section 14-212. Zoning Code Text and Map Amendments, specifically Section 14-212.4. Standards for review of district boundary changes indicates a district boundary change may be approved if it is demonstrated that the application satisfies all of the below listed Standards.

Respectfully, we submit the following Findings of Fact indicating the Zoning Map Amendment for the proposed Project **complies and satisfies** all of the following provisions:

City Standards	Findings of Facts
1. <i>It is consistent with the Comprehensive Plan in that it:</i> a. <i>Does not permit uses which are prohibited in the future land use category of the parcel proposed for development.</i>	<b>Satisfied.</b> The Zoning Map Amendment (Rezoning) and the Change in Land Use does not change any of the permitted uses which are prohibited or permitted in the future land use category of the parcel proposed for development.  The type of uses and allowable mix of uses (parentages) acre remains the same in either the MX1 and MX2 Zoning and Low-Rise Commercial Intensity and Mid-Rise Commercial Intensity Land Use Designations.

# Zoning Map Amendment (Rezoning) - Zoning Code Analysis and Findings of Fact

## The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

b. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use category of the parcel proposed for development.

**Satisfied.** The Zoning Map Amendment (Rezoning) and the Change in Land Use will not result in any increase densities or intensities in excess of the densities and intensities which are permitted by the future land use category of the parcel proposed for development.

Per the Zoning Code and CP, the maximum allowable density of 125 units per acre remains the same in either the MX1 and MX2 Zoning and Low-Rise Commercial Intensity and Mid-Rise Commercial Intensity Land Use Designations.

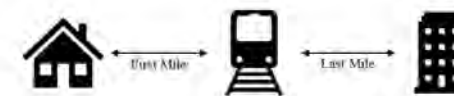
c. Will not cause a decline in the level of service for public infrastructure to a level of service which is less than the minimum requirements of the Comprehensive Plan.

**Satisfied.** The Concurrency Impact Statement (CIS) for the Project indicates there is adequate infrastructure available to support the Project. The Rezoning will not cause a decline in service for public infrastructure.

The Project will improve the level of service of public infrastructure by facilitating the following:

Creation of additional open/green space (0.43 acre Paseo) for use by the residents and neighborhood. Although not required to provide a neighborhood park or community wide facility, the size of the Paseo exceeds the level of service standards in accordance with CP Policy CIE 1.2.1. The 0.43 acres size is of a scale per the City CP that is considered a Community Wide Facilities, which far exceeds the CP Level of Services Standards for a Neighborhood Parks (0.25 -3 acres) and Urban Space (0 – 0.25 acre) standards. This additional open space will increase the available amount of open Space exceeding the level of service significantly

The location of the proposed Project will result in a reduction in vehicles trips. Residents, retail customer and restaurant patrons will have direct pedestrian/bicycle connection to US1/South Dixie Hwy Pedestrian Bridge, Univ. of Miami Campus and University Metro-Rail Station which provides regional public transportation access to the City of Miami, Coconut Grove, South Miami, Pinecrest, all northern/southern areas of Miami-Dade County and other areas of the State via Florida’s Brightline Train and TriRail Service. Coral Gables residents residing in the proposed Project will also have Direct pedestrian/bicycle connection to Downtown Coral Gables via the new UM/Miracle Mile City Trolley Route. Project supports “First Mile to Last Mile (FMLM)” connectivity.



No decline in Level of Service is expected on the adjacent roadways per the completed City Traffic Consultant (Caltran Group) Traffic Impact Analysis (TIA). The TIA finding indicate the following:

*“With additional traffic growth and trips generated by the re-development of The Mark, all analyzed intersections will have a nominal increase in traffic demands and delays.” The TIA further concluded “that during the future conditions most of the intersections will be able to operate with an acceptable Level of Service or maintain similar conditions as those expected during Scenario 2-Future Condition no-build during the highest peak traffic demands”*

# Zoning Map Amendment (Rezoning) - Zoning Code Analysis and Findings of Fact

## The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

<p>d. Does not directly conflict with any objective or policy of the Comprehensive Plan.</p>	<p><b>Satisfied.</b> Review of the CP in its entirety, as provided within the CP Consistency Analysis Section of the Application indicates this Rezoning does not directly conflict with any objective or policy of the Comprehensive Plan. Our Findings indicate, this Zoning Map and CP Map Amendments advances multiple Goals, Objectives and Policies of the CP, including the following CP Elements: Future Land Use, Design, Housing, Mobility, Recreation Open Space and Green. Please refer the Comprehensive Plan Analysis and Finds of Fact included as a part of the Application as to how this Rezoning advances the CP.</p>
<p>2. Will provide a benefit to the City in that it will achieve two or more of the following objectives:</p>	
<p>a. Improve mobility by reducing vehicle miles traveled for residents within a one-half (1/2) mile radius by:</p>	
<p>i. Balancing land uses in a manner that reduces vehicle miles traveled.</p>	<p><b>Satisfied.</b> The proposed Rezoning will continue to allow a mix of uses on the Property within a compact building that, including residential, commercial and office uses. Vehicle miles traveled will be reduced significantly based upon the Property proximity to a regional transit station/line.</p>
<p>ii. Creating a mix of uses that creates an internal trip capture rate of greater than twenty (20%) percent.</p>	<p><b>Satisfied.</b> The proposed Rezoning as MX2 Mixed will provide for internal capture between the complementary mix of land uses. The trip generation analysis of per the City TIA indicates that “the proposed development will generate 716 less daily trips.”</p>
<p>iii. Increasing the share of trips that use alternative modes of transportation, such as transit ridership, walking, or bicycle riding.</p>	<p><b>Satisfied.</b> No other Property within the City will increase the use alternative modes of transportation than the subject Property. Transit ridership, walking, or bicycle use will increase given its proximity (within steps) to a regional transit station/line with access within the City (via CG Trolley) and beyond.</p>
<p>b. Increasing the share of trips that use alternative modes of transportation, such as transit ridership, walking, or bicycle riding.</p>	<p><b>Satisfied.</b> The Rezoning will provide more opportunity for residents to utilize alternative modes of transportation.</p>
<p>c. Create affordable housing opportunities for people who live or work in the City of Coral Gables.</p>	<p><b>Satisfied.</b> The Project will provide for a mix of units ranging from 1 to 3 bedroom units provision opportunities for housing opportunities for various income levels.</p>
<p>d. Implement specific objectives and policies of the Comprehensive Plan.</p>	<p><b>Satisfied.</b> The Rezoning will support and exceed a significant number of Specific Objectives and Policies of the CP, more specifically within the following CP Elements: Future Land Use, Design, Housing, Mobility, Recreation Open Space and Green. Please refer the Comprehensive Plan Analysis and Findings of Fact included as a part of the Application as to how the Rezoning advances the CP.</p>
<p>3. Will not cause a substantial diminution of the market value of adjacent property or materially diminish the suitability of adjacent property for its existing or approved use.</p>	<p><b>Satisfied.</b> The Proposed rezoning will not cause any diminution in market value of any adjacent property or materially diminish the suitability of adjacent property for its existing or approved use.</p>

# Assignment of Planned Area Development (PAD) - Zoning Code Analysis and Findings of Fact

## The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

### Request – Assignment of Planned Area Development

The request to assign of Planned Area Development (PAD) is to accommodate minor variations in Madruga Avenue and Mariposa Court building facade “setbacks” and “stepbacks” pursuant to the Board of Architects (BOA) approval granted on 11.16.2023. As a part of the BOA approval, the BOA requested additional “architectural facade articulation” from ground level to the top floor – with specific emphasis on additional articulation at the ground floor. This necessitated the need to submit a PAD Application to modify the MX2 required setbacks/stepbacks. The changes are minimal and all other applicable Zoning Code Standards have been satisfied. See the Building Setback and Building Stepbacks Table within the Application Zoning Information (Attachment A-4) and/or Statement of Use for specific details.

The Zoning Code PAD Section 14-206.1. Required Findings requires that 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.” Please see the below Findings of Fact Executive Summary and a detailed Zoning Code Analysis and Findings of Fact in support of this PAD Application request.

### Findings of Fact Executive Summary

Thorough review of the above referenced Zoning Code Section notes the proposed Project **complies and/or advances** the assignment of PAD based upon the following.

1. The proposed Project per the Board of Architect request and approval complies and advances the PAD regulations by “encouraging compatible 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, reduce land utilization for roads and separate pedestrian and vehicular circulation systems and promote urban design amenities.”
2. Complies and advances numerous Comprehensive Plan (CP) Goals, Objective and Policies (GOP’s) with the following CP Elements: Future Land Use, Design, Mobility, Recreation Open Space and Green.
3. Includes numerous components supporting the City’s Mixed Use Zoning, Coral Gables Mediterranean Architecture development and design standards as well as Zoning Code Section 2-500.A.3, PAD Standards and Criteria. More specifically the proposed mixed use project satisfies the following PAD Standards and Criteria:
  - A. Compatible with the area as identified in the below detailed Findings of Fact.
  - B. Conforms to all applicable development standards, including floor area ratio, allowable density, exceeds landscape and open/green space requirements.
  - C. Exceeds numerous design requirements including additional architectural relief, all retail/residential operations and parking are internal to the building.
  - D. Provides adequate transition and is designed to complement and be compatible with the adjacent land use with respect to scale, density, bulk, height, landscaping and screening.
4. Satisfies and promotes a continuous, pedestrian-friendly urban environment, reducing dependence on vehicular mobility, installation of pedestrian oriented public realm improvements and lushly landscaped adjoining streets and large “open to the sky” 56 foot wide, 18,775 square foot (0.43 acre) green corridor or “Pedestrian Paseo” between the two buildings spanning from US1 to Madruga Avenue. The total open space/landscape/green area with the Paseo, elevated green areas, expanded sidewalks is 34.25% exceeding the 10% Zoning Code requirement.
5. Significant attention was employed ensuring the land planning and architectural design of the Project is compatible with the surrounding built environment. The Project height is reduced in comparison to the adjacent existing 150+ foot UM Gables One Tower as well as the taller Thesis/Paseo Property located to the south of the Property.
6. Innovative land planning and architectural design standards were utilized to negate any impacts.
7. The proposed mixed use mid-rise Project is a compatible use and proposed 97 feet building height and intensity is 50+ feet less than the existing mixed use building heights along the US1 corridor. US1 is a regional State Highway whose intended purpose is move vehicles through the “Region.”
8. No additional residential density is being requested above the minimum 125 units permitted pursuant to the Zoning Code MX provisions.
9. The proposed Project will not increase the total amount of trips or create an increase in traffic. The City of CG Traffic Consultant Traffic Impact Analysis (TIA) noted “most intersections will be able maintain similar traffic conditions in reference to the baseline conditions. As a result, “the proposed re-development of The Mark is not expected to have a negative impact in the surrounding roadway network.” Traffic mitigation measures were NOT recommended by the City’s Traffic Consultant due to no negative impact on the surrounding roadways.
10. The assignment of MX2 Zoning and PAD at this location is appropriate and less intense than permitted pursuant to the Zoning Code. The adjacent property (UM Gables One Tower) is assigned a Low-Rise Commercial Land Use, however is 150+ feet in height and taller Thesis/Paseo Project at Hardee Road/US1 is assigned a “MX Land Use,” which is consistent with the Commercial Intensity-High Land Use Designation. As is noted in Zoning Code Section 2-201. Mixed Use 1, 2 and 3 (MX1, MX2 and MX3) Districts. “The MX2 District is a medium intensity of development and is located on Miracle Mile, the Design/Industrial District area, and in the southern and northern-most reaches of the City. The MX3 District allows the highest intensity of development and is located in the City’s downtown area, along North Ponce de Leon Boulevard, Biltmore Way, and South Dixie Highway (Route 1).” The properties with the same block as this Project are constructed at Commercial High Rise Land Use and MX3 Zoning Code heights. This parcel given its location adjacent to the regional transit station/line in comparison to similar sites along US1 is typically developed as a high density, high intensity high rise development.

# Assignment of Planned Area Development (PAD) - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

## Zoning Code Analysis and Findings of Fact

Respectfully we submit the following Findings of Fact indicating the Planned Area Development Application **complies and/or advances** all the Required Findings in Zoning Code Section 14-206.1. Required Findings as follows:

### Zoning Code Section 14-206.1., Required Findings.

City Required Findings	Findings of Facts
<p>1. <i>In what respects the proposed plan is or is not consistent with the stated purpose and intent of the PAD regulations.</i></p>	<p><b>Complies.</b> The proposed Project complies with numerous CP GOP's as noted within the CP Land Use Map Amendment Application. See Attachment B-7, Comprehensive Plan Goals, Objectives and Policies - Consistency for a complete analysis.</p> <p>The proposed Project advances numerous GOP's within the following CP Elements: Future Land Use, Design, Housing, Mobility, Recreation Open Space and Green. The Findings of Fact indicate the proposed Project satisfies and advances a total of 18 Comprehensive Plan GOP's.</p>
<p>2. <i>The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.</i></p>	<p><b>Complies.</b> The Proposed Project does not depart from the zoning and subdivision regulations otherwise applicable to the subject property, including density, size, area, bulk and use. The assignment of PAD is requested to accommodate minor variations in Madruga Avenue and Mariposa Court building facades pursuant to the Board of Architects (BOA) final approval.</p> <p>The Project includes numerous components supporting and superseding the City's Mixed Use Zoning, CG Mediterranean Architecture and PAD development and design standards. The proposed Project provides a continuous, pedestrian-friendly urban environment, reducing dependence on vehicular mobility, installation of numerous pedestrian-oriented public realm improvements and lushly landscaped adjoining streets and public open spaces. More specifically, the proposed Project provides the following:</p> <ol style="list-style-type: none"> <li>1. Supports and reduces the "built form" of the area by the constructing two separate buildings that will reduce the scale of the structures and provides for less building facade length/street frontage to promote a more pedestrian friendly environment.</li> <li>2. Four "front bldg. faces" with Mediterranean Architectural features on all sides of the building. No rear or "back of the house" uses.</li> <li>3. All parking spaces and support services are located internal to the building. A separate fully enclosed sanitation/delivery space is proposed to allow all sanitation trucks and delivery trucks the ability to maneuver entirely internal within an enclosed space(room). All deliveries of goods and services will be completed internally within this space or within the parking garage.</li> <li>4. Creation of a large "open to the sky" 56 foot wide, 18,775 square foot (0.43 acre) green corridor or "Pedestrian Paseo" between the two buildings spanning from US1 to Madruga Avenue. The total open space/landscape/green area with the Paseo, elevated green areas, expanded sidewalks is 34.25% exceeding the 10% Zoning Code requirement.</li> <li>5. Pedestrian amenities within the Paseo, surrounding building perimeter and adjacent rights-of-way. include outdoor dining areas, meditation garden, dog comfort station, benches, planters, ground level/overhead lighting, numerous exterior bicycle racks, refuse containers, sidewalk pavement treatments, under-and-overstory landscaping, a centrally located water feature and synthetic lawn areas for yoga or other similar activities.</li> </ol>

# Assignment of Planned Area Development (PAD) - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

6. Wide 10 to 30 foot pedestrian sidewalks on all building sides. A 30 foot sidewalk along US1/South Dixie Highway.
7. Restaurant/Retail/Office/Live Work uses “line” the exterior building facades and Paseo. Live Work residential units occupy the rear portion of the Paseo as well as the facade adjacent to the multi-family condominium on Madruga Avenue. This will promote increased on street pedestrian activity and provide a compatible use with the adjacent residential uses.
8. “Dog friendly” comfort stations and waste removal stations are strategically located throughout the Project site for easy access.
9. All roof top outdoor amenities such as the pool, meditation garden, outdoor open spaces face/front US1. No outdoor open areas will front/face any adjoining residential uses. Apartment units line the 2<sup>nd</sup> to 8<sup>th</sup> floor (roof top units) along the US1, Mariposa Court, Madruga Avenue and UM Gables One Tower property lines.
10. To support mobility measures, given the Property location adjacent to a regional transit system, a new Mobility Boulevard is planned along the entire Mariposa Court R.O.W., additional exterior bike racks as well as numerous interior bike storage rooms.
11. All utilities on Property will be installed underground in accordance with the City Code.
12. Numerous architectural design elements have been provided that are consistent and exceed the Coral Gables Mediterranean Architecture Design Standards. The Project is consistent with “George Merricks” vision and Historic Buildings references as outlined in the Zoning Code. These design elements in support include the following: perimeter building stepbacks to articulate the facade surfaces; cantilevered open balconies on all facades; frequent use of doors and windows (retail display windows); archways; building/door awnings providing shade; arcade; loggias or covered areas; architectural relief elements (.i.e., windows, cornice lines, balcony brackets, facade mounted and ceiling mounted light fixtures with the loggias/building overhangs, fenestration of exterior overhead doors, etc.). All walls will have articulation and/or fenestration - no blank walls. Please refer to the complete Architectural Plan Set included with the Application Package for further details.

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

**Complies.** The proposed Project meets and exceeds the requirements and standards of the PAD regulations. Please refer to above item No. 2 for a listing of proposed Project amenities and enhancements.

4. *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.*

**Complies.** The physical design of the Project satisfies all applicable provisions for public services, provides adequate control over vehicular traffic, provides for additional common open space/green areas, and further the amenities of light and air, recreation and visual enjoyment. Significant attention was exercised ensuring the land planning and architectural design of the Project is compatible with the surrounding built environment.

With reference to vehicular traffic, the City of CG Traffic Consultant Traffic Impact Analysis (TIA) concluded that “most intersections will be able maintain similar conditions in reference to the baseline conditions. As a result, the proposed re-development of The Mark is not expected to have a negative impact in the surrounding roadway network after implementing the recommendations included in this report.” The results of the trip generation analysis indicate that the proposed development will generate 716 less daily trips, 126 more AM peak hour trips, and 20 more PM peak hour trips when compared to the existing traffic the University Center commercial, retail, and medical land uses generate.

Traffic mitigation measures were NOT recommended by the City’s Traffic Consultant due to no negative impact on the surrounding roadways.

# Assignment of Planned Area Development (PAD) - Zoning Code Analysis and Findings of Fact

## The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

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

**Complies.** The proposed mixed use mid-rise Project at 97 feet is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures. The proposed Project is a compatible use with existing mixed uses along the US1 corridor. The proposed building height and intensity is less than adjacent buildings. No additional residential density is being requested above the minimum 125 units permitted pursuant to the Zoning Code.

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

**Complies.** Significant attention was exercised ensuring the land planning and architectural design of the Project is compatible with the surrounding “built environment”. The height of the Project is reduced in comparison to the adjacent existing 150+ foot UM Gables One Tower as well as the adjoining Thesis/Paseo Property located to the south of the Property. The importance of scale and compatibility with adjoining uses is a predominate quality of the Project. Particular attention was also placed upon including architectural attributes to create a sense of place, including the spatial relationship of buildings and the characteristics created to ensure attractive and functional areas

The increase in height to 97 feet allowed for the opportunity to exercise superior land planning and architectural design attributes to provide a significantly improved pedestrian friendly environment that is also compatible with the surrounding built environment. The increase in height provided for the following:

1. Creation of a larger ground floor open/green space “open to the sky” 56 feet in width (exceeding the Zoning Code 20 foot requirements) 18,775 square foot (0.43 acre) “Paseo” which exceeds the Zoning Code open/green space requirements.
2. Creation of two smaller scaled buildings thereby reducing the total overall building/bulk/mass as well as reduction in building facade length/street frontage.
3. Internalization of all parking and building supports services.
4. Placement of live/work units facing Madruga Avenue to complement the adjoining multifamily residential uses.
5. Wider pedestrian sidewalks on all building sides with a larger 30 foot along US1/South Dixie Highway frontage.
6. Expanded ground floor open space which provided additional opportunities to place additional pedestrian amenities surrounding building perimeter.

The parcel size of approximately 3.2 acres is adequate in size and shape to accommodate all development features and given location its location next to a regional transit station/line parcels of this size are typically constructed as high rise development with significantly more density and intensity.

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

**Complies.** The proposed Project complies with numerous CP Goals, Objectives and Policies and advances numerous objectives and policies that are desirable to the City -including creating a sense of place, to live, work and play. The proposed Project will be an amenity to the residents, neighborhoods residents and provide additional good and services to the community.



# Conditional Use Mixed Use Site Plan and Live Work Units - Zoning Code Analysis and Findings of Fact

## The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

### Request – Conditional Use Mixed-Use Site Plan

A Mixed-Use Site Plan and placement of Live Work Units requires Conditional use review pursuant to Zoning Code Section 14-203. The proposal is to develop a mixed-used mid-rise development with a height of 97 feet/8 stories to include the following mix of uses:

- 393 Residential Apartments
- 12 Live Work Ground Floor Units (15,858 sq.ft.)
- 6,738 sq.ft. Retail
- 12,532 sq.ft. Restaurant
- 2,567 sq.ft. Office

### Findings of Fact Executive Summary

Thorough review of the Zoning Code notes the proposed Project **complies and/or advances** the following City Standards to permit the Conditional Use Mixed-Use Site Plan:

1. The proposed Project complies and advances with numerous Comprehensive Plan (CP) Goals, Objective and Policies (GOP's) with the following CP Elements: Future Land Use, Design, Housing, Mobility, Recreation Open Space and Green.
2. The proposed Project includes numerous components supporting the City's Mixed Use Zoning and Coral Gables Mediterranean Architecture development and design standards.
3. The proposed Project satisfies and promotes the MXD District Purpose and Intent by providing a continuous, pedestrian-friendly urban environment, reducing dependence on vehicular mobility, installation of pedestrian oriented public realm improvements and lushly landscaped adjoining streets and a 19,000 sq.ft./0.43 ground floor "Paseo."
4. Significant attention was exercised ensuring the land planning and architectural design of the Project is compatible with the surrounding built environment. The height of the Project is reduced in comparison to the adjacent existing 150+ foot UM Gables One Tower as well as the 146/150 foot Thesis/Paseo Property located to the south of the Property.
5. The proposed conditional use will not adversely or unreasonably affect the use of other property in the area. Innovative land planning and architectural design standards were utilized to negate any impacts.
6. The proposed Mixed use Project is a compatible use and proposed building height and intensity is 50+ feet less than the existing mixed use building heights along the US1 corridor. US1 is a regional State Highway whose intended purpose is move vehicles through the "Region."
7. No additional residential density is being requested above the minimum 125 units permitted pursuant to the Zoning Code.
8. The proposed Project will not increase the total amount of trips or create an increase in traffic. The City of CG Traffic Consultant completed a Traffic Impact Analysis (TIA) and noted "*most intersections will be able maintain similar traffic conditions in reference to the baseline conditions. As a result, the proposed re-development of The Mark is not expected to have a negative impact in the surrounding roadway network.*"
9. The assignment of MX2 Zoning and Conditional Use to permit a mixed use Project at this location is appropriate and less intense than permitted pursuant to the Zoning Code. The adjacent property (UM Gables One Tower) is assigned a Low-Rise Commercial Land Use, however is 150+ feet in height and 146/150 foot Thesis/Paseo Project at Hardee Road/US1 is assigned a "MX Land Use," which is consistent with the Commercial Intensity-High Land Use Designation. As is noted in Section Zoning Code Section 2-201. Mixed Use 1, 2 and 3 (MX1, MX2 and MX3) Districts. "*The MX2 District is a medium intensity of development and is located on Miracle Mile, the Design/Industrial District area, and in the southern and northern-most reaches of the City. The MX3 District allows the highest intensity of development and is located in the City's downtown area, along North Ponce de Leon Boulevard, Biltmore Way, and South Dixie Highway (Route 1).*" The properties with the same block as this Project are constructed at Commercial High Rise Land Use and MX3 Zoning Code heights of 150+ feet. This parcel given its location adjacent to the regional transit station/line in comparison to similar sites along US1 is typically developed as a high density, high intensity high rise development.

# Conditional Use Mixed Use Site Plan and Live Work Units - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

## Zoning Code Analysis and Findings of Fact

Zoning Code Section 14-203.8. Standards for review requires the Planning and Zoning Board and the City Commission to provide findings of fact that a conditional use complies with the following standards and the criteria applicable to each conditional use.

Respectfully we submit the following Findings of Fact indicating the Conditional Use Mixed Use Site Plan Application **complies and/or advances** all of the following City Standards:

Standard	Findings of Facts
<p>1. <i>The proposed conditional use is consistent with and furthers the goals, policies and objectives of the Comprehensive Plan and furthers the purposes of these regulations and other City ordinances and actions designed to implement the Plan.</i></p>	<p><b>Complies.</b> The Proposed Project complies with numerous CP GOP's as noted within the CP Land Use Map Amendment Application Findings of Fact. The proposed Project advances numerous GOP's within the following CP Elements: Future Land Use, Design, Housing, Mobility, Recreation Open Space and Green. The Findings indicate a total of 18 GOP's are satisfied and in many instances, the proposed Project advances the City GOP's satisfying this Standard.</p> <p>The Project includes numerous components supporting and superseding the City's Mixed Use Zoning and Coral Gables Mediterranean Architecture development and design standards. The proposed Project satisfies the MXD District Purpose and Intent by providing a continuous, pedestrian-friendly urban environment, reducing dependence on vehicular mobility, installation of numerous pedestrian-oriented public realm improvements and lushly landscaped adjoining streets and public open spaces. More specifically, the proposed Project provides the following:</p> <ol style="list-style-type: none"> <li>1. Supports and reduces the "built form" of the area by the constructing two separate buildings that will reduce the scale of the structures and provides for less building facade length/street frontage to promote a more pedestrian friendly environment.</li> <li>2. Four "front bldg. faces" with Mediterranean Architectural features on all sides of the building. No rear or "back of the house" uses.</li> <li>3. All parking spaces and support services are located internal to the building. A separate fully enclosed sanitation/delivery space is proposed to allow all sanitation trucks and delivery trucks the ability to maneuver entirely internal within an enclosed space(room). All deliveries of goods and services will be completed internally within this space or within the parking garage.</li> <li>4. Creation of a large "open to the sky" 56 foot wide, 19,000 square foot (0.43 acre) green corridor or "Pedestrian Paseo" between the two buildings spanning from US1 to Madruga Avenue. The total open space green area with the Paseo, elevated green areas, expanded sidewalks is approximately 30% exceeding the 10% Zoning Code requirement.</li> <li>5. Pedestrian amenities within the Paseo, surrounding building perimeter and adjacent rights-of-way. include outdoor dining areas, meditation garden, dog comfort station, benches, planters, ground level/overhead lighting, numerous exterior bicycle racks, refuse containers, sidewalk pavement treatments, under-and-overstory landscaping, a centrally located water feature and synthetic lawn areas for yoga or other similar activities.</li> <li>6. Wide 10 to 30 foot pedestrian sidewalks on all building sides. A 30 foot sidewalk along US1/South Dixie Highway.</li> <li>7. Restaurant/Retail/Office/Live Work uses "line" the exterior building facades and Paseo. Live Work residential units occupy the rear portion of the Paseo as well as the facade adjacent to the multi-family</li> </ol>

# Conditional Use Mixed Use Site Plan and Live Work Units - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

condominium on Madruga Avenue. This will promote increased on street pedestrian activity and provide a compatible use with the adjacent residential uses.

8. "Dog friendly" comfort station with a synthetic lawn at the Mariposa Court/Madruga Avenue corner. Additional water fountains and waste removal stations are strategically located throughout the Project site for easy access.
9. All roof top outdoor amenities such as the pool, meditation garden, outdoor open spaces face/front US1. No outdoor open areas will front/face any adjoining residential uses. Apartment units line the 2<sup>nd</sup> to 8<sup>th</sup> floor (roof top units) along the US1, Mariposa Court, Madruga Avenue and UM Gables One Tower property lines.
10. To support mobility measures, given the Property location adjacent to a regional transit system, additional exterior bike racks as well as interior bike storage rooms have been provided. The delineation of an scooter location has also been included on Mariposa Court next to the US1 Pedestrian Bridge.
11. All utilities on Property will be installed underground in accordance with the City Code.
12. Numerous architectural design elements have been provided that are consistent and exceed the Coral Gables Mediterranean Architecture Design Standards. The Project is consistent with "George Merricks" vision and Historic Buildings references as outlined in the Zoning Code. These design elements in support include the following: perimeter building stepbacks to articulate the facade surfaces; cantilevered open balconies on all facades; frequent use of doors and windows (retail display windows); archways; building/door awnings providing shade; arcade; loggias or covered areas; architectural relief elements (.i.e., windows, cornice lines, balcony brackets, facade mounted and ceiling mounted light fixtures with the loggias/building overhangs, fenestration of exterior overhead doors, etc.). All walls will have articulation and/or fenestration - no blank walls. Please refer to the complete Architectural Plan Set included with the Application Package for further details.

2. *The available use to which the property may be put is appropriate to the property that is subject to the proposed conditional use and compatible with existing and planned uses in the area.*

**Complies.** Significant attention was exercised ensuring the land planning and architectural design of the Project is compatible with the surrounding built environment. The height of the Project is reduced in comparison to the adjacent existing 150+ foot UM Gables One Tower as well as the adjoining 146/150 feet Thesis/Paseo Property located to the south of the Property. The importance of scale and compatibility with adjoining uses is a predominate quality of the Project. Particular attention was also placed upon including architectural attributes to create a sense of place, including the spatial relationship of buildings and the characteristics created to ensure attractive and functional areas

The increase in height to 97 feet allowed for the opportunity to exercise better land planning and architectural design attributes to provide a significantly better pedestrian friendly environment that is also compatible with the surrounding built environment. The increase in height provided for the following:

1. Creation of a larger ground floor open/green space "open to the sky" 56 feet in width (exceeding the Zoning Code 20 foot requirements) 19,000 square foot (0.43 acre) "Paseo" which exceeds the Zoning Code open/green space requirements.
2. Creation of two smaller scaled buildings thereby reducing the total overall building/bulk/ mass as well as reduction in building facade length/street frontage.
3. Internalization of all parking and building supports services.
4. Placement of live/work units facing Madruga Avenue to complement the adjoining multifamily residential uses.

# Conditional Use Mixed Use Site Plan and Live Work Units - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

3. <i>The proposed conditional use does not conflict with the needs and character of the neighborhood and the City.</i>	5. Wider pedestrian sidewalks on all building sides with a larger 30 foot along US1/South Dixie Highway frontage. With the expanded ground floor open space, additional opportunities to place additional pedestrian amenities surrounding building perimeter.
4. <i>The proposed conditional use will not adversely or unreasonably affect the use of other property in the area.</i>	<b>Complies.</b> The proposed Project at 97 feet/8 stories is a less intense development than currently exists along US1 and is supported by the City's Zoning Code, therefore, does not conflict with the needs or character of the neighborhood and the City. As is noted elsewhere in the Findings, per Zoning Code Section 2-201. Mixed Use 1, 2 and 3 (MX1, MX2 and MX3) Districts, Purpose and Applicability indicates "South Dixie Highway (Route 1) is appropriate for more intense MX3 Zoning which permits building height up to 150/190.5 feet.
5. <i>The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.</i>	<b>Complies.</b> The proposed conditional use will not adversely or unreasonably affect the use of other property in the area. Significant attention was exercised ensuring the land planning and architectural design of the Project is compatible with the surrounding built environment.
6. <i>The parcel proposed for development is adequate in size and shape to accommodate all development features.</i>	<b>Complies.</b> The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures. The proposed Mixed Use Project is a compatible use with existing mixed uses along the US1 corridor. The proposed building height and intensity is less than adjacent buildings. No additional residential density is being requested above the minimum 125 units permitted pursuant to the Zoning Code.
7. <i>The nature of the proposed development is not detrimental to the health, safety and general welfare of the community.</i>	<b>Complies.</b> The parcel size of approximately 3.2 acres in size is adequate in size and shape to accommodate all development features and given location its location next to a regional transit station/line parcels of this size are typically constructed as high rise development with significant density and intensity.
8. <i>The design of the proposed driveways, circulation patterns and parking are well defined to promote vehicular and pedestrian circulation.</i>	<b>Complies.</b> The proposed development is not detrimental to the health, safety and general welfare of the community. The proposed project complies with numerous CP Goals, Objectives and Policies and advances numerous objectives and policies that are desirable to the City -including creating a sense of place, to live, work and play. The proposed project will be an amenity to the residents, neighborhoods residents and provide good and services to the community.
9. <i>The proposed conditional use satisfies the concurrency standards of Section 14-218. and will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner.</i>	<b>Complies.</b> The design of the proposed driveways, circulation patterns and parking are well defined to promote vehicular and pedestrian circulation. The City's Traffic Consultant as a part of the TIA Study has reviewed driveways, circulation patterns and has recommended one condition of review that has been incorporated and/or agreed upon by the developer.  Two new gated, vehicle entrances are located on Madruga Avenue and the existing US1 entrances will remain in its original location.  All parking spaces and all support services for the building are entirely internal to the building. A separate fully enclosed sanitation/delivery space has been provided within each building. This area is designed to allow all sanitation trucks and delivery trucks the ability to maneuver entirely internal within the space. All deliveries of goods and services will be completed internally within this space or within the parking garage.
	<b>Complies.</b> All parking is internal to the building. The City of Coral Gables Traffic Consultant completed a Traffic Impact Analysis (TIA) and noted most intersections will be able maintain similar conditions in reference to the baseline conditions. As a result, the proposed re-development of The Mark is not expected to have a negative impact in the surrounding roadway network after implementing the recommendations included in this report. The results of the trip generation analysis indicate that the proposed development will generate

# Conditional Use Mixed Use Site Plan and Live Work Units - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

716 less daily trips, 126 more AM peak hour trips, and 20 more PM peak hour trips when compared to the existing traffic the University Center commercial, retail, and medical land uses generate.

It should be noted the subject property is within the City's Traffic Concurrency Exemption Area, also known as the Gables Redevelopment Infill District (GRID) which provides for the following:

*"Policy MOB-2.2.2. A proposed development will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the adopted Comprehensive Plan and it meets the following criteria pursuant to Section 163.3180*

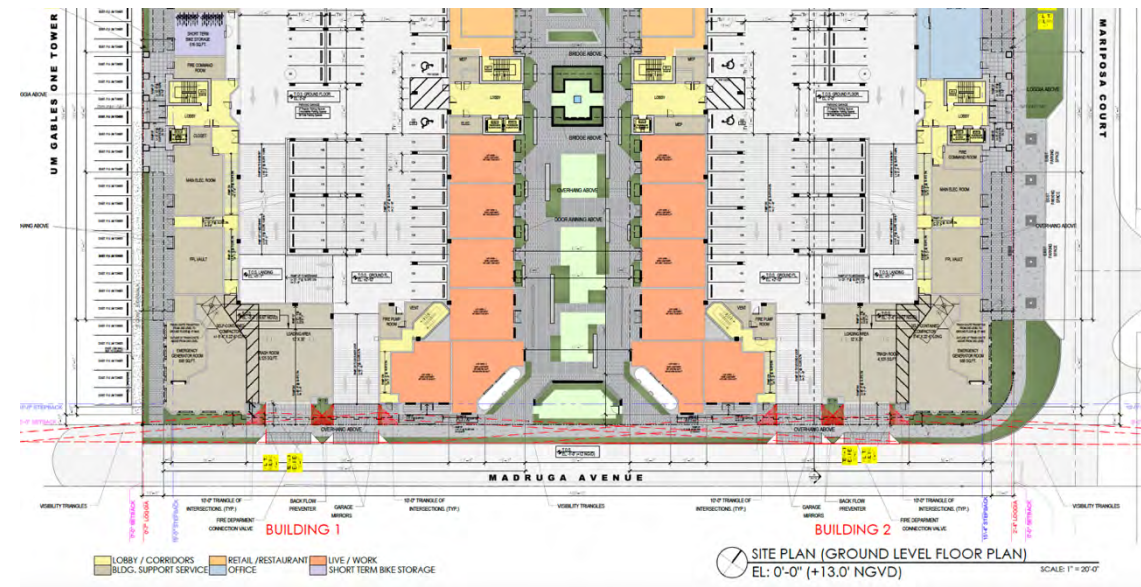
*(5) (b), Florida Statutes, as amended:*

- The proposed development is located within the Gables Redevelopment and Infill District.*
- If the project would result in an increase in peak-period traffic volume on a Florida Intrastate Highway System (FIHA).*
- FIHA roadway that is operating below any adopted LOS standard, which increase would exceed two (2%) percent of the capacity of the roadway at the adopted LOS standard, the City shall require the developer and successors to implement and maintain trip reduction measures to reduce travel by single-occupant vehicles so that the resultant increase in traffic volume does not exceed two (2%) percent."*

No traffic mitigation measures were recommended by the City's Traffic Consultant due to no negative impact on the surrounding roadways.

## Request - Conditional Use to Permit Live Work Units

Twelve (12) Live Work Units (noted in orange on the below illustration) are proposed within the Project Paseo and facing the Madruga Avenue side (adjacent to the Villa Capri Condominiums). Pursuant to Zoning Code Section 3-101. Principal Uses Table, the placement of Live Work Units requires Conditional use review to satisfy the Standards for Review provided for in Zoning Code Section 14-203.



# Conditional Use Mixed Use Site Plan and Live Work Units - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

## Findings of Fact Executive Summary

Thorough review of the Zoning Code notes the Conditional Use to permit Live Works Units within the proposed Project **complies** will all Zoning Code Section 14-203.8., Standards for review as documented in the below Zoning Code Analysis and Findings of Fact. The Live Work (L/W) units are a permitted use subject to Conditional Use review and approval. All applicable provisions governing the operation of the L/W units will be satisfied.

## Live Work Units - Zoning Code Analysis and Findings of Fact

Zoning Code Section 14-203.8. Standards for review requires the Planning and Zoning Board and the City Commission to provide findings of fact that a conditional use complies with the following standards and the criteria applicable to each conditional use:

Standard	Findings of Facts
1. <i>The proposed conditional use is consistent with and furthers the goals, policies and objectives of the Comprehensive Plan and furthers the purposes of these regulations and other City ordinances and actions designed to implement the Plan.</i>	<b>Complies.</b> Live Work (L/W) is a permitted use subject to Conditional Use review and approval. All applicable provisions governing the operation of the L/W units will be satisfied. The proposed conditional use is consistent with and furthers the goals, policies and objectives of the Comprehensive Plan and furthers the purposes of these regulations and other City ordinances and actions designed to implement the Plan.
2. <i>The available use to which the property may be put is appropriate to the property that is subject to the proposed conditional use and compatible with existing and planned uses in the area.</i>	<b>Complies.</b> The L/W appropriate to the property that is subject to the proposed conditional use and compatible with existing and planned uses in the area.
3. <i>The proposed conditional use does not conflict with the needs and character of the neighborhood and the City.</i>	<b>Complies.</b> The L/W Use is internal to the Project and is utilized as a transitional use on the rear of the property providing ground level residential uses and providing for additional pedestrian activity on the ground floor.
4. <i>The proposed conditional use will not adversely or unreasonably affect the use of other property in the area.</i>	<b>Complies.</b> The L/W Use is internal to the Project and will not adversely or unreasonably affect the use of other property in the area.
5. <i>The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.</i>	<b>Complies.</b> The L/W Use is internal to the Project and is compatible with the multi-family nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.
6. <i>The parcel proposed for development is adequate in size and shape to accommodate all development features.</i>	<b>Complies.</b> The L/W units will satisfy all L/W Zoning Code provisions.
7. <i>The nature of the proposed development is not detrimental to the health, safety and general welfare of the community.</i>	<b>Complies.</b> The L/W operations and use is compatible with the nature of the proposed development is not detrimental to the health, safety and general welfare of the community.
8. <i>The design of the proposed driveways, circulation patterns and parking are well defined to promote vehicular and pedestrian circulation.</i>	<b>Complies.</b> The City's Traffic Consultant as a part of the TIA Study has reviewed entrances and has recommended some changes to the plan that have been incorporated and/or agreed upon.
9. <i>The proposed conditional use satisfies the concurrency standards of Section 14-218. and will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner.</i>	<b>Complies.</b> The L/W Units will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner.

# Zoning Text Amendment to Appendix A. Site Specific Zoning Regulations-Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

## Request

The Request is to amend the Zoning Code, Appendix A, Site Specific Zoning Regulations, specifically Section A-83 Riviera Section Part 8. The amendment is necessary to be consistent with the Proposed Project land development parameters. These Site Specific Regulations date back to the 1994 Zoning Code and as written are inconsistent and in conflict with currently assigned/adopted City of Coral Gables MX1 Zoning Map Designation and MX1 Zoning Code Land Development regulations (i.e., permitted height, number of stories, etc.). The City determined as each parcel undergoes discretionary City review, the Site Specific Regulations would be amended on a case-by-case basis. These Regulations were not updated as a part of the past comprehensive Zoning Code rewrites.

See below underlining for additions and ~~strike through~~ for deletions:

### Section A-83 - Riviera Section Part 8.

- A. Floor area ratio (FAR) Provisions for buildings four (4) or more stories in height.
  1. See Archived Zoning Code Section 3-6(y).
  2. Maximum floor area ratio (FAR) for C District buildings four (4) stories in height located on the following described property shall not exceed 1.5: (2829)
    - a. Lots 1 through 13, inclusive, Block 148.
    - b. Lots 1, 16, 17 and 27 in Block 155.
    - c. ~~Lots 27, 28, 29, 30 and 31, in Block 156.~~
    - d. All portions of Tract A except for the Southwesterly 360.00 feet and northeasterly 425 feet of Tract A.
  3. Maximum floor area ratio (FAR) for C District buildings located on the following described property shall not exceed 3.5:
    - a. The Southwesterly 360.00 feet of Tract A.
- B. Height of buildings.
  1. No commercial building shall be constructed or erected on the following described properties to exceed four (4) stories or forty-five (45) feet, whichever is less:
    - a. Lots 1 through 13, inclusive, Block 148.
    - b. Lots 1, 17, 26 and 27, Block 155.
    - c. ~~Lots 27, 28, 29, 30 and 31, Block 156.~~
    - d. All portions of Tract A except for the Southwesterly 360.00 feet and northeasterly 425 feet of Tract A.
  2. No commercial building shall be constructed or erected on the following described properties to exceed one hundred and twenty-six (126) feet:
    - a. The Southwesterly 360.00 feet of Tract A.
  3. No residential or mixed-use building shall be constructed or erected on the following described properties to exceed one hundred twenty-two (122) feet:
    - a. The Southwesterly 360.00 feet and northeasterly 425 feet of Tract A.
- C. Setbacks-Minimum front.
  1. All portions of Tract A except for the Southwesterly 360.00 feet and northeasterly 425 feet of Tract A.-One-hundred and twenty-five (125) feet (P. B. 46, Page 100).
- D. Setbacks-Minimum rear.
  1. All portions of Tract A except for the Southwesterly 360.00 feet and northeasterly 425 feet of Tract A.-Fifty (50) feet (P. B. 46, Page 100).

## Findings of Fact Executive Summary

Respectfully, based upon the Zoning Code Analysis and Findings of Fact provided herein, we find the Zoning Code Text Amendment Request complies with the City Zoning Code “Standards for Review” for granting the Request.

# Zoning Text Amendment to Appendix A. Site Specific Zoning Regulations-Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

## Zoning Code Analysis and Findings of Fact

Section 14-212. Zoning Code Text and Map Amendments, specifically Section 14-212.5. Standards for review of Zoning Code text amendments requires text amendments to the land development regulations may be approved if the text amendment satisfies the following:

City Standards	Findings of Facts
A. Promotes the public health, safety, and welfare.	The Project shall be developed pursuant to all of the applicable City land development regulations of the Zoning Code and Goals, Objectives and Policies of the Comprehensive Plan, therefore will promote public health, safety and welfare.
B. Does not permit uses the Comprehensive Plan prohibits in the area affected by the text amendment.	The property is currently assigned Low-Rise Intensity Land Use Classification and accompanying MX1, Mixed Use 1 Zoning. Proposed development of the Property will satisfy all applicable City land development requirements and permitted land uses.
C. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property.	The text amendment does not allow densities or intensities in excess of the densities and intensities which are permitted by the current future land use categories of the affected property.
D. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less the minimum requirements of the Comprehensive Plan.	The Project shall satisfy all applicable level of service and/or concurrency requirements.
E. Does not directly conflict with an objective or policy of the Comprehensive Plan	Based upon the complete review of the City's Comprehensive Plan provided in another section of this Application submittal – "No objective or policy of the Comprehensive Plan is in direct conflict."

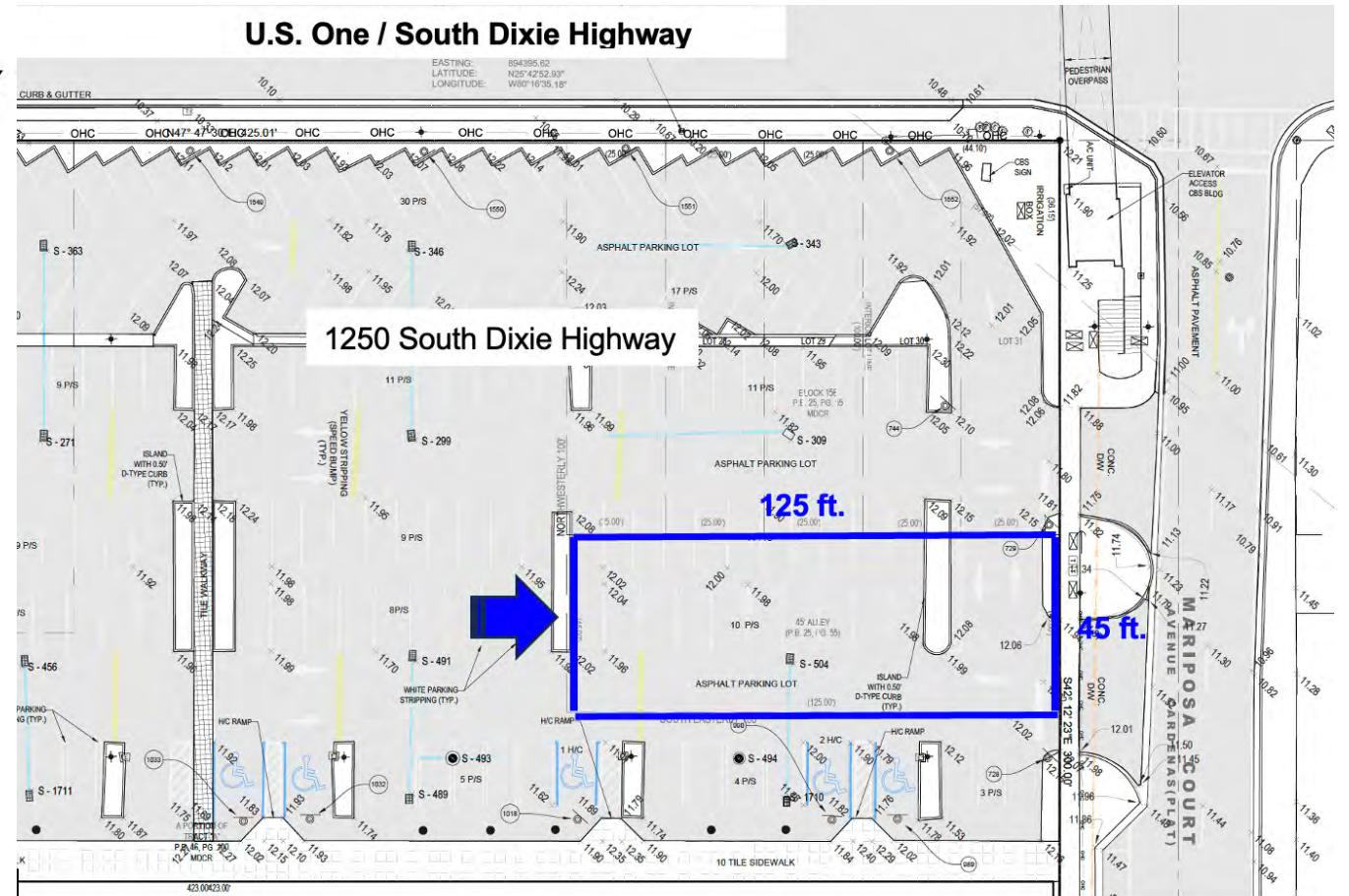
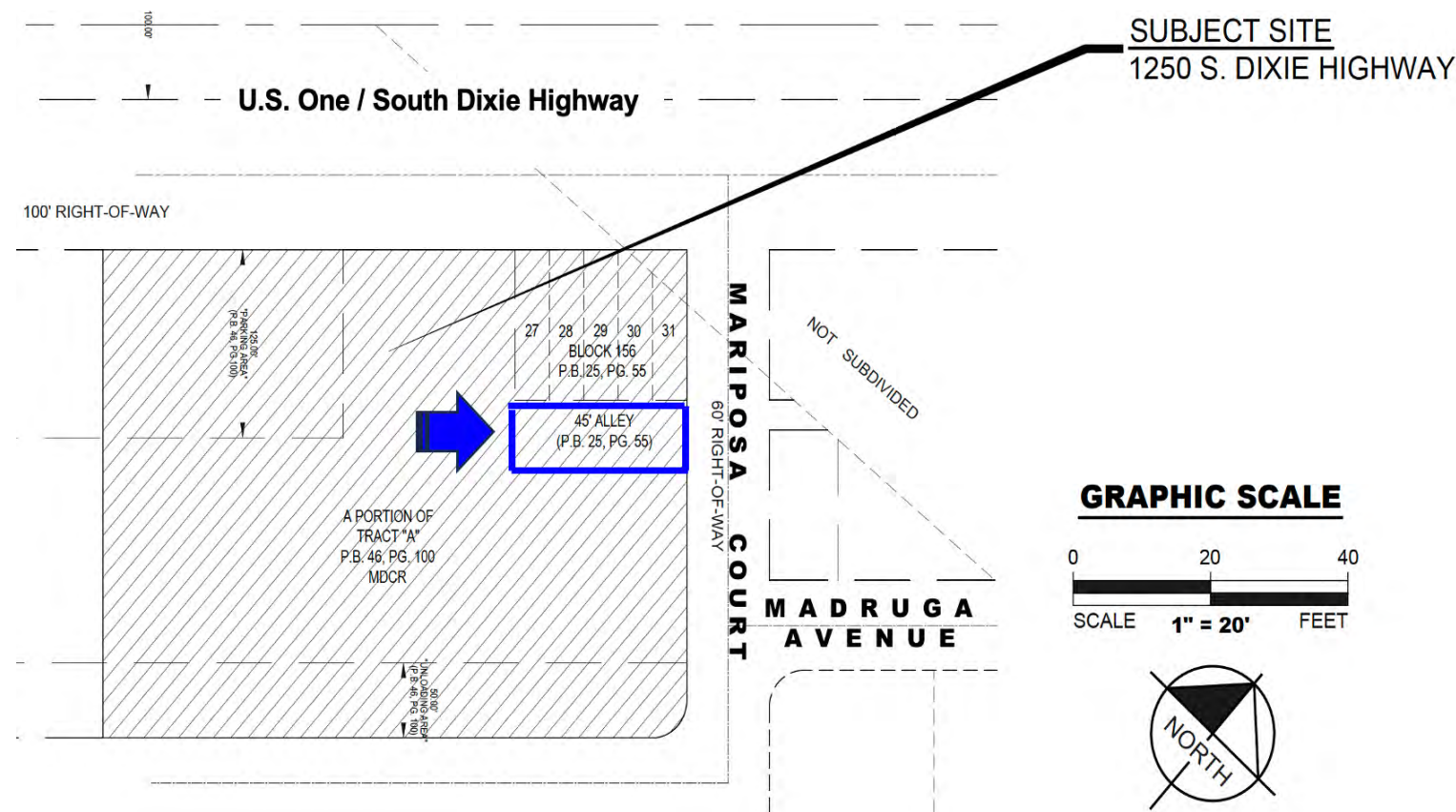


# Abandonment and Vacation - Zoning Code Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

## Request

Abandonment and vacation of 45 foot by 125 foot dead end alley located on the northeastern portion of the 1250 South Dixie Highway property.



## Findings of Fact Executive Summary

The alley does not serve any public purpose due to its “dead-end” configuration and since the 1950’s has been used as vehicle parking spaces, landscape islands and partial driveway for the retail shopping center. This alley spans approximately 1/3 of the total property width and does not connect to another alley or City public rights-of-way. The dead end serves no public purpose and does not provide for a more efficient use and safer network of City streets.

Respectfully, based upon the below listed Zoning Code Analysis and Findings of Fact, we find the Abandonment and Vacation Application Request **complies** with the City Zoning Code “Standards for Review for granting the Request.

# Abandonment and Vacation - Zoning Code Analysis and Findings of Fact

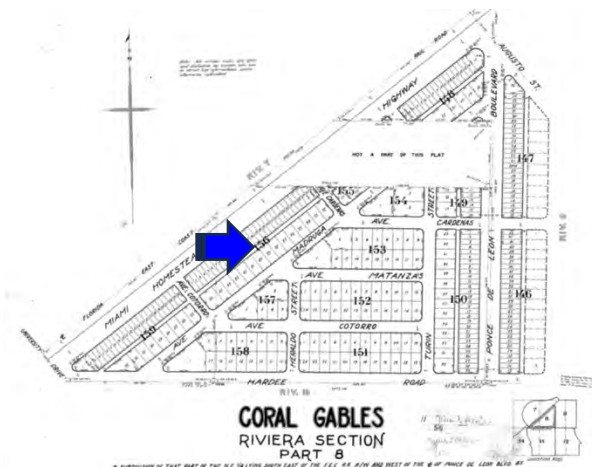
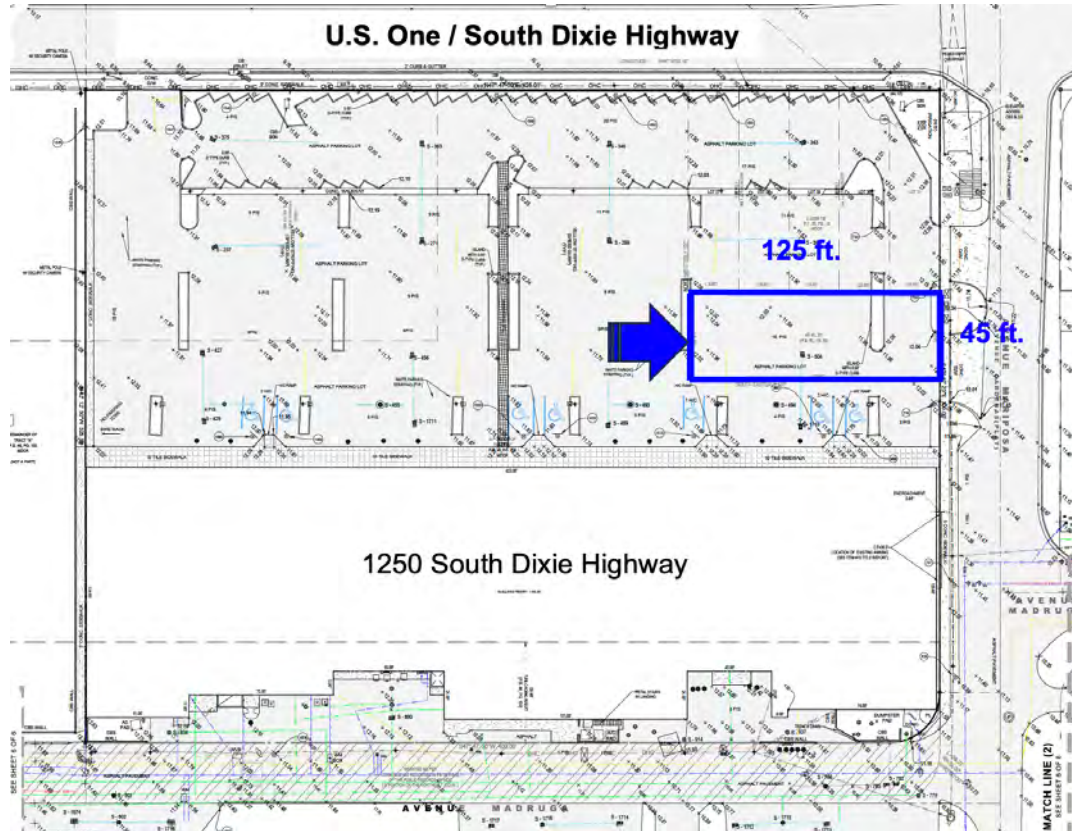
The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

## Zoning Code Analysis and Findings of Fact

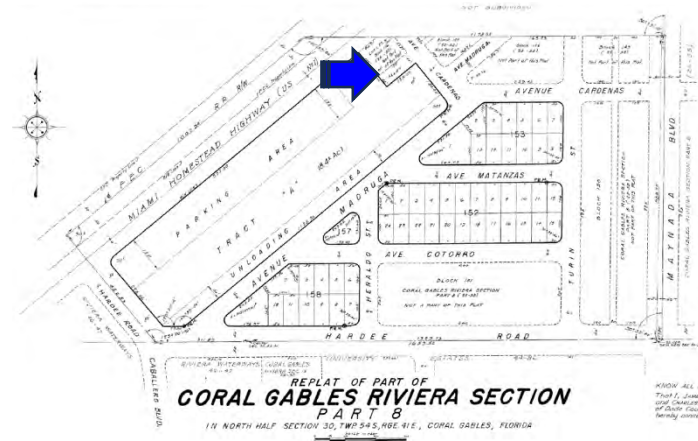
Zoning Code, Section 14-211. Abandonment and Vacations, specifically Section 14-211.3. Standards for review requires applications for abandonment and vacation of city streets, alleys, special purpose easements and other non-fee interests to be approved provided that it is demonstrated that:

City Standards	Findings of Facts
<p>1. A. The non-fee property interest sought to be abandoned:</p> <ul style="list-style-type: none"><li>1. Does not provide a benefit to the public health, safety, welfare, or convenience, in that:<ul style="list-style-type: none"><li>a. It is not being used by the City for any of its intended purposes.</li><li>b. The Comprehensive Plan, special purpose plan, or capital improvement program does not anticipate its use; or”</li></ul></li><li>2. Provides some benefit to the public health, safety, welfare, or convenience, but the overall benefit anticipated to result from the abandonment outweighs the specific benefit derived from the non-fee property interest, in that:<ul style="list-style-type: none"><li>a. The vacation or abandonment will not frustrate any comprehensive plan, special purpose plan, or capital improvement program of the City:</li><li>b. The vacation or abandonment will not interfere with any planning effort of the City that is underway at the time of the application but is not yet completed; and</li></ul></li></ul>	<p>The alley has not been used by the City for public purpose due to its dead-end configuration since the 1950’s. The alley has been used as vehicle parking spaces, landscape islands and a portion of the driveway to the shopping center. Since the alley has no connection or “throughway” to an adjacent public right of way, it has no public purpose and provides no public benefit.</p> <p>The alley has no anticipated use per our review of the Comprehensive Plan, special purpose plan or capital improvement program.</p> <p>The alley provides no benefit to the public health, safety, welfare, or convenience and the vacation will not frustrate any comprehensive plan, special purpose plan, or capital improvement program of the City due to its dead-end configuration. The alley provides no connection to adjacent City rights-of-way, therefore serves no purpose and does not provide for a more efficient use and safer network of City streets.</p> <p>The proposed vacation/abandonment has not interfered with any current or future planning effort of the City.</p>
<p>2. B. The vacation or abandonment will provide a material public benefit in terms of promoting the desired development and improves the City’s long-term fiscal condition and the applicant provides beneficial mitigation in the form of a proffered mitigation plan which mitigates the loss of real property, the increase in the intensity of use and/or impacts on the public health, safety and welfare including increased parking and traffic.</p>	<p>The abandonment/vacation of the alley will allow for efficient land planning and site design techniques to achieve overall coordinated development of the parcel into a unified development. The abandonment shall promote and accommodate the City’s intended use of the parcel as a mixed-use development consistent with its assigned Mixed-use zoning designation. The parcel can then be developed pursuant to the City MXD Districts standards creating a continuous, pedestrian-friendly urban environment, bringing together the activities of daily living, and reducing dependence on vehicular mobility.</p>

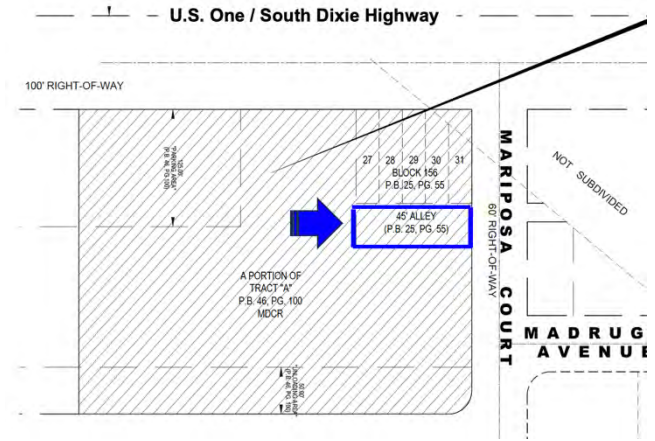
# Block 156 Alley Abandonment History/Evolution Proposed Vacation of Remaining 45 ft by 1250 South Dixie Highway



1925



1949



2024

# Comprehensive Plan (CP) Consistency Analysis and Findings of Fact

The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

This document provides a complete analysis of the City’s Comprehensive Plan to determine if the proposed Project/Application is consistent with each CP Goal, Objective and Policy.

## Comprehensive Plan (CP) Analysis and Findings of Fact

Thorough review of the City’s Comprehensive Plan notes that this proposed Project/Application is in **compliance and/or advances** the below listed Goals, Objective and Policies (GOP’s). Please find listed below Findings of Fact indicating how the Project maintains and enriches the City’s vision and mission to make the community an attractive to live, work, play and visit. Evaluation of each GOP’s is divided into the two (2) categories defined as follows:

“*In Compliance*” – The Application/Project is “consistent” and in harmony with, and not in conflict with the CP GOP’s and supports the City’s vision and mission as a community that is attractive to live, work, play and visit.

“*Advances*” – The Application/Project is “consistent” and also “advances” the purpose and intent of the GOP’s by incorporating specific qualities, features, design elements/components, public realm improvements etc. that enhances the City’s “visionary blueprint” for the City growth, development and function.

No.	CG Comprehensive Plan Goals, Objectives and Policies	CP Goal’s Objectives and Policies Finding		Findings of Fact
		In Compliance	Advances	
1.	<b>Goal FLU-1.</b> <i>Protect, strengthen, and enhance the City of Coral Gables as a vibrant community ensuring that its neighborhoods, business opportunities, shopping, employment centers, cultural activities, historic value, desirable housing, open spaces, and natural resources make the City a very desirable place to work, live and play.</i>	✓	✓	The proposed Project will enhance the City of Coral Gables as a vibrant community by providing a mix of uses including, retail, restaurant, office and residential uses that make the City a desirable place to live, work and play. The mixed use Project will provide additional housing opportunities for the community as a whole and provide a variety of land uses that can be enjoyed by the residents of the Project as well as the surrounding neighborhoods. The Project incorporates a large “open to sky” Paseo and numerous pedestrian hardscape amenities and expanded sidewalks for pedestrians and cyclists which will create a sense of place for the community to gather. The lushly landscape open/green spaces will encourage for passive recreation.
2.	<b>Objective FLU-1.1.</b> <i>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.</i>	✓	✓	<p>The proposed mixed use Project will maintain the City as a livable City and will make it more livable by redeveloping an aging strip shopping center into a vibrant, well designed iconic Project next to a regional State Highway and major regional transit corridor.</p> <p>The proposed Project will improve the Level of Service of public infrastructure by providing more open space, increased pedestrian/bicycle ridership and reduction in vehicle trips, based upon its proximity to a regional transit station/line. This Property will increase in the use of alternative modes of mobility/transportation (transit ridership, walking, or bicycle use) given its location. The Project supports “First Mile to Last Mile (FMLM)” connectivity.</p>

# Comprehensive Plan (CP) Consistency Analysis and Findings of Fact

## The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

<p>3. <b>Policy FLU-1.1.3</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; text-align: center; vertical-align: middle;">Commercial Mid-Rise Intensity.</td> <td style="width: 15%; vertical-align: top;"> <p>This category is oriented to medium intensity pedestrian and neighborhood commercial uses, including residential, retail, services, office, and mixed use.</p> </td> <td style="width: 30%; vertical-align: top;"> <p>Maximum F.A.R. of 3.0, or 3.5 with architectural incentives. Up to an additional 25% F.A.R. may be granted for properties qualifying as receiving sites for Transfer of Development Rights (TDRs).</p> <p>Residential use shall only be permitted as part of a mixed-use development as provided herein with maximum of 125 units/acre. Density shall be unlimited for properties within the Central Business District (CBD) and the Design &amp; Innovation District.</p> <p>Within a Mediterranean Village development:</p> <ol style="list-style-type: none"> <li>1. residential use shall be permitted, and</li> <li>2. the intensity of the project shall be regulated by a maximum F.A.R. of four (4.0), and shall be controlled by an approved Mediterranean Village PAD Plan</li> </ol> </td> <td style="width: 15%; vertical-align: top;"> <p>Up to 70' maximum (no limitation on floors), or up to 97' maximum (with a maximum 2 additional floors) with architectural incentives per the Zoning Code.</p> <p>If developed pursuant to Design &amp; Innovation District regulations: Up to 120' maximum (limitation of 10 floors) with architectural incentives per the Zoning Code.</p> </td> </tr> </table>	Commercial Mid-Rise Intensity.	<p>This category is oriented to medium intensity pedestrian and neighborhood commercial uses, including residential, retail, services, office, and mixed use.</p>	<p>Maximum F.A.R. of 3.0, or 3.5 with architectural incentives. Up to an additional 25% F.A.R. may be granted for properties qualifying as receiving sites for Transfer of Development Rights (TDRs).</p> <p>Residential use shall only be permitted as part of a mixed-use development as provided herein with maximum of 125 units/acre. Density shall be unlimited for properties within the Central Business District (CBD) and the Design &amp; Innovation District.</p> <p>Within a Mediterranean Village development:</p> <ol style="list-style-type: none"> <li>1. residential use shall be permitted, and</li> <li>2. the intensity of the project shall be regulated by a maximum F.A.R. of four (4.0), and shall be controlled by an approved Mediterranean Village PAD Plan</li> </ol>	<p>Up to 70' maximum (no limitation on floors), or up to 97' maximum (with a maximum 2 additional floors) with architectural incentives per the Zoning Code.</p> <p>If developed pursuant to Design &amp; Innovation District regulations: Up to 120' maximum (limitation of 10 floors) with architectural incentives per the Zoning Code.</p>	<p>✓</p>		<p>The proposed Project will satisfy all applicable Commercial Mid Rise development standards including density, height, and required mix of uses.</p>
Commercial Mid-Rise Intensity.	<p>This category is oriented to medium intensity pedestrian and neighborhood commercial uses, including residential, retail, services, office, and mixed use.</p>	<p>Maximum F.A.R. of 3.0, or 3.5 with architectural incentives. Up to an additional 25% F.A.R. may be granted for properties qualifying as receiving sites for Transfer of Development Rights (TDRs).</p> <p>Residential use shall only be permitted as part of a mixed-use development as provided herein with maximum of 125 units/acre. Density shall be unlimited for properties within the Central Business District (CBD) and the Design &amp; Innovation District.</p> <p>Within a Mediterranean Village development:</p> <ol style="list-style-type: none"> <li>1. residential use shall be permitted, and</li> <li>2. the intensity of the project shall be regulated by a maximum F.A.R. of four (4.0), and shall be controlled by an approved Mediterranean Village PAD Plan</li> </ol>	<p>Up to 70' maximum (no limitation on floors), or up to 97' maximum (with a maximum 2 additional floors) with architectural incentives per the Zoning Code.</p> <p>If developed pursuant to Design &amp; Innovation District regulations: Up to 120' maximum (limitation of 10 floors) with architectural incentives per the Zoning Code.</p>				
<p>4. <b>Policy FLU-1.3.3.</b> <i>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</i></p>	<p>✓</p>	<p>✓</p>	<p>Significant attention was exercised ensuring the land planning and architectural design of the Project is compatible with the surrounding built environment. All parking spaces, truck deliveries and support services are located internal to the building. Four “front bldg. faces” will be created with Mediterranean Architectural features on all sides of the building. No rear or “back of the house” uses. All surroundings streets are landscaped with understory vegetation and overstory vegetation as additional buffering. No commercial/retail uses will face any adjacent residentially zoned properties. All commercial activities are within the Paseo or US1 frontage. Residential uses line all four sides of the Project and Live Work units occupy the ground floor adjacent to Madruga Avenue.</p>				
<p>5. <b>Policy FLU-1.7.1.</b> <i>Encourage effective and proper high-quality development of the Central Business District, the Industrial District and the University of Miami employment centers which offer potential for local employment in proximity to protected residential neighborhoods.</i></p>	<p>✓</p>	<p>✓</p>	<p>The Project will provide a mix of housing types ranging from 1 to 3 bedroom units within steps of the City’s largest employer--- the University of Miami. The Project will attract persons attending the University as students as well as the support community of the University including professors, support staff, management staff, etc. The University of Miami community as a whole will be served by this Project.</p>				
<p>6. <b>Policy FLU-1.7.2.</b> <i>The City shall continue to enforce the Mediterranean architectural provisions for providing incentives for infill and redevelopment that address, at a minimum, the impact on the following issues:</i></p> <ul style="list-style-type: none"> <li>• <i>Surrounding land use compatibility.</i></li> <li>• <i>Historic resources.</i></li> <li>• <i>Neighborhood Identity.</i></li> <li>• <i>Public Facilities including roadways.</i></li> <li>• <i>Intensity/Density of the use.</i></li> <li>• <i>Access and parking.</i></li> <li>• <i>Landscaping and buffering.</i></li> </ul>	<p>✓</p>	<p>✓</p>	<p>The proposed Project was submitted to the Board of Architects for Conceptual Review and Preliminary Review for a total of three BOA reviews. The BOA determined the Project satisfied the Zoning Code Provisions for granting Mediterranean design development bonuses and granted the Level II bonuses for Coral Gables Mediterranean Architectural Design. The architectural height bonus of two floors allowing the construction of a 97 foot building allowed for the opportunity to exercise enhanced land planning and architectural design attributes which in turn provided an improved pedestrian friendly environment that is compatible with the surrounding built environment. The increase in height the ability to create a large ground floor open/green space “Paseo” 56 feet in width or 19,000 square foot (0.43 acre) far exceeding the City open/green space requirements. The additional 2 floors allowed the bulk and mass of the building to be split into two smaller scaled buildings thereby limiting the total overall building/bulk/ mass as well as reduction in building facade length/street frontage.</p>				

# Comprehensive Plan (CP) Consistency Analysis and Findings of Fact

## The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

7. <b>Objective DES-1.1.</b> <i>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.</i>	✓	✓	The Project includes numerous components supporting and advancing the City's Mixed Use Zoning and Coral Gables Mediterranean Architecture development and design standards. The proposed Project satisfies and promotes the MX District Purpose and Intent by providing is to a continuous, pedestrian-friendly urban environment, that brings together the activities of daily living, and reduces dependence on vehicular mobility. The Project will also improve the public realm by providing lushly landscaped streetscapes and larger public open spaces.
8. <b>Policy DES-1.1.1.</b> <i>Promote and support George Merrick's vision consistent with the established historic and cultural fabric of the City.</i>	✓	✓	The mixed use Project supports George Merricks vision that will provide for a variety of land uses in close proximity to one another to support the objective to be a full serve community. The proposed intensity and scale of the Project is consistent with Merrick visions of constructing buildings adjacent to streets that are "one-and-one half times the width of the street."
9. <b>Policy DES-1.1.5.</b> <i>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.</i>	✓	✓	The proposed Project will feature a high quality creative Coral Gables Mediterranean architectural design elements and site planning that is compatible with adjacent land uses. Budling mass has been reduced into two separate structures, expansive open space within a centrally located area (Paseo). The exterior facades are stepped back, and include vertical breaks in the faced, loggias, covered walkways and arcades all with the intent of ensuring compatibility with the surrounding commercial and residential land uses.
10. <b>Objective DES-1.2.</b> <i>Preserve the Coral Gables Mediterranean design and architecture.</i>	✓	✓	The Project satisfied all applicable Zoning Code Provisions for granting Mediterranean design development bonuses and was granted the Level II bonuses for Coral Gables Mediterranean Architectural Design.
11. <b>Policy DES-1.2.1.</b> <i>Continue the award of development bonuses and/or other incentives to promote Coral Gables Mediterranean design character providing for but not limited to the following: creative use of architecture to promote public realm improvements and pedestrian amenities; provide a visual linkage between contemporary architecture and the existing and new architectural fabric; encourage landmark opportunities; and creation of public open spaces.</i>	✓	✓	Significant attention was exercised ensuring the land planning and architectural design of the Project is compatible with the surrounding built environment. The importance of scale and compatibility with adjoining uses is a predominate quality of the Project. Particular attention was also placed upon including architectural attributes to create a sense of place, including the spatial relationship of buildings and the characteristics created to ensure attractive and functional areas
12. <b>Policy DES-1.2.2.</b> <i>Require that private development and public projects are designed consistent with the City's unique and historical Mediterranean appearance in balance with contemporary architecture.</i>	✓	✓	The proposed Project is designed consistent with the City's unique and historical Mediterranean appearance in balance with contemporary architecture. Numerous architectural design elements have been provided that are consistent and exceed the Coral Gables Mediterranean Architecture Design Standards. The Project is consistent with "George Merricks" vision and Historic Buildings references as outlined in the Zoning Code. These design elements in support include the following: perimeter building stepbacks to articulate the facade surfaces; cantilevered open balconies on all facades; frequent use of doors and windows (retail display windows); archways; building/door awnings providing shade; arcade; loggias or covered areas; architectural relief elements (i.e., windows, cornice lines, balcony brackets, facade mounted and ceiling mounted light fixtures with the loggias/building overhangs, fenestration of exterior overhead doors, etc.). All walls will have articulation and/or fenestration - no blank walls.
13. <b>Objective DES-1.3.</b> <i>Encourage high quality signage that is attractive, appropriately located and scaled, and balances visibility with aesthetic needs.</i>	✓	✓	The Project includes one low level monument sign on US1 and one faced mounted project sign which is consistent with the Project's extraordinary aesthetic character.

# Comprehensive Plan (CP) Consistency Analysis and Findings of Fact

## The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

<p>14. <b>Goal HOU-1.</b> Provide a supply of housing that addresses the City's needs that shall include a variety of housing opportunities for all income ranges, provide housing diversity to enhance the City's social and economic growth and continue to be a distinctive, diverse, attractive and desirable place to live.</p>	<p>✓</p>	<p>✓</p>	<p>The proposed Project will provide additional multi-family residential housing opportunities near a regional transit station. Housing close to transit is an attractor due to the convenience of being able to walk, bike or use public transit to your place of work or other destinations. The proposed unit mix of 1 to 3 bedrooms units will provide for a variety of housing types for individuals, students or families. The Project will provide additional opportunities to live, work and play in the City.</p>
<p>15. <b>Goal MOB-1.</b> Provide accessible, attractive, economically viable transportation options that meet the needs of the residents, employers, employees and visitors through a variety of methods.</p>	<p>✓</p>	<p>✓</p>	<p>The Project is the closet property to the University Metro Rail Station. No other property in the City has a direct pedestrian/bicycle a connection which is literally steps to US1/South Dixie Hwy Pedestrian Bridge, Proposed Underline Phase 3, Univ. of Miami Campus and University Metro-Rail Station providing regional public transportation access to the City of Miami, Coconut Grove, South Miami, Pinecrest, all northern/southern areas of Miami-Dade County and other areas of the State via Florida's Brightline Train and Tri Rail Service.</p>
<p>16. <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.</p>	<p>✓</p>	<p>✓</p>	<p>The Project supports "First Mile to Last Mile (FMLM)" connectivity.</p> <div data-bbox="1783 822 2707 1010" data-label="Diagram"> </div> <p>FMLM is defined as the ease and efficiency of securing "access" (from home or point of origin) to public transit via a "main transit" option such as a train, trolley</p>
<p>17. <b>Policy MOB-1.1.1.</b> Promote mixed use development to provide housing and commercial services near employment centers, thereby reducing the need to drive.</p>	<p>✓</p>	<p>✓</p>	<p>The proposed Project provides mix of uses with 393 apartment units and retail, restaurant and office uses steps from the City's largest employer.</p> <p>The proposed Project will improve the level of service of public infrastructure by providing more open space, increased pedestrian/bicycle ridership and reduction in vehicle trips, based upon its proximity to a regional transit station/line</p>
<p>18. <b>Policy MOB-1.1.3.</b> Locate higher density development along transit corridors and near multimodal stations.</p>	<p>✓</p>		<p>The Project 97 foot/8 stories height given it location on US1/South Dixie Highway is appropriate and less intense than the permissible MX3 Zoning "which allows for the highest intensity of development and is located in the City's downtown area, along North Ponce de Leon Boulevard, Biltmore Way, and South Dixie Highway (Route 1)." The adjacent UM Gables One Tower building height of 150+ feet and 150 foot Thesis/Paseo Project at US1/Hardee Road are consistent with the MX3 height regulations that permit up to heights of 150 – 190.5 feet (16 stories).</p>
<p>19. <b>Policy MOB-1.1.4.</b> Support incentives that promote walking, bicycling and public transit and those that improve pedestrian and bicycle access to/and between local destinations such as public facilities, governmental facilities, schools, parks, open space, employment centers, downtown, commercial centers, high concentrations of residential, private/public schools, University of Miami and multimodal transit centers/stations.</p>	<p>✓</p>	<p>✓</p>	<p>Given the Property location adjacent to a regional transit system and proposed Underline Linear Park, additional exterior bike racks as well as interior bike storage rooms have been provided. The use of bicycles based the proximity of the Property next to a regional public transit station is expected to be substantial. The delineation of scooter locations has also been included on Mariposa Court next to the US1 Pedestrian bridge. Upon selection of an ebike vendor for the City, this corner can also accommodate an area for ebike station/racks.</p>

# Comprehensive Plan (CP) Consistency Analysis and Findings of Fact

## The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

<p>20. <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 bulbouts, 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.</p>	✓	✓	<p>The Project includes numerous amenities within the Paseo, streetscape and wide sidewalks including seating; architectural elements (at street level); lighting; bicycle parking; street trees; improved pedestrian crossing with bulbouts, 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.</p>																				
<p>21. <b>Goal MOB-2.</b> The City will maintain and enhance a safe, convenient, balanced, efficient and interconnected multi-modal system consisting of vehicular, transit, bicycle, and pedestrian transportation options; and will be coordinated with the City's Comprehensive Plan while maintaining the economic viability of the City's businesses, and continued enhancement of the quality of life for the City's neighborhoods.</p>	✓	✓	<p>The Project supports this Goal by providing convenient, balanced, efficient and interconnected multi-modal opportunities consisting of vehicular, transit, bicycle, and pedestrian options.</p>																				
<p>22. <b>Policy MOB-2.2.2.</b> A proposed development will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the adopted Comprehensive Plan and it meets the following criteria pursuant to Section 163.3180 (5) (b), Florida Statutes, as amended:</p> <ul style="list-style-type: none"> <li>• The proposed development is located within the Gables Redevelopment and Infill District.</li> <li>• If the project would result in an increase in peak-period traffic volume on a Florida Intrastate Highway System (FIHA).</li> <li>• FIHA roadway that is operating below any adopted LOS standard, which increase would exceed two (2%) percent of the capacity of the roadway at the adopted LOS standard, the City shall require the developer and successors to implement and maintain trip reduction measures to reduce travel by single-occupant vehicles so that the resultant increase in traffic volume does not exceed two (2%) percent."</li> </ul>	✓		<p>The Property is within the GRID. As noted in the above City Traffic Consultants Findings (TIA), most intersections will maintain similar traffic conditions in reference to the baseline traffic conditions. As a result, the proposed re-development of The Mark is not expected to have a negative impact in the surrounding roadway network after implementing the recommendations included in this report. As indicated in below Table 1, the results of the trip generation analysis indicate that the proposed development will generate 716 less daily trips, 126 more AM peak hour trips, and 20 more PM peak hour trips when compared to the existing traffic the University Center commercial, retail, and medical land uses generate.</p> <table border="1" data-bbox="1641 1185 2868 1403"> <thead> <tr> <th colspan="4" style="background-color: #c8e6c9;">Table 1: Trip Generation Summary</th> </tr> <tr> <th>Development Plan</th> <th>Total Weekday</th> <th>A.M. Peak Hour</th> <th>P.M. Peak Hour</th> </tr> </thead> <tbody> <tr> <td>Existing</td> <td>3,934</td> <td>45</td> <td>134</td> </tr> <tr> <td>Proposed</td> <td>3,218</td> <td>171</td> <td>154</td> </tr> <tr> <td>Δ Trips</td> <td>-716</td> <td>126</td> <td>20</td> </tr> </tbody> </table> <p>No traffic mitigation measures were recommended by the City's Traffic Consultant due to no negative impacts on the surrounding roadways.</p>	Table 1: Trip Generation Summary				Development Plan	Total Weekday	A.M. Peak Hour	P.M. Peak Hour	Existing	3,934	45	134	Proposed	3,218	171	154	Δ Trips	-716	126	20
Table 1: Trip Generation Summary																							
Development Plan	Total Weekday	A.M. Peak Hour	P.M. Peak Hour																				
Existing	3,934	45	134																				
Proposed	3,218	171	154																				
Δ Trips	-716	126	20																				
<p>23. <b>Policy MOB-2.2.5.</b> As a vibrant mature City located in rapidly growing Miami-Dade County, the City shall continue to pursue and promote infill and redevelopment in appropriate parts of the City, especially within the City's GRID. The City shall research the following:</p> <ul style="list-style-type: none"> <li>• The possible expansion and upgrade of the current trolley system to other destinations within the City which may include a northern extension beyond 8<sup>th</sup> Street and connection to the University of Miami campus.</li> </ul>	✓	✓	<p>The proposed Project provides for infill and redevelopment within existing developed areas and will improve a Property that has been occupied by an aging, vacant strip shopping center. The highest and best use of the property is mixed use zoning and land use at a higher residential density given its location next to regional transit.</p>																				



# Comprehensive Plan (CP) Consistency Analysis and Findings of Fact

## The Mark – Proposed Mixed Use Project – 1250 South Dixie Highway

<ul style="list-style-type: none"> <li>• Potential development incentives and/or economic incentives to promote trolley ridership.</li> <li>• Maintain the existing Coral Gables Mediterranean Style Design Standards, which awards density and height bonuses for developments which provide pedestrian amenities thereby encouraging walkability.</li> </ul>			
<p>24. <b>Policy MOB-2.3.5.</b> As a part of development review, the City shall promote the safe movement of bicycle and pedestrian traffic.</p>	✓	✓	The Project provides wide sidewalks, an expansive paseo and both internal and external bike storage will promote the safe movement of bicycle and pedestrian traffic. A pedestrian and bicycle circulation plan has been provided with the Application
<p>25. <b>Policy REC-1.3.1.</b> Additional public open space and natural preserves shall be designated and where feasible, acquired by the City in an effort to maintain and exceed the adopted Level of Service standard for parks and open space.</p>	✓	✓	The proposed open and green space exceeds the LOS of service requirements by providing approximately 30% open space versus the 10% City requirements.
<p>26. <b>Objective REC-1.4.</b> Promote convenient public and private recreation and open space resources and opportunities for the optimum use of residents by providing facilities within a 10-minute walk for every resident within the City.</p>	✓	✓	The ground level "Paseo" which is located between the two buildings is 0.43 acres in size. This Paseo green space area is the size that the CP defines as an "Urban Open Space" an area designated "between 0 and .25 acres. The Paseo per the CP Level of Service Standards based upon its size alone is considered a "Neighborhood Park." This green area within the urban environment will provide an aesthetically pleasing open space areas similar to a linear park, vest pocket parks, promenade while other areas expanded width sidewalks from 10 to 30 feet in width will serve as a parkway, green boulevards. The Paseo will be a "walk-to" facilities where residents may walk or bicycle from the adjacent neighborhood or adjacent Park – A place where neighbors and their families go to meet.
<p>27. <b>Policy GRN-1.3.2.</b> All new development proposals shall include designated safe pedestrian paths of travel within the site and provides pedestrian access to and from the public right-of-way to encourage walkability.</p>	✓	✓	The Project provides Wide pedestrian sidewalks ranging from 10 to 30 foot wide occupy all building frontages/sides. This provides a "clear path" for bicycle and pedestrian circulation on all building sides. The largest sidewalk width (up to 30 ft sidewalk) is proposed along the US1/South Dixie Highway side. A pedestrian and bicycle circulation plan has been provided with the Application
<p>28. <b>Policy GRN-1.3.6.</b> Continue promotion of mixed use, research creation of transit-oriented development design standards.</p>	✓	✓	This Project incorporates all the attributes of a TOD, a mixed of residential uses providing for shopping and living in close proximity to regional transit.
<p>29. <b>Policy GRN-1.4.5.</b> The City will discourage new above ground power lines in all instances, especially in locations where it would result in minimizing the available right-of-way for the purpose of planting new trees. Through the site plan review process, the City will discourage all instances where new above ground power lines will compromise existing trees or the planting of new trees, favoring the planting of trees as a priority.</p>	✓	✓	All on and off site utilities will be undergrounded.
<p>30. <b>Objective GRN-1.8.</b> The City will seek to uphold green building and neighborhood standards through the Comprehensive Plan amendment process.</p>	✓	✓	The Project will pursue a Silver LEED certification.



315 Oconee St  
Athens, GA 30601  
P 706.543.1910  
www.landmark-properties.com

## Loading Operations Plan

**The Mark – Proposed Mixed Use Development  
1250 South Dixie Highway, Coral Gables, Florida  
Updated 3/15/2024**

### **Introduction**

The proposed project is located at 1250 South Dixie Highway in Coral Gables, Florida and includes the following:

- 393 Residential Apartments
- 12 Live Work Units (12,676 sq.ft.)
- 6,524 sq.ft. Retail
- 13,048 sq.ft. Restaurant
- 2,388 sq.ft. Office

The site will be accessible via US One/South Dixie Highway. A pedestrian/bicycle bridge is located at the northeastern corner of the Property at the Mariposa Court / US One intersection. The proposal includes the construction of two separate buildings 97 feet (8 stories) in height. There are two entrances/exits are provided for Building 1, one on US One/South Dixie Hwy (current property entrance/exit) and one along Madruga Avenue. Building 2 will have one entrance/exit along Madruga. The proposed Project site plan is provided in Exhibit A.

### **Loading Operations Plan**

This Plan was prepared to address the City of Coral Gables Traffic Consultants 11.16.2023 Traffic Impact Analysis (TIA) recommendation that a Loading Operation Plan be prepared. More specifically, the TIA recommend the following:

- *The re-development of The Mark should present a loading operation plan that ensures that service vehicles will not adversely impact free movement of vehicles along Madruga Avenue.*
- *AUTO Turn analysis concludes that large (WB-40) trucks Will NOT be able to ingress the service driveways at the proposed re-development, which is a concern for this project.*

The intent of this Plan is ensure the safe and efficient operations of the loading area and will serve both the residential and commercial tenants on the property. The typical features of the loading area, circulation elements, and applicable design criteria are outlined below.

- **Accessibility**

Access to the loading area will be through Madrugá Avenue. Trucks or vans will access the loading area by coming eastbound or westbound on US One, turning into Mariposa Court, and then accessing through Madrugá Ave. Exhibit B shows the proposed accessibility route for passenger cars and access to loading area for SU-40 truck.

- **Accommodating Vehicles**

The proposed loading area will accommodate passenger vehicles and single unit (SU) trucks. Passenger vehicles include automobiles, vans, SUVs, and light trucks. Single-unit trucks include trucks used for most local commercial and residential deliveries and municipal services. Only the SU-40 truck can be accommodated in the loading area. Exhibit C shows the specifications for the SU-40 truck. The SU-40 truck is the largest truck expected for the retail tenants. WB-40 trucks shall not be permitted to provide deliveries to the Project and we agreed to a condition of approval providing for this limitation.

- **Trucks Maneuverability**

Truck maneuverability refers to the ability of a truck to make the necessary turns to enter and exit a loading area without encroaching into fixed objects or restricted areas. The truck maneuverability of the SU-40 was tested for the proposed loading area. The Auto TURN analysis is shown in Attachment D.

- **Hours of Operations**

The loading area will be managed by a Building Manager and loading activities shall be restricted to inside of the loading area. All loading and unloading activities shall occur within the confines of the building and restricted to normal business hours while the Building Manager is available on site.

The proposed hours of operations for the loading area shall be limited as follows:

Monday – Friday from 8:00 AM – 5:00 PM

Saturday from 10:00 AM – 4:00 PM

Deliveries that require more than 30 minutes of staging time, such as mail deliveries, small parcel deliveries, and take-out food will be coordinated by the Building Manager on an as-needed basis.

The existing on-street parking spaces along Mariposa will be re-purposed to support rideshare and commercial/residential pickup and drop-off.

SEAL:

JAVIER FONT AR No. 12547

**THE MARK**  
**MIXED USE PROJECT**  
 1250 S DIXIE HWY  
 CORAL GABLES, FL 33146

© 2023 BEHAR FONT PARTNERS, P.A. THE DESIGN AND DRAWINGS FOR THIS PROJECT ARE PROPERTY OF THIS ARCHITECT AND ARE PROTECTED UNDER THE COPYRIGHT PROTECTION ACT.

No.	DESCRIPTION	DATE
1	PERMIT SET	11/03/2023
2	PLANNING STAFF COMMENTS	03/06/2024

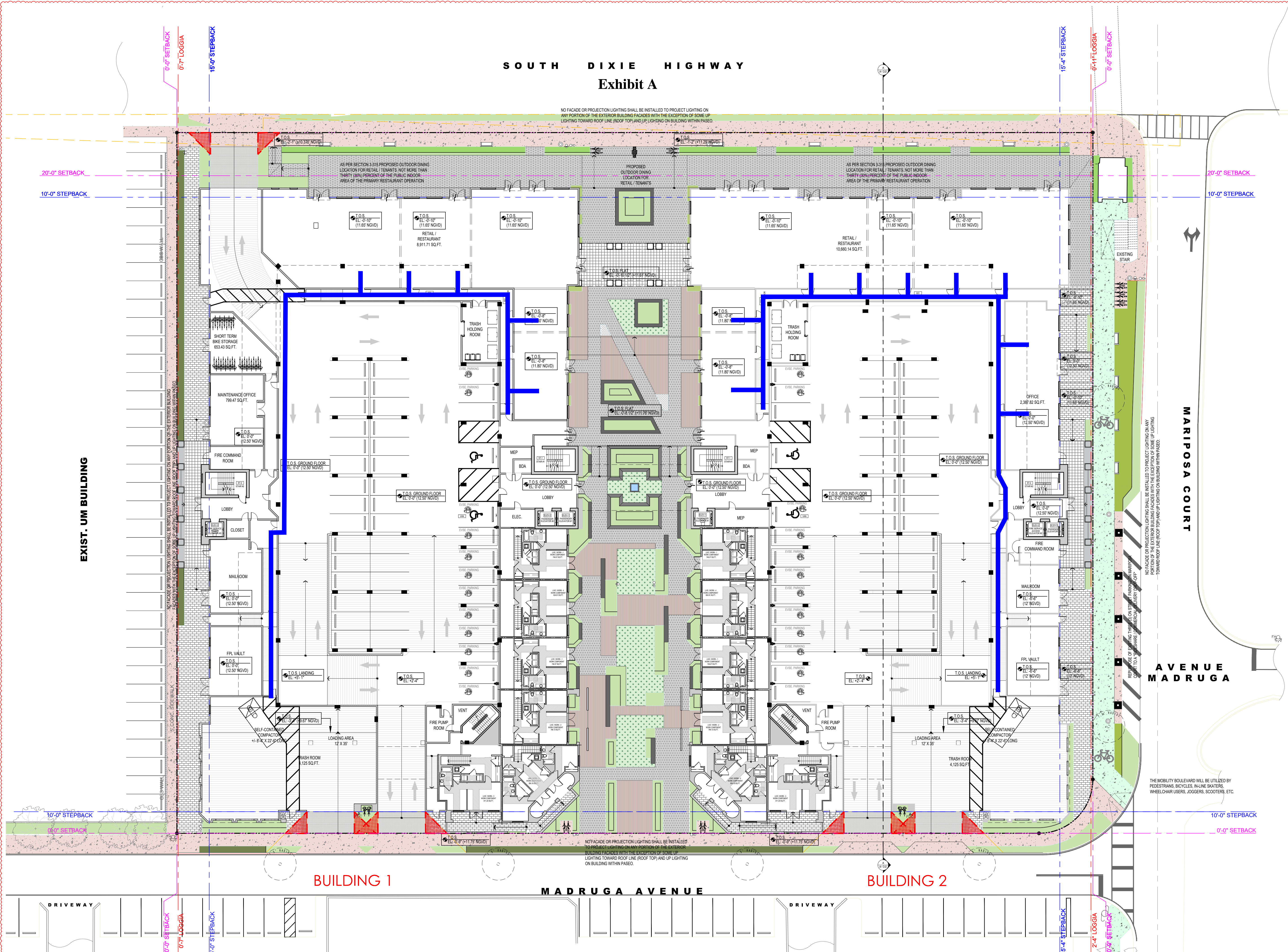
DATE: 11/03/2023  
 PROJECT NO: 22-068  
 DRAWING NAME:  
 LOADING/DELIVERY DROP OFF ROUTE  
 SHEET NO:  
**A-10.1**

**SOUTH DIXIE HIGHWAY**

**Exhibit A**

NO FACADE OR PROJECTION LIGHTING SHALL BE INSTALLED TO PROJECT LIGHTING ON ANY PORTION OF THE EXTERIOR BUILDING FACADES WITH THE EXCEPTION OF SOME UP LIGHTING TOWARD ROOF LINE (ROOF TOP) AND UP LIGHTING ON BUILDING WITHIN PASEO

NO FACADE OR PROJECTION LIGHTING SHALL BE INSTALLED TO PROJECT LIGHTING ON ANY PORTION OF THE EXTERIOR BUILDING FACADES WITH THE EXCEPTION OF SOME UP LIGHTING TOWARD ROOF LINE (ROOF TOP) AND UP LIGHTING ON BUILDING WITHIN PASEO



**LOADING/DELIVERY DROP OFF ROUTES**  
 EL: 0'-0" (+12.5' NGVD)

SCALE: 1" = 20'-0"

THESE PLANS ARE FOR BUILDING DEPARTMENT REVIEW ONLY. THEY ARE NOT TO BE CONSTRUED AS CONSTRUCTION DOCUMENTS UNTIL ALL BUILDING DEPARTMENT APPROVALS ARE OBTAINED. DUE TO THE COMPLEXITY OF THE PROJECT, THE CONTRACTOR SHALL CARRY A 3% CONTINGENCY OF HARD COST ON THE PROJECT. NO COPIES, REPRODUCTIONS, TRANSMISSIONS OR ELECTRONIC MANIPULATION OF ANY PORTION OF THESE DRAWINGS IN WHOLE OR IN PART ARE TO BE MADE WITHOUT THE EXPRESS WRITTEN PERMISSION OF BEHAR FONT & PARTNERS, P.A. ALL DESIGNS INDICATED IN THESE DRAWINGS ARE PROPERTY OF BEHAR FONT & PARTNERS, P.A. ALL COPYRIGHTS RESERVED © 2019.

**EXIST. UM BUILDING**

**BUILDING 1**

**MADRUGA AVENUE**

**BUILDING 2**

**AVENUE MADRUGA**

**MARIPOSA COURT**

20'-0" SETBACK

10'-0" STEPBACK

0'-0" SETBACK  
0'-7" LOGGIA

15'-0" STEPBACK

15'-4" STEPBACK

0'-11" LOGGIA

0'-0" SETBACK

10'-0" STEPBACK

0'-0" SETBACK

0'-0" SETBACK  
0'-7" LOGGIA

15'-0" STEPBACK

15'-4" STEPBACK

2'-4" LOGGIA

0'-0" SETBACK

10'-0" STEPBACK

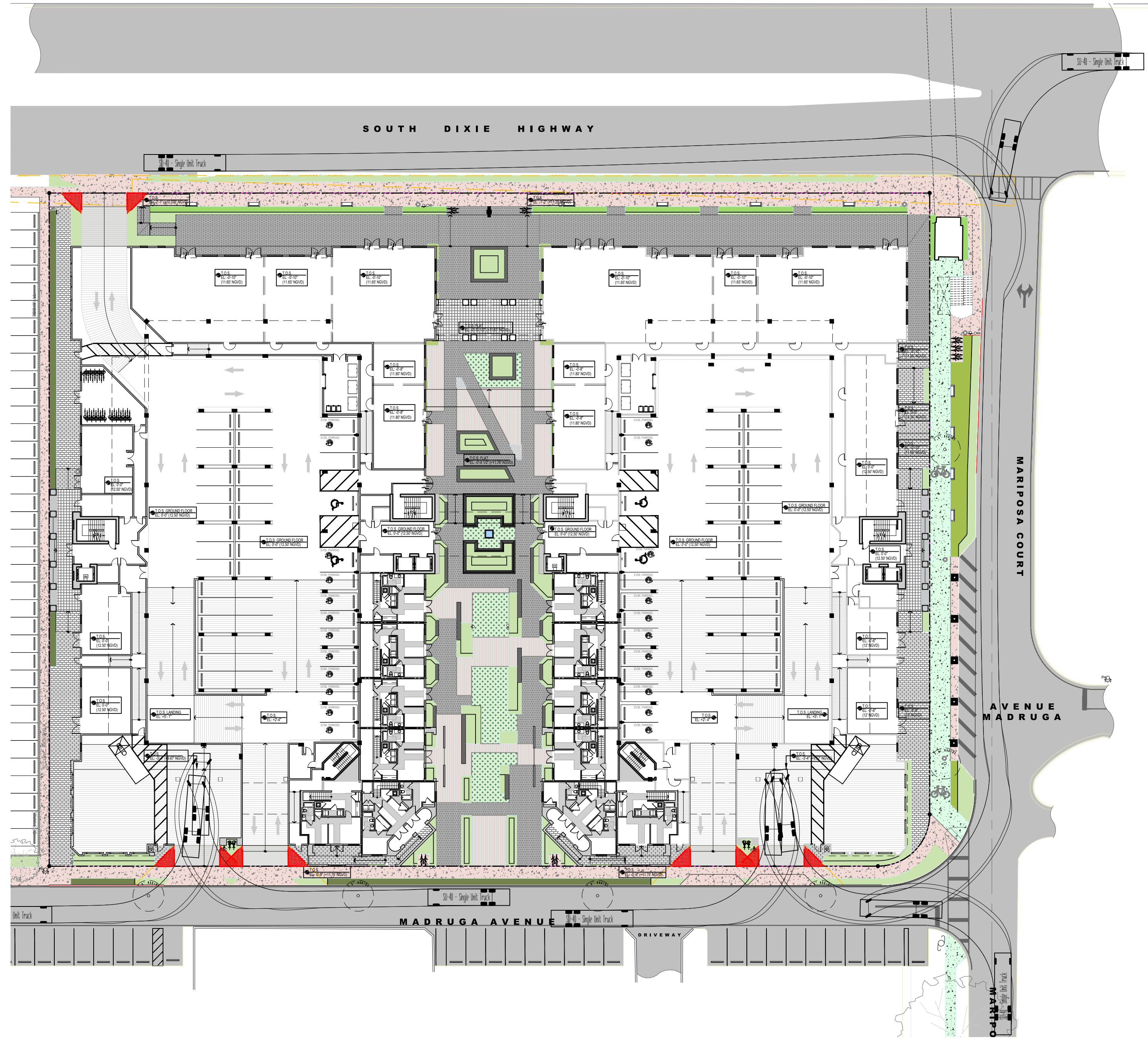
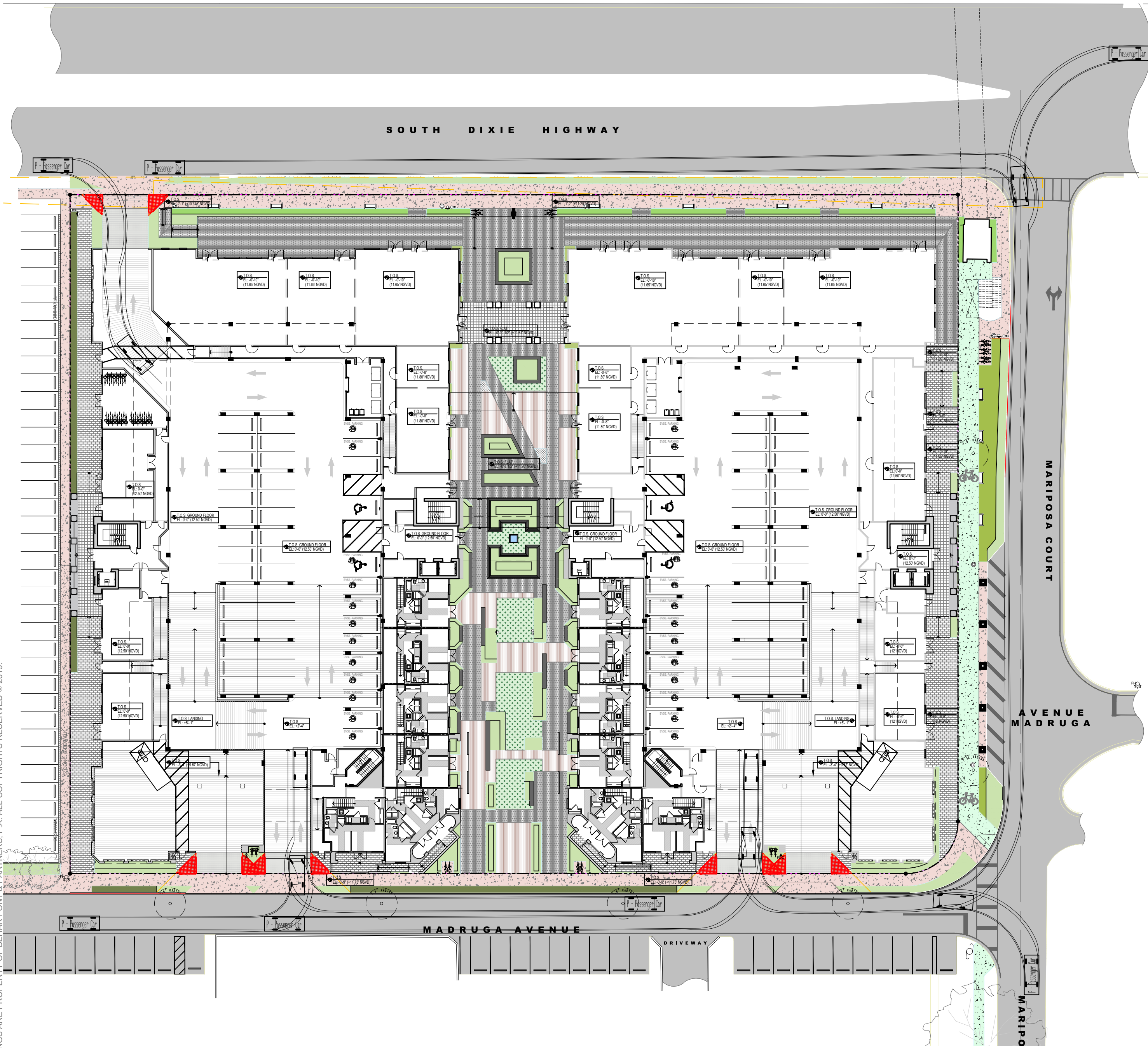
0'-0" SETBACK

THE MOBILITY BOULEVARD WILL BE UTILIZED BY PEDESTRIANS, BICYCLES, IN-LINE SKATERS, WHEELCHAIR USERS, JOGGERS, SCOOTERS, ETC.

SEAL:

JAVIER FONT AR No. 12547

THESE PLANS ARE FOR BUILDING DEPARTMENT REVIEW ONLY. THEY ARE NOT TO BE CONSTRUED AS CONSTRUCTION DOCUMENTS UNTIL ALL BUILDING DEPARTMENT APPROVALS ARE OBTAINED. DUE TO THE COMPLEXITY OF THE PROJECT, THE CONTRACTOR SHALL CARRY A 3% CONTINGENCY OF HARD COST ON THE PROJECT. NO COPIES, REPRODUCTIONS, TRANSMISSIONS OR ELECTRONIC MANIPULATION OF ANY PORTION OF THESE DRAWINGS IN WHOLE OR IN PART ARE TO BE MADE WITHOUT THE EXPRESS WRITTEN PERMISSION OF BEHAR FONT & PARTNERS, P.A. ALL RIGHTS RESERVED. © 2019

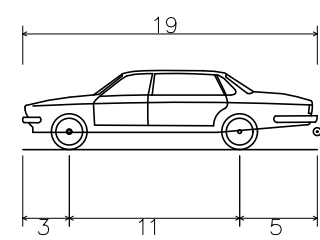


 ACCESSIBILITY ROUTE  
PASSENGER CAR

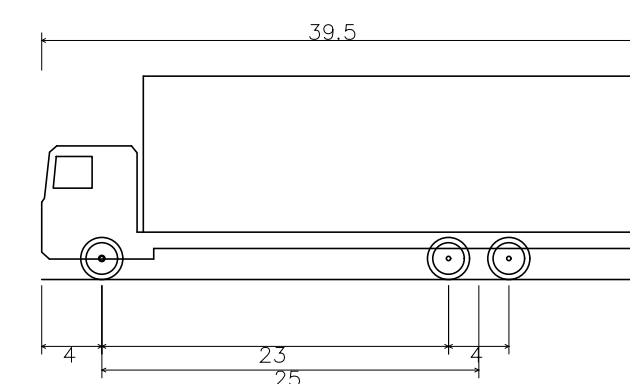
SCALE: N.T.S.

 ACCESS TO THE LOADING AREA  
S-U40 TRUCK

SCALE: N.T.S.



P - Passenger Car	19.000ft
Overall Length	7.000ft
Overall Width	5.101ft
Overall Body Height	1.116ft
Min Body Ground Clearance	6.000ft
Track Width	4.00s
Lock-to-lock time	24.000ft
Curb to Curb Turning Radius	



SU-40 - Single Unit Truck	39.500ft
Overall Length	8.000ft
Overall Width	13.500ft
Overall Body Height	1.367ft
Min Body Ground Clearance	8.000ft
Track Width	5.00s
Lock-to-lock time	51.200ft
Curb to Curb Turning Radius	

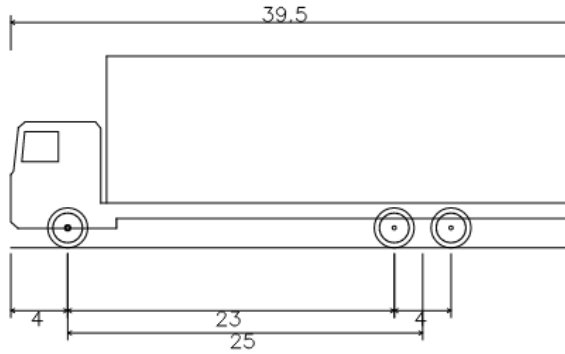
THE MARK  
MIXED USE PROJECT  
1250 S DIXIE HWY  
CORAL GABLES, FL 33146

© 2023 BEHAR FONT PARTNERS, P.A. THE DESIGN AND DRAWINGS FOR THIS PROJECT ARE PROPERTY OF THIS ARCHITECT AND ARE PROTECTED UNDER THE COPYRIGHT PROTECTION ACT.

DATE: 11/03/2023  
PROJECT NO: 22-068  
DRAWING NAME:  
ACCESSIBILITY ROUTE

SHEET NO:  
A-10.9

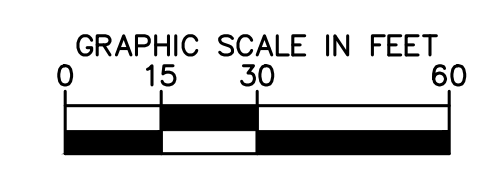
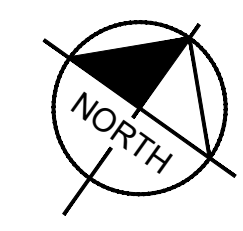
### Exhibit C



SU-40 – Single Unit Truck	
Overall Length.....	39.500ft
Overall Width.....	8.000ft
Overall Body Height.....	13.500ft
Min Body Ground Clearance.....	1.367ft
Track Width.....	8.000ft
Lock-to-lock time.....	5.00s
Curb to Curb Turning Radius.....	51.200ft

## Exhibit D

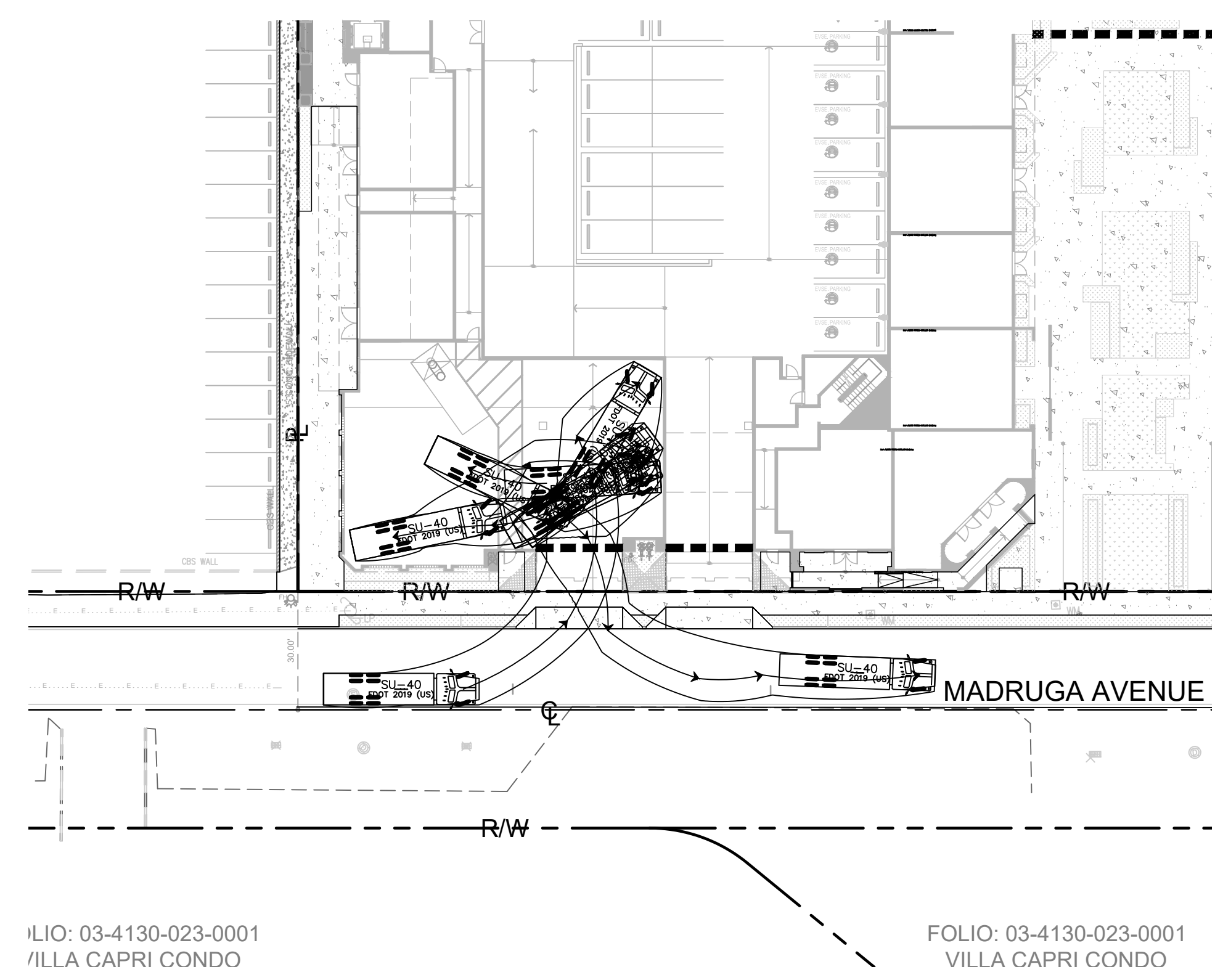
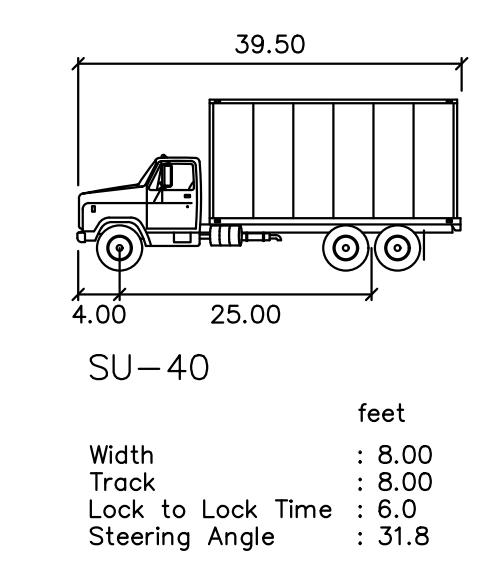
Plotted By: Johnson, Joshua Sheet Set: 1250 South Dixie Highway Layout: AT-01 February 27, 2024 05:58:56pm K:\MIB\_Civil\249164002 - 1200 South Dixie Highway\CADD\Exhibits\2024\02.27 Autoturn SU-40\AT-01 Autoturn Rear Loader Garbage Truck.k  
 This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



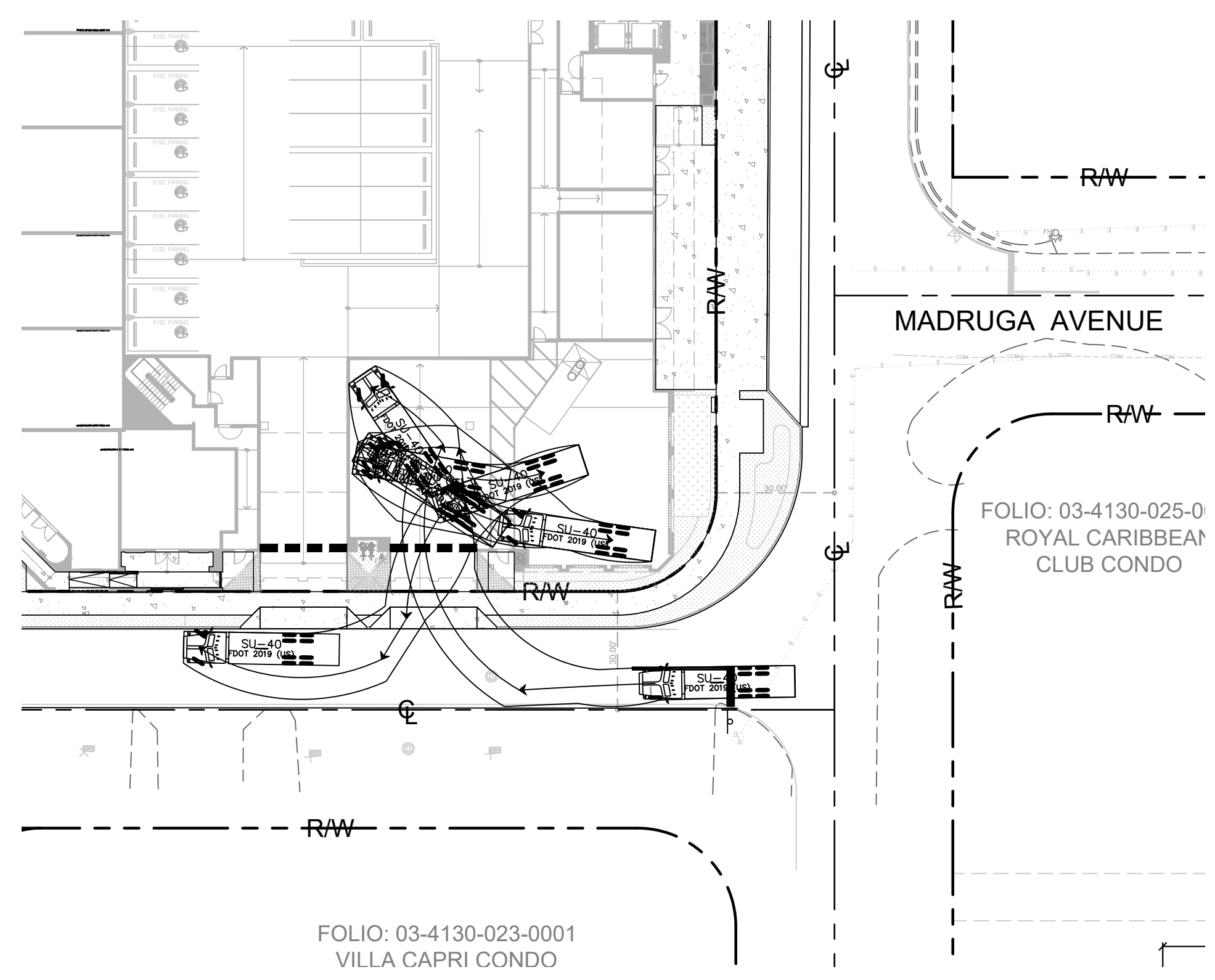
**LEGEND:**

- CENTER LINE OF ROADWAY
- PROPERTY LINE AND/OR RIGHT-OF-WAY
- MONUMENT LINE
- PROPOSED BUILDING OUTLINE
- PROP. CONC.
- PROP. LANDSCAPING (REFER TO LANDSCAPE PLANS FOR DETAILS)

**VEHICLE USED:**



**WEST LOADING ROOM  
DRIVING FROM THE WEST**



**EAST LOADING ROOM  
DRIVING FROM THE EAST**



© 2024 KIMLEY-HORN AND ASSOCIATES, INC.  
 2 ALHAMBRA PLAZA #500, CORAL GABLES, FL, 33134  
 PHONE: 305-673-2025  
 WWW.KIMLEY-HORN.COM CA 0000696

**1250 SOUTH DIXIE  
HIGHWAY**  
 PREPARED FOR  
**LANDMARK PROPERTIES**  
 CORAL GABLES FL

**THE MARK  
MIXED USE RESIDENTIAL PROJECT  
1250 S. DIXIE HIGHWAY  
CORAL GABLES, FL 33146**

**AUTOTURN EXHIBIT  
Exhibit D**

SHEET NUMBER

**AT-01**



# Application Support Materials



# City Review Timeline/Public Outreach

Proposed Mid-Rise Mixed Use Project - "The Mark" - 1250 South Dixie Highway  
(Updated 03.17.24)

## Updated City Review Timeline

The following City reviews and Notice have been completed:

Meeting Type	Date	Public Hearing	Property Sign Posted	Email Notification Provided to neighbors*
Development Review Committee	06.30.23	✓	✓	✓
Board of Architects - Conceptual Review	08.10.23	✓	✓	✓
Board of Architects – Preliminary Design Review and Med. Bonus II. [Recommended Approval (7 to 0 Vote) to grant Level II Bonuses for Mediterranean Architectural Design]	10.05.23	✓	✓	✓
Board of Architects – Preliminary Design Review and Med. Bonus II. [Recommended Project Approval (7 to 0 Vote)]	11.16.23	✓	✓	✓
Development Review Committee – Abandonment and Vacation of Alley (Public notice mailed to all Properties within 1,500 of Property perimeter boundaries)	11.15.23	✓	✓	✓
Traffic Advisory Board (Courtesy Review)	12.19.23	✓		✓
Planning and Zoning Board	TBD	✓	TBC	TBC
City Commission (First Reading)	TBD	✓	TBC	TBC
City Commission (Second Reading)	TBD	✓	TBC	TBC

\*Email notification was provided to those neighbors who have had continuous correspondence to Development Team.

## Continued Public Outreach/Transparency

The Landmark Team has completed significant public outreach and transparency to secure as much neighborhood and public input as possible. Continued efforts include additional one-on-one meetings with neighbors, smaller and larger group neighborhood meetings, as well on-site/neighborhood "walk-around" with various residents. We also offered a second meeting with the Villa Capri Condominium Homeowners Association located directly behind the Project, as well as to the Royal Caribbean Condominiums Homeowners Association located just north of the Project on Madrugá Avenue.

# City Review Timeline/Public Outreach

Proposed Mid-Rise Mixed Use Project - "The Mark" - 1250 South Dixie Highway  
(Updated 03.17.24)

Please find listed below the updated Public Outreach since June 2023.

Public Outreach Type	Date(s)	Location	Approximate Attendance
Miscellaneous One-on-One Meetings with Neighbors	06.2023 to Present	On-site/neighborhood walk around	1-3 persons per meeting
Neighborhood Meeting	06.06.23	The Standard at CG (1515 San Remo Ave)	3
Neighborhood meetings	08.09.23	The Standard at CG	25
Villa Capri Meeting with Board of Directors and Residents	08.30.23	Villa Capri Condominium	16 persons Signed In/ 21 +/- Attended
Royal Caribbean Condominium Neighborhood Meeting with the Board of Directors and Residents (North of the Project on Madrugá Avenue)	09.21.23	Zoom Call	7
Required City Neighborhood Meeting - Written Public Notice mailed to all Properties within 1,500 of Property perimeter boundaries.	01.31.24	The Cocoplum Women's Club	53+
Additional (2 <sup>nd</sup> ) City Neighborhood Meeting -Written Public Notice mailed to all Properties within 1,500 of Property perimeter boundaries.	02.21.24	The Cocoplum Women's Club	32+

Various neighbors have participated in and/or attended various City public hearings/meetings, including the Development Review Committee, Traffic Advisory Board and three Board of Architects meetings (One Voluntary Prelim Review and two Prelim Review/Approval).

Since July of 2023, a total of 135+ point of contacts (email correspondence, phone conversations, one-on-one mtgs, etc.) has been completed by the Landmark Development Team as outreach to the neighbors. In addition, complete sets of architectural plans/drawings and the City's Traffic Impact Analysis have been forwarded to interested parties as the Project has proceeded through the City review /public hearing process. The Landmark Team will continue to provide copies of the plans and forward email notifications to the neighbors of ALL upcoming City meetings/public hearings in addition to the City required property sign posting and mailout notices.

The City required Neighbors meeting was held on January 31, 2024. To continue answering questions, Landmark scheduled a second neighborhood meeting on February 21, 2024. Both meetings included mail notification to all residents within 1500 feet of the Project. An email data base of neighbors/interested parties was created beginning in July 2023. Notice of the neighborhood meetings was also provided to individuals on his database.

**ART AND PUBLIC PLACES STATEMENT**

LCD Properties, LLC will pay the 1% Art and Public Places fee.



Historical Resources &  
Cultural Arts

June 26, 2023

2327 SALZEDO STREET  
CORAL GABLES  
FLORIDA 33134

University Shopping Center, LLP  
2875 N.E 191 Street  
Suite 605  
Aventura, FL 33180

☎ 305-460-5093  
✉ hist@coralgables.com

Re: 1250 South Dixie Highway, a lengthy legal description is on file with the  
Historical Resources and Cultural Arts Department

Dear Property Owner,

Section 8-107(G) of the Coral Gables Zoning Code states that “All demolition permits for non-designated buildings and/or structures must be approved by the Historic Preservation Officer or designee. The approval is valid for eighteen (18) months from issuance and shall thereafter expire and the approval is deemed void unless the demolition permit has been issued by the Development Services Department. The Historic Preservation Officer may require review by the Historic Preservation Board if the building and/or structure to be demolished is eligible for designation as a local historic landmark or as a contributing building, structure, or property within an existing local historic landmark district. This determination of eligibility is preliminary in nature and the final public hearing before the Historic Preservation Board on Local Historic Designation shall be within sixty (60) days from the Historic Preservation Officer determination of “eligibility.” Consideration by the Board may be deferred by mutual agreement by the property owner and the Historic Preservation Officer. The Historic Preservation Officer may require the filing of a written application on the forms prepared by the Department and may request additional background information to assist the Board in its consideration of eligibility. Independent analysis by a consultant selected by the City may be required to assist in the review of the application. All fees associated with the analysis shall be the responsibility of the applicant. The types of reviews that could be conducted may include but are not limited to the following: property appraisals; archeological assessments; and historic assessments.”

Therefore, please be advised that after careful research and study of our records and the information you presented the following information has been determined:

**1250 South Dixie Highway, a lengthy legal description is on file with the Historical Resources and Cultural Arts Department, does not meet the minimum eligibility criteria for designation as a local historic landmark.**

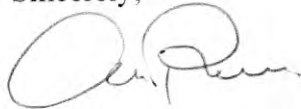
**Therefore, the Historical Resources staff *will not* require review by the Historic Preservation Board if an application is made at this time for a demolition permit.**

Please note that, pursuant to Section 14-107.5(b)(15) of the Coral Gables Zoning Code, this determination does not constitute a development order and is valid for a period of eighteen (18) months. In the case where the Historic Preservation Officer or designee determines that the property does not meet the minimum eligibility criteria for designation, a permit for the demolition of the property must be issued within the eighteen-month period.

Upon expiration of the eighteen-month period, you will be required to file a new application. Any change from the foregoing may be made upon a demonstration of a change in the material facts upon which this determination was made.

If you have any further questions concerning this matter, please do not hesitate to contact this office.

Sincerely,



Anna Pernas  
Historic Preservation Officer

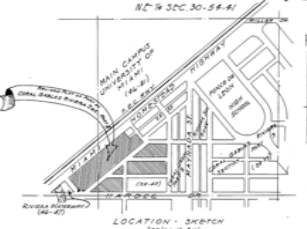
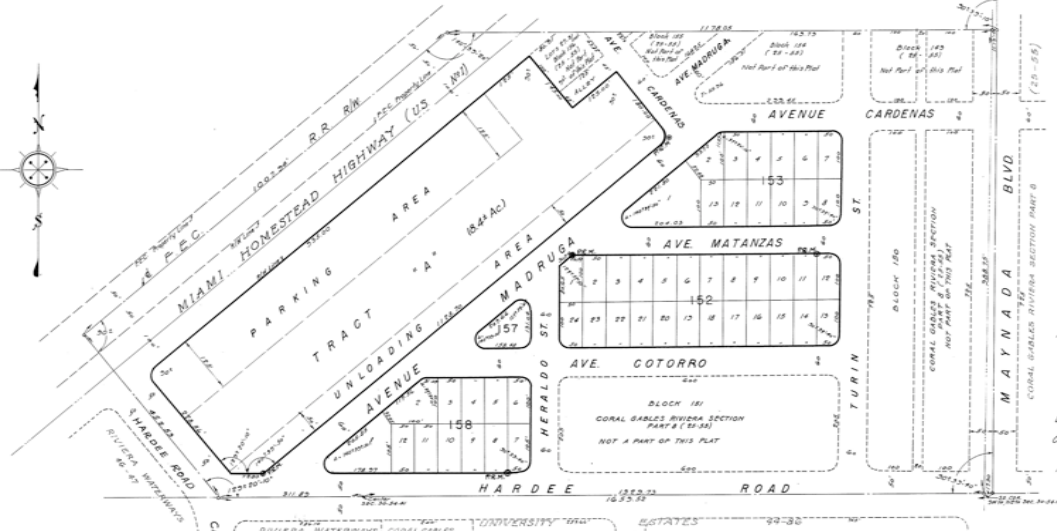
cc: Laura Russo, Esq., 2334 Ponce de Leon Boulevard, Suite 240, Coral Gables,  
FL 33134

Albert Menendez, Chair, Historic Preservation Board  
Cristina M. Suárez, City Attorney  
Stephanie Throckmorton, Deputy City Attorney  
Gustavo Ceballos, Assistant City Attorney  
Suramy Cabrera, Development Services Director  
Jennifer Garcia, City Planner  
Analyn Hernandez, P/T, Plans Coordinator Assistant  
Historical Significance Request Property File



NOT SUBDIVIDED

476-100



Division on Corner Lots are to be subdivided into lots not less than 2000 sq. ft. unless otherwise noted.  
 All corners to be marked with permanent reference monuments.

This Plat was approved and accepted by Ordinance 526 passed and adopted by the City Commission of Coral Gables, Florida, this 3rd day of April, A.D. 1943.  
 Approved: \_\_\_\_\_ Signed: \_\_\_\_\_  
 City Engineer Mayor

This Plat was accepted and approved by Resolution passed and adopted by the Board of County Commissioners of Dade County, Florida, this 13th day of April, A.D. 1943.  
 This approval shall not be construed as a commitment by the Board of said County Commissioners to build or maintain the roads and streets shown on said Plat.  
 Approved: \_\_\_\_\_ Signed: \_\_\_\_\_  
 County Engineer Vice Chairman of the Board

### REPLAT OF PART OF CORAL GABLES RIVIERA SECTION PART 8 IN NORTH HALF SECTION 30, TWP 54 S, RGE 41 E, CORAL GABLES, FLORIDA

SCALE: 1"=100' P.M. STUBBS & ASSOCIATES, LANDSURVEYOR JAN. 1943

**KNOW ALL MEN BY THESE PRESENTS:**

That Daniel Sherry joined by his wife Clementine F. Sherry, Arthur D. Mc Bride joined by his wife Mayme Mc Bride, and C. Babcock - Lamont Co., a Florida Corporation, have caused to be made the attached plat entitled "Replat of Part of Coral Gables Riviera Section Part 8" the same being a subdivision of the following described property to wit:  
 A re-subdivision of Blocks 151, 152, 153, 154 and 156 less Lots 17 to 20 inclusive of Coral Gables Riviera Section Part 8 as shown on Plat Book 12 of the Public Records of Dade County, Florida, and Block 25 of said subdivision as shown on a certain plat of said subdivision recorded in Plat Book 12 of the Public Records of said County, Florida, and all part of Ave. Cardenas, Ave. Matanzas, Ave. Cotorro, Ave. Madruga, and Hardee Street, and 10' (ten-foot) alley lying within Blocks 154 and 153, of Coral Gables Riviera Section, Part 8, according to the Plat thereof, recorded in Plat Book 15, Public Records of Dade County, Florida, lying within the following described parcels of land:  
 Begin at a point where the southeasterly line of Lot 21 of Block 153 of Coral Gables Riviera Section, Part 8 according to the plat thereof recorded in Plat Book 12 of said Public Records of Dade County, Florida, intersects the southeasterly line of the Miami Homestead Highway, as shown on the attached subdivision, thence southeasterly along the southeasterly line of Lot 21 and the southeasterly extension thereof to the southeasterly line of Hardee Road, as shown on the attached subdivision, thence southeasterly along the southeasterly line of Lot 21 and the southeasterly extension thereof to a point located on the northerly line of Hardee Road, as shown on the attached subdivision, thence northerly along the northerly line of Hardee Road as shown on the attached subdivision to a point where a line parallel to and 152' southeasterly of right angles to the southeasterly line of Miami Homestead Highway intersects the northerly line of Hardee Road, as shown on the attached subdivision, thence northeasterly parallel to and 152' southeasterly of right angles to the southeasterly line of Miami Homestead Highway as shown on the attached subdivision to a point where the northeasterly line of Block 156 of the attached subdivision intersects the southeasterly extension of the last described line, thence northeasterly along the northeasterly line of Block 156 of the attached subdivision a distance of 1050' to a point, thence continue northeasterly along the northeasterly line of Block 156 of the attached subdivision a distance of 180' to a point, thence southeasterly parallel to and 180' southeasterly of right angles to the Miami Homestead Highway as shown on the attached subdivision a distance of 1250' to a point where the southeasterly extension of the dividing line of Lots 15 and 17 of Block 154 of the attached subdivision intersects the last described line, thence northeasterly along the southeasterly extension of the dividing line of Lots 15 and 17 a distance of 18' to a point, thence continue northeasterly along the dividing line of Lots 15 and 17 a distance of 100' to a point located on the southeasterly line of Miami Homestead Highway, as shown on the attached subdivision, thence southeasterly along the southeasterly line of Miami Homestead Highway, as shown on the attached subdivision, a distance of 1050' to the point of beginning.  
 The express purpose of this plat is to release Ave. Madruga and to close, abandon, discontinue and vacate Ave. Cotorro between Blocks 154 and 153 and the 20' alley in Block 154 and 153 as shown on said Plat of Coral Gables Riviera Section Part 8, Plat Book 12 of the Public Records of Dade County, Florida, and to release the Avenue, Streets, alleys as shown on the attached plat, together with all existing and future planting trees and shrubbery thereon, now hereto dedicated to the lawful use of the Public for proper purposes, reserving to themselves, their heirs and assigns the reversion or reversions thereof, when discontinued by law.  
 The lawful zoning regulations now in effect or as the same may from time to time be changed or amended applicable to the area within which this subdivision is located shall be observed.  
 In Witness Whereof, the aforementioned individuals have hereunto set their hands and seals, and the aforementioned corporation has caused to be signed these presents in its corporate name by its corporate officers and its corporate seal of this 1st day of April, A.D. 1943.

Signed: \_\_\_\_\_ President  
 C. Babcock  
 Attest: \_\_\_\_\_ Secretary  
 H. C. Lamont

Witnesses  
 Daniel Sherry and \_\_\_\_\_ Seal  
 Clementine F. Sherry and \_\_\_\_\_ Seal  
 Arthur D. Mc Bride and \_\_\_\_\_ Seal  
 Mayme Mc Bride and \_\_\_\_\_ Seal

**KNOW ALL BY THESE PRESENTS:**

That I, JAMES P. FARRELL, attorney in fact for GRACE RABIN DOHERTY, W. ALTON JONES and CHARLES A. FELICIAUM, holders of certain mortgages recorded in the public records of Dade County, Florida, encumbering parts of the lands hereinabove described, do hereby consent to the filing of the attached plat.

State of Florida } Before me this day personally appeared JAMES P. FARRELL, known to me to be the person represented here as attorney in fact for GRACE RABIN DOHERTY, W. ALTON JONES and CHARLES A. FELICIAUM, holders of certain mortgages recorded in the public records of Dade County, Florida, enclosing parts of the lands hereinabove described, and Witness my hand and notarial seal of this 1st day of April, A.D. 1943.  
 State of Florida } My commission expires October 1, 1943.  
 County of Dade }  
 Before me this day personally appeared DANIEL SHERRY, ARTHUR D. MC BRIDE and CLEMENTINE F. SHERRY, his wife, ANTHONY D. MC BRIDE and MAYME MC BRIDE, his wife, who, being duly sworn, acknowledged that they executed the foregoing instrument freely and voluntarily and for the purposes therein set forth, that they affixed thereto the official seal of said corporation and notarial seal of this 1st day of April, A.D. 1943.  
 My Commission expires March 10, 1950.  
 State of Florida }  
 County of Dade }  
 Before me this day personally appeared C. I. BABCOCK and H. C. LAMONT, President and Secretary respectively of Babcock Lamont Co., to me well known to be the persons described in and who executed the foregoing instrument, and who upon being duly sworn, acknowledged that they executed the same freely and voluntarily, as officers of said corporation and for the purposes therein set forth, that they affixed thereto the official seal of said corporation and notarial seal of this 1st day of April, A.D. 1943.  
 Witness my hand and notarial seal of this 1st day of April, A.D. 1943.  
 My Commission expires October 1, 1943.

**KNOW ALL MEN BY THESE PRESENTS:**

That Coral Gables Inc., a Florida Corporation, the owner and holder of a certain mortgage dated July 13, 1942 and recorded July 15, 1942 under Clerk's File No. X-64444 of the Public Records of Dade County, Florida, encumbering parts of the lands hereinabove described, does hereby consent to the filing of the attached plat.  
 Witness our hands and corporate seal this 1st day of April, A.D. 1943.

CORAL GABLES INC.  
 Signed: \_\_\_\_\_ Vice President  
 C. S. Robertson  
 Attest: \_\_\_\_\_ Secretary  
 H. S. Wallace  
 H. S. Wallace

State of Florida } Before me this day personally appeared before me C. S. ROBERTSON and H. P. WALL, Vice President and Secretary respectively of Coral Gables Inc., well known to be the persons described in and who executed the foregoing instrument, and who acknowledged that they executed the same freely and voluntarily, as officers of said corporation and for the purposes therein set forth, that they affixed thereto the official seal of said corporation and notarial seal of this 1st day of April, A.D. 1943.  
 Witness my hand and notarial seal of this 1st day of April, A.D. 1943.  
 My Commission expires July 15, 1943.  
 State of Florida }  
 County of Dade }  
 Before me this day personally appeared before me C. S. ROBERTSON and H. P. WALL, Vice President and Secretary respectively of Coral Gables Inc., well known to be the persons described in and who executed the foregoing instrument, and who acknowledged that they executed the same freely and voluntarily, as officers of said corporation and for the purposes therein set forth, that they affixed thereto the official seal of said corporation and notarial seal of this 1st day of April, A.D. 1943.  
 Witness my hand and notarial seal of this 1st day of April, A.D. 1943.  
 My Commission expires July 15, 1943.

I, HENRY C. CURRY, Notary Public, do hereby certify that the attached plat of "Replat of Part of Coral Gables Riviera Section Part 8" is a true and correct representation of the land as recited, surveyed and plotted under my direction, also that the Permanent Reference Monuments were set on the 1st day of January A.D. 1943 in accordance with Section 7 Chapter 1078 (No. 193) Laws of State of Florida.

P. M. STUBBS & ASSOCIATES  
 Registered Land Surveyors  
 State of Florida  
 Filed for record this 1st day of April, A.D. 1943 at 10:30 AM in Book 46 of Plat page 104 of the Public Records of Dade County, Florida.  
 This plat complies with the provisions of Chapter 1078 (No. 193) Laws of State of Florida.  
 H. C. Lefflerman, Clerk of the Circuit Court  
 by \_\_\_\_\_ Deputy Clerk





2

**RECORD AND RETURN TO:**

Name: GARY A. KORN, Esquire  
LEOPOLD KORN, P.A.  
Address: 20801 Biscayne Blvd., #501  
Aventura, Florida 33180

**THIS INSTRUMENT PREPARED BY:**

Name: GARY A. KORN, Esquire  
LEOPOLD KORN, P.A.  
Address: 20801 Biscayne Blvd., #501  
Aventura, Florida 33180



CFN 2015R0155877  
OR Bk 29531 Pgs 0367 - 371; (5pgs)  
RECORDED 03/10/2015 13:30:53  
DEED DOC TAX 25,177.20  
SURATX 18,882.90  
HARVEY RUVIN, CLERK OF COURT  
MIAMI-DADE COUNTY, FLORIDA

[Space above line reserved for recording office use]

Tax Folio No. 03-4130-004-0010

**NOTE TO RECORDER: THE PARTIES OF THE FIRST PART ARE THE SOLE PARTNERS OF THE PARTY OF THE SECOND PART. DOCUMENTARY STAMPS AND SURTAX HAVE BEEN COMPUTED AND PAID BASED UPON THE CURRENT UNPAID PRINCIPAL BALANCE OF THE MORTGAGE ENCUMBERING THE REAL PROPERTY (\$4,196,184.51).**

**SPECIAL WARRANTY DEED**

**THIS INDENTURE** is made this 9th day of March, 2015 by **THEODORE ROY GROSSMAN, FREDI SUSAN CONSOLO and GAIL CECILE GIDNEY**, Individually and as Successor Co-Trustees of the **LOUIS GROSSMAN AMENDED AND RESTATED TRUST AGREEMENT DATED DECEMBER 27, 2005** doing business as **UNIVERSITY SHOPPING CENTER**, a Florida general partnership, collectively the parties of the first part, in favor of **UNIVERSITY SHOPPING CENTER LLP**, a Florida limited liability partnership, whose post office address is 2875 N.E. 191<sup>st</sup> Street, Suite 605, Aventura, Florida 33180, the party of the second part:

**WITNESSETH:** That the parties of the first part, for and in consideration of the sum of \$10.00 and other good and valuable considerations, in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the party of the second part, its successors and assigns forever, the parcels of real property described within Exhibit "A" attached hereto (collectively the "Real Property").

**SUBJECT TO:** Real property taxes for the year 2015 and all subsequent years; conditions, limitations, restrictions, reservations and easements of record which are not reimposed by this instrument; and zoning ordinances and governmental regulations, if any.

**AND** the parties of the first part do hereby fully warrant the title to said Real Property and will defend the same against the lawful claims of all persons whomsoever claiming by, through or under the parties of the first part.

**THE REAL PROPERTY IS COMMERCIAL PROPERTY AND DOES NOT CONSTITUTE THE DOMICILE, HOMESTEAD OR PRINCIPAL RESIDENCE OF ANY OF THE PARTIES OF THE FIRST PART OR OF THE MEMBERS OF THE IMMEDIATE FAMILIES OF ANY OF THE PARTIES OF THE FIRST PART.**

LEOPOLD KORN P.A. | 20801 Biscayne Boulevard, Suite 501, Aventura, FL 33180 Telephone: 305-935-3500

IN WITNESS WHEREOF, the parties of the first part have executed this indenture as of the day and year first above written.

WITNESSES:

[Signature]  
Print Name: Christina Man  
Michelle Alvarez  
Print Name: Michelle Alvarez

[Signature]  
**THEODORE ROY GROSSMAN**, Individually and as  
Successor Co-Trustee of the **LOUIS GROSSMAN**  
**AMENDED AND RESTATED TRUST AGREEMENT**  
**DATED DECEMBER 27, 2005**  
Address: 2875 N.E. 191<sup>st</sup> Street, Suite 605  
Aventura, Florida 33180

[Signature]  
Print Name: Tony O'Neal  
[Signature]  
Print Name: [Signature]

[Signature]  
**FREDI SUSAN CONSOLO**, Individually and as  
Successor Co-Trustee of the **LOUIS GROSSMAN**  
**AMENDED AND RESTATED TRUST AGREEMENT**  
**DATED DECEMBER 27, 2005**  
Address: 2875 N.E. 191<sup>st</sup> Street, Suite 605  
Aventura, Florida 33180

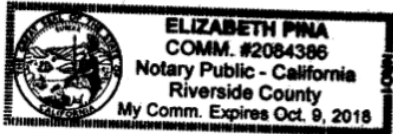
[Signature]  
Print Name: Tony O'Neal  
[Signature]  
Print Name: [Signature]

[Signature]  
**GAIL CECILE GIDNEY**, Individually and as Successor  
Co-Trustee of the **LOUIS GROSSMAN AMENDED**  
**AND RESTATED TRUST AGREEMENT DATED**  
**DECEMBER 27, 2005**  
Address: 2875 N.E. 191<sup>st</sup> Street, Suite 605  
Aventura, Florida 33180

STATE OF California,  
COUNTY OF Riverside SS:

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of February, 2015 by  
**THEODORE ROY GROSSMAN**, Individually and as Successor Co-Trustee of the **LOUIS GROSSMAN**  
**AMENDED AND RESTATED TRUST AGREEMENT DATED DECEMBER 27, 2005**, who provided

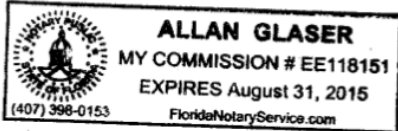
Nevada DL  
for identification  
My Commission Expires: Oct 9, 2018  
Notary Public, State of Florida California  
Print Name: Elizabeth Pina



STATE OF FLORIDA )  
 ) SS:  
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of February, 2015 by **FREDI SUSAN CONSOLO**, Individually and as Successor Co-Trustee of the **LOUIS GROSSMAN AMENDED AND RESTATED TRUST AGREEMENT DATED DECEMBER 27, 2005**, who provided personally known for identification.

My Commission Expires:

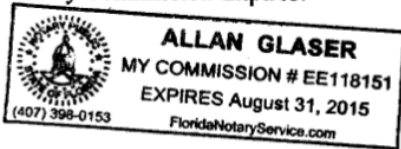


Allan Glaser  
Notary Public, State of Florida  
Print Name: Allan Glaser

STATE OF FLORIDA )  
 ) SS:  
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of February, 2015 by **GAIL CECILE GIDNEY**, Individually and as Successor Co-Trustee of the **LOUIS GROSSMAN AMENDED AND RESTATED TRUST AGREEMENT DATED DECEMBER 27, 2005**, who provided personally known for identification.

My Commission Expires:



Allan Glaser  
Notary Public, State of Florida  
Print Name: Allan Glaser

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Lots 27, 28, 29, 30 and 31, in Block 156, of CORAL GABLES RIVIERA SECTION PART 8, according to the Plat thereof, as recorded in Plat Book 25, Page 55, of the Public Records of Miami-Dade County, Florida.

AND

That part of Tract "A" (which said Tract "A" includes areas indicated as parking area and unloading area) as shown on Plat entitled REPLAT OF PART OF CORAL GABLES RIVIERA SECTION PART 8, and recorded in Plat Book 46, Page 100, of the Public Records of Miami-Dade County, Florida, that lies Northeasterly of the following described line:

Commence at a point where the Southeasterly line of Miami Homestead Highway intersects the Northeasterly line of Hardee Road; thence Northeasterly along the Southeasterly line of Miami Homestead Highway a distance of 760 feet to the point of beginning of the line being described; thence Southeasterly parallel to and 760 feet Northeasterly at right angles to the Northeasterly line of Hardee Road a distance of 325 feet to a point located on the Northwesterly line of Avenue Madruga, said point being 703.70 feet Northeasterly from a point where the Northwesterly line of Avenue Madruga intersects the Northerly line of Hardee Road.

AND

The 45 foot alley lying between the said Tract "A" and the said Lots 27, 28, 29, 30 and 31, more particularly described as follows:

Begin at the most Northerly corner of the said Tract "A"; thence Southwesterly along the Northwesterly line of the said Tract "A" for a distance of 300.0 feet to a point; thence Southeasterly at right angles to the Northwesterly line of the said Tract "A" for a distance of 325.0 feet to a point on the Southeasterly line of the said Tract "A"; thence Northeasterly along the Southeasterly line of the said Tract "A" for a distance of 400.00 feet to the beginning of a tangential circular curve; thence Northeasterly, Northerly and Northwesterly along said curve having a radius of 25 feet through a central angle of 90 degrees for an arc distance of 39.27 feet to the end of said curve and a point on the Southwesterly line of Avenue Cardenas; thence Northwesterly tangent to the last mentioned curve and along the Southwesterly line of Avenue Cardenas, for a distance of 200.0 feet to a point on the Northwesterly line of the alley, as the same is shown on the said Plat of REPLAT OF PART OF CORAL GABLES RIVIERA SECTION PART 8; thence Southwesterly at right angles to the last course and along the Northwesterly line of the said alley for a distance of 125.0 feet to a point; thence Northwesterly at right angles to the last course for a distance of 100.0 feet to the point of beginning.

AND

The following described portion of the North 1/2 of the North 1/2 of the SW 1/4

Page 1 of 2

I:\work\REAL\University Shopping Center - 2014 Refinance\Title\Legal Description.doc

OR BK 29531 PG 0371  
LAST PAGE

of the NE 1/4 of Section 30, Township 54 South, Range 41 East, Miami-Dade County, Florida:

Begin at the intersection of the Southeasterly right-of-way line of the Miami-Homestead Highway as the same is shown on the Plat of CORAL GABLES RIVIERA SECTION PART 8, Plat Book 25, Page 55, of the Public Records of Miami-Dade County, Florida, and the South line of the North 1/2 of the North 1/2 of the SW 1/4 of the NE 1/4 of the said Section 30; thence North 50° 39' 20" East along the prolongation Northeasterly of the Southeasterly right-of-way line of the said Miami-Homestead Highway for a distance of 44.10 feet to the intersection thereof with the prolongation Northwesterly of the Southwesterly right-of-way line of Avenue Cardenas as the same is shown on the said Plat of CORAL GABLES RIVIERA SECTION PART 8; thence South 39° 20' 40" East along the prolongation Northwesterly of the Southwesterly right-of-way line of the said Avenue Cardenas for a distance of 36.15 feet to the intersection thereof with the South line of the North 1/2 of the North 1/2 of the SW 1/4 of the NE 1/4 of the said Section 30; thence North 89° 59' 40" West along the South line of the North 1/2 of the North 1/2 of the SW 1/4 of the NE 1/4 of the said Section 30 for a distance of 57.02 feet to the point of beginning.

Page 2 of 2

I:\work\REAL\University Shopping Center - 2014 Refinance\Title\Legal Description.doc

Book29531/Page371 CFN#20150155877

Page 5 of 5



# CITY OF CORAL GABLES CONCURRENCY APPLICATION

AN APPLICATION FEE OF \$190.31 WILL BE CHARGED WITH THE COMPLETION OF THIS APPLICATION

## PROPOSED PROJECT INFORMATION:

APPLICANT: Laura L. Russo, Esq.

DEVELOPMENT NAME: The Mark Coral Gables

SITE ADDRESS: 1250 S. Dixie Highway, Coral Gables, FL

FOLIO: 03-4130-004-0010

## CONCURRENCY REVIEW REQUESTED:

(PLEASE CHECK ONE BELOW)

INFORMATIONAL

IMPACT ANALYSIS

## ASSOCIATED DEVELOPMENT ORDER:

DEVELOPMENT ORDER/PROCESSING NUMBER: \_\_\_\_\_

## PROPOSED LAND USES:

### RESIDENTIAL

SINGLE FAMILY NUMBER OF UNITS: 0

TOWNHOUSES NUMBER OF UNITS: 0

MULTI-FAMILY NUMBER OF UNITS: 396

**PROPOSED LAND USES:**

**COMMERCIAL**

SERVICE STATION NUMBER OF PUMPS: \_\_\_\_\_

SUPERMARKET 1,000 S.F. GFA: \_\_\_\_\_

DISCOUNT STORE 1,000 S.F. GFA: \_\_\_\_\_

DISCOUNT STORE W/SUPERMARKET 1,000 S.F. GFA: \_\_\_\_\_

GENERAL RETAIL OR DEPT. STORE 1,000 S.F. GFA: \_\_\_\_\_

AUTO SUPPLY 1,000 S.F. GFA: \_\_\_\_\_

NEW CAR DEALER 1,000 S.F. GFA: \_\_\_\_\_

CONVENIENCE STORE 1,000 S.F. GFA: \_\_\_\_\_

**SHOPPING CENTER**

½ TO 1 MILLION SQ. FT. 1,000 S.F. GFA: \_\_\_\_\_

100 TO 500 THOUSAND SQ. FT. 1,000 S.F. GFA: \_\_\_\_\_

LESS THAN 100,000 SQ. FT. 1,000 S.F. GFA: \_\_\_\_\_

CENTRAL AREA HIGH DENSITY 1,000 S.F. GFA: \_\_\_\_\_

GENERAL MFG. WAREHOUSE 1,000 S.F. GFA: \_\_\_\_\_

PLUS NUMBER OF BAYS: \_\_\_\_\_

RESEARCH/DEVELOPMENT 1,000 S.F. GFA: \_\_\_\_\_

INDUSTRIAL PARK 1,000 S.F. GFA: \_\_\_\_\_

GENERAL LIGHT INDUSTRY 1,000 S.F. GFA: \_\_\_\_\_

ALL INDUSTRY AVERAGE OFFICES 1,000 S.F. GFA: \_\_\_\_\_

GENERAL OFFICE 1,000 S.F. GFA: \_\_\_\_\_



MEDICAL OFFICE 1,000 S.F. GFA: \_\_\_\_\_

PROFESSIONAL OFFICE 1,000 S.F. GFA: \_\_\_\_\_

CIVIC CENTER 1,000 S.F. GFA: \_\_\_\_\_

RESEARCH CENTER 1,000 S.F. GFA: \_\_\_\_\_

#### RESTAURANTS

QUALITY 1,000 S.F. GFA: \_\_\_\_\_

OTHER SIT-DOWN 1,000 S.F. GFA: \_\_\_\_\_

FAST FOOD 1,000 S.F. GFA: \_\_\_\_\_

NUMBER OF SEATS: \_\_\_\_\_

BANKS 1,000 S.F. GFA: \_\_\_\_\_

#### HOSPITALS

GENERAL NUMBERS OF BEDS: \_\_\_\_\_

CHILDREN NUMBER OF BEDS: \_\_\_\_\_

CONVALESCENT NUMBER OF BEDS: \_\_\_\_\_

UNIVERSITY NUMBER OF BEDS: \_\_\_\_\_

VETERANS NUMBER OF BEDS: \_\_\_\_\_

NURSING HOME NUMBER OF BEDS: \_\_\_\_\_

CLINICS NUMBER OF BEDS: \_\_\_\_\_

#### EDUCATIONAL

ALL NUMBER OF STUDENTS: \_\_\_\_\_

4-YEAR UNIVERSITY NUMBER OF STUDENTS: \_\_\_\_\_

JR. COLLEGE NUMBER OF STUDENTS: \_\_\_\_\_

EDUCATIONAL (CONTINUES)

SECONDARY SCHOOL NUMBER OF STUDENTS: \_\_\_\_\_

ELEMENTARY SCHOOL NUMBER OF STUDENTS: \_\_\_\_\_

COMBINED ELEM./SEC. NUMBER OF STUDENTS: \_\_\_\_\_

LIBRARY NUMBER OF STAFF: \_\_\_\_\_

MOTEL/HOTEL

HOTEL NUMBERS OF ROOMS: \_\_\_\_\_

MOTEL NUMBER OF ROOMS: \_\_\_\_\_

RESORT HOTEL NUMBER OF ROOMS: \_\_\_\_\_



**City of Coral Gables**  
**Development Services Department**  
**Public School Concurrency**

**Application Information**

Application Type:*	Change in Land Use, Zoning & Mixed Site Approval
Application Sub-type:	
Application Name:*	The Mark
Telephone number:*	404-455-7973
E-mail address: *	Bryan.Boyles@Landmarkproperties.com
Project address:*	1250 S. Dixie Highway, Coral Gables, FL

**Contact Information**

Contact Information	Laura L. Russo, Esq.
Telephone number:*	305-476-8300
E-mail address: *	Laurar@Laurarussolaw.com
Local Government Name:	City of Coral Gables
Local Government Telephone Number:	305-460-5235
Local Government E-mail:	<a href="mailto:Schoolconcurrency@coralgables.com">Schoolconcurrency@coralgables.com</a>
Local Government Application Number:	(OFFICE USE ONLY)

**Property Details**

Master Parcel/Folio Number:*(No dashes)	0341300040010
Additional Parcel/Folio Numbers: (Separate by a comma ,)	
Total Acreage:*	3.17 acres
Previous Use.	Retail strip mall
<b>Total Number of Existing Units:</b>	<b>0 - No Current Units</b>
Demolition Permit#: _____ Date: _____	
Proposed Use:	Mixed Use - Residential / Retail / Restaurant / Work Live
Single Family Detached Increase in Units:*	
Single Family Attached Increase in Units:*	
Multi-Family Attached Increase in Units:*	396
<b>Total Number of Units increased:*</b>	<b>396</b>

Owner/Architect/Contractor Name (Please circle one) Javier Font

STATE OF FLORIDA  
 COUNTY OF MIAMI-DADE

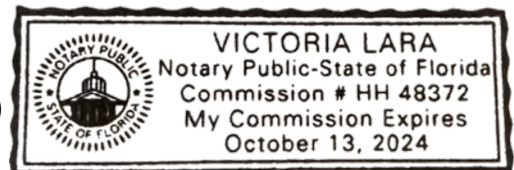
The foregoing was acknowledge before me this 14th day of Dec. 2023, by Javier Font

is personally known to me,  
 has produced a \_\_\_\_\_ as identification.

*[Handwritten signature]*

NOTARY PUBLIC

(SEAL)



Effective April 25, 2008, all residential development must be reviewed for compliance with Public School Concurrency. This requirement is pursuant to the 2005 Growth Management Legislation enacted under Chapters 163 and 1013, Florida Statutes.

Applications are available at the Development Review Committee, Board of Architects, Concurrency offices or on our web site at [www.coralgables.com](http://www.coralgables.com).

For additional questions, please contact Miami-Dade Public Schools Board at (305) 995-7634 or e-mail at [concurrency@dadeschools.net](mailto:concurrency@dadeschools.net)

**Required for:**

This process will be required for all projects having a residential component of 2 or more residential units. Applicants will submit applications at the Development Review Committee (if applicable) and the Board of Architects Offices and must have obtained the MDCPS approval prior to concurrency's plan review.

Re-development of an improved property which has been demolished for no longer than one year will receive credit for demolished residential units. For example if the demolished property had 20 units and the new re-development is proposed to have 50 units; please enter an increase of 30 units on the "Total Number of Units increased" field on the application.

**School Concurrency Review Process:**

1. Applications must be submitted to the local government who will transmit applications electronically to Miami-Dade Public Schools for Public School Concurrency review.
2. Applicants will receive an e-mail from MDCPS (Miami-Dade County Public Schools) acknowledging receipt, providing the MDCPS application number and the link to the website where fees can be paid. An application will not be processed without the required payments
3. School Concurrency Reviews will be processed and completed within 10 days from receipt of payment.

1985 MAR 20 AM 10:36

85R081163

REC 12449 PG 1450

## DECLARATION OF RESTRICTIVE COVENANT

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the undersigned LOUIS GROSSMAN, THEODORE ROY GROSSMAN, FREDI SUSAN CONSOLO and GAIL C GIDNEY, are the fee simple owners of the following described property situate and being in the City of Coral Gables, Florida:

Lots 27 through 31 in Block 156 of CORAL GABLES RIVIERA SECTION PART 8, according to the plat thereof, recorded in Plat Book 25 at Page 55 of the Public Records of Dade County, Florida,

AND

The 45 foot alley lying between the said Tract "A" and the said Lots 27 through 31 in Block 156 of CORAL GABLES RIVIERA SECTION PART 8, according to the plat thereof, recorded in Plat Book 25 at Page 55 of the Public Records of Dade County, Florida,

AND

The following described portion of the N 1/2 of the N 1/2 of the SW 1/4 of the NE 1/4 of Section 30, Township 54 South, Range 43 East, Dade County, Florida;

Begin at the intersection of the southeasterly right-of-way line of the Miami-Homestead Highway as the same is shown on the Plat of Coral Gables Riviera Section Part 8, Plat Book 25, Page 55, of the Public Records of Dade County, Florida, and the South line of the N 1/2 of the N 1/2 of the SW 1/4 of the NE 1/4 of the said Section 30; thence North 50 degrees 39 minutes 20 seconds East along the prolongations northeasterly of the southeasterly right-of-way line of the said Miami-Homestead Highway for a distance of 44.10 feet to the intersection thereof with the prolongation northwesterly of the southwesterly right-of-way line of Avenue Cardenas as the same is shown on the said plat of Coral Gables Riviera Section Part 8; thence South 39 degrees 20 minutes 40 seconds East along the prolongation northwesterly of the southwesterly right-of-way line of the said Avenue Cardenas for a distance of 36.15 feet to the intersection thereof with the South line of the N 1/2 of the N 1/2 of the SW 1/4 of the NE 1/4 of the said Section 30; thence North 89 degrees 59 minutes 40 seconds West along the South line of the N 1/2 of the N 1/2 of the SW 1/4 of the NE 1/4 of the said Section 30 for a distance of 57.02 feet to the point of beginning.

WHEREAS, the City Commission of the City of Coral Gables on the 22nd day of January, 1985 passed and adopted Resolution No. 24543 which authorized the requested variance to encroach over the public right-of-way at 1200 South Dixie Highway with a glass designed canopy; subject to, among other things, the owners agreeing to (1) maintain the encroaching structure in good repair at all times, (2) reserve unto the City the right to remove, add, maintain or have the owner remove the improvement, (3) save the City harmless, and (4) furnish the City with a policy or certificate of insurance coverage in the minimum limits of \$500,000 each person and \$500,000 each occurrence for bodily injury and \$250,000 each occurrence on property damage or \$500,000 single limit coverage and naming the City as co-insured under such policy.

NOW, THEREFORE, for good and valuable consideration, the undersigned do hereby declare that they will not convey or cause to be conveyed the title to the above property without requiring the successor in title to abide by all of the terms and conditions set forth herein.

PREPARED BY: ROBERT D. ZAHNER, CITY ATTORNEY  
City Hall - 405 Biltmore Way, Coral Gables, Florida 33134

9-

OFF. REC. 1244961451

FURTHER, the undersigned declare that this covenant is intended and shall constitute a restrictive covenant concerning the use, enjoyment and title to the above property and shall constitute a covenant running with the land and shall be binding upon the undersigned, their successors and assigns.

IN WITNESS WHEREOF, the undersigned have caused its seal to affixed hereto on this 11 day of February, 1985.

<u><i>Patricia C. Grossman</i></u>	}	<u><i>Louis Grossman</i></u> (LS)
<u><i>Theodore Roy Grossman</i></u>		<u><i>Theodore Roy Grossman</i></u> (LS)
<u><i>Fredi Susan Consolo</i></u>		<u><i>Fredi Susan Consolo</i></u> (LS)
<u><i>Gail C. Gidney</i></u>		<u><i>Gail C. Gidney</i></u> (LS)


STATE OF FLORIDA )  
COUNTY OF DADE )<sup>SS.</sup>

I HEREBY CERTIFY that on this day personally appeared before me LOUIS GROSSMAN, THEODORE ROY GROSSMAN, FREDI SUSAN CONSOLO and GAIL C. GIDNEY, and they acknowledged that they executed the foregoing for the purposes therein expressed.

SWORN and subscribed before me on this 11 day of February, 1985.

My commission expires:

*Patricia C. Grossman*  
NOTARY PUBLIC



APPROVED AS TO FORM:

NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION EXPIRES 12/31/1985

*Robert D. Zahner*  
ROBERT D. ZAHNER, CITY ATTORNEY

RECORDED IN OFFICIAL RECORDS BOOK  
OF DADE COUNTY FLORIDA  
RECORD VERIFIED  
RICHARD P. BRUNKE  
CLERK CIRCUIT COURT

99056487

OFF: 1870701713  
REC: 1870701713

99R383237 1999 JUL 23 12:37

DECLARATION OF RESTRICTIVE COVENANT

KNOW ALL MEN BY THESE PRESENTS: WHEREAS, the undersigned FREDI CONSOLO is /are the fee simple owner(s) of the following described property situated and being in the City of Coral Gables, Florida:

Lot(s) PORTION OF TRACT A Block 156 of CORAL GABLES RIVIERA SECTOR 8 Subdivision, according to the plat thereof, as recorded in Plat Book 46 Page 100 of the Public Records of Dade County, Florida, and

WHEREAS, it is the desire of the undersigned to encroach over the public right-of-way at 1200 SOUTH DIXIE HWY with awning(s) and in order to induce the City of Coral Gables to issue a permit for said awning, the undersigned agree(s) to (1) maintain the awning(s) in good repair at all times; (2) save the City harmless and; (3) furnish the City with a policy or certificate of insurance coverage in the minimum limits of \$300,000 each person and \$300,00 each occurrence for the bodily injury and \$250,000 each occurrence on property damage or \$300,000 single limit coverage and naming the city as co-insured under such policy .

NOW, THEREOF, for good and valuable consideration, the undersigned do(es) hereby declare that he/she will not convey or cause to be conveyed the title to the above property without requiring the successor in title to abide by all terms and conditions set forth herein.

FURTHER, the undersigned declare(s) that this covenant is intended and shall constitute a restrictive covenant concerning the use, enjoyment and title to the above property and shall constitute a covenant running with the land and shall be binding upon the undersigned, his/her successors and assigns and may only be released by the City of Coral Gables, or its successor, in accordance with the ordinance of said City then in effect.

IN WITNESS WHEREOF, the undersigned has/have caused 1 hand(s) and seal(s) to be affixed hereto on this 10 day of JUNE 1999.

WITNESS(ES)

OWNER(S)

Lance Robbins  
Sign above and print name here  
Lance Robbins  
Doan Polito  
Sign above and print name here  
Doan Polito

Fredi Consolo  
Sign above and print name here  
FREDI CONSOLO  
Sign above and print name here

COUNTY OF DATE ):

I HEREBY CERTIFY that on this day personally appeared before me FREDI CONSOLO who is personally known to me or has produced PERSONALLY KNOWN (type of identification) as identification and he/she acknowledge that he/she executed the foregoing, freely and voluntarily, for purposes therein expressed.

SWORN TO AND SUBSCRIBED before me on this 10 day of JUNE, 1999

My commission expires:

PREPARED BY:

J. CHAMBERLIN  
24 NE 24<sup>TH</sup> AVENUE  
POHPLANO BCH, FL 33004

Jandianne Chamberlin  
NOTARY PUBLIC STATE OF FLORIDA

Jandianne Chamberlin  
My Commission C0785279  
Expires October 22, 2002

APPROVED AS TO FORM

Elizabeth M. Hernandez  
Elizabeth M. Hernandez, City Attorney

RECORDED IN OFFICIAL REVERSE BOOK  
OF DADE COUNTY, FLORIDA  
RECORDS VERIFIED  
HARVEY RUVIN  
CLERK, CIRCUIT COURT

AWNING COVENANT

4786

99056487

OFF. REC. 18707 1713

99R333237 1999 JUL 23 12:57

DECLARATION OF RESTRICTIVE COVENANT

KNOW ALL MEN BY THESE PRESENTS: WHEREAS, the undersigned FREDI CONSOLO is /are the fee simple owner(s) of the following described property situated and being in the City of Coral Gables, Florida:

Lot(s) Portion of Tract A Block 156 of Coral Gables Riviera Section 18 Subdivision, according to the plat thereof, as recorded in Plat Book 46 Page 100 of the Public Records of Dade County, Florida, and

WHEREAS, it is the desire of the undersigned to encroach over the public right-of-way at 1200 SOUTH DIXIE HWY with awning(s) and in order to induce the City of Coral Gables to issue a permit for said awning, the undersigned agree(s) to (1) maintain the awning(s) in good repair at all times; (2) save the City harmless and; (3) furnish the City with a policy or certificate of insurance coverage in the minimum limits of \$300,000 each person and \$300,00 each occurrence for the bodily injury and \$250,000 each occurrence on property damage or \$300,000 single limit coverage and naming the city as co-insured under such policy .

NOW, THEREOF, for good and valuable consideration, the undersigned do(es) hereby declare that he/she will not convey or cause to be conveyed the title to the above property without requiring the successor in title to abide by all terms and conditions set forth herein.

FURTHER, the undersigned declare(s) that this covenant is intended and shall constitute a restrictive covenant concerning the use, enjoyment and title to the above property and shall constitute a covenant running with the land and shall be binding upon the undersigned, his/her successors and assigns and may only be released by the City of Coral Gables, or its successor, in accordance with the ordinance of said City then in effect.

IN WITNESS WHEREOF, the undersigned has/have caused 1 hand(s) and seal(s) to be affixed hereto on this 10 day of JUNE 1999.

WITNESS(ES)

OWNER(S)

Sign above and print name here Laurel Robbins  
Doanwe Polito  
Sign above and print name here Doanwe Polito

Sign above and print name here FREDI CONSOLO  
Sign above and print name here FREDI CONSOLO

COUNTY OF DATE ):

I HEREBY CERTIFY that on this day personally appeared before me FREDI CONSOLO who is personally known to me or has produced PERSONALLY KNOWN (type of identification) as identification and he/she acknowledge that he/she executed the foregoing, freely and voluntarily, for purposes therein expressed.

SWORN TO AND SUBSCRIBED before me on this 10 day of JUNE, 1999

My commission expires:

PREPARED BY:

J. CHAMBERLIN  
24 NE 24<sup>TH</sup> AVENUE  
POPPALO BCH, FL 33002

Jandianne Chamberlin  
NOTARY PUBLIC STATE OF FLORIDA

Jandianne Chamberlin  
My Commission CC785278  
Expires October 22, 2002

APPROVED AS TO FORM

Elizabeth M. Hernandez  
Elizabeth M. Hernandez, City Attorney

NOT RECORDED IN OFFICIAL RECORDS BOOK  
OF DADE COUNTY, FLORIDA  
RECORDED BY  
HARVEY RUVIN  
CLERK OF CIRCUIT COURT

AWNING COVENANT

4786



## **Interlocal Agreement For Transfer of Jurisdiction of Mariposa Court**

**THIS INTERLOCAL AGREEMENT FOR TRANSFER OF JURISDICTION OF MARIPOSA COURT** ("Agreement") is entered into this 30th day of January, 2014, by and between **THE CITY OF CORAL GABLES, a Florida municipal corporation,** ("CITY") and **MIAMI-DADE COUNTY, a political subdivision of the State of Florida,** ("COUNTY"),

### **WITNESSETH**

**WHEREAS,** COUNTY plans to construct a Pedestrian Overpass at or near the University Metrorail Station over US-1 to Mariposa Court ("Pedestrian Overpass"); and

**WHEREAS,** COUNTY desires to have jurisdictional responsibility for Mariposa Court from US-1 to the beginning of the intersection of Mariposa Avenue ("Mariposa Court") as a part of the County Road System for the construction, operation and maintenance of the Pedestrian Overpass; and

**WHEREAS,** the COUNTY and the CITY are desirous of transferring the underlying title and responsibility for the operation and maintenance of Mariposa Court from the CITY to the COUNTY; and

**WHEREAS,** pursuant to Section 335.0415, Florida Statutes, jurisdiction and responsibility for public roads may be transferred by mutual agreement of the CITY and the COUNTY; and

**WHEREAS,** Section 337.29(3), Florida Statutes, provides that title to roads transferred pursuant to Section 335.0415, Florida Statutes, shall be in the governmental entity to which such

road has been transferred upon the recording of a deed or a right-of-way map in the public records; and

**WHEREAS**, the CITY and the COUNTY have determined that it is in the best interest of the parties that responsibility for the operation and maintenance of Mariposa Court as well as any future improvements thereto or thereon be transferred to the COUNTY.

**NOW, THEREFORE**, in consideration of the promises and the mutual covenants contained herein, the CITY and the COUNTY hereby agree as follows:

1. The above recitals are true and correct and incorporated herein.
2. The jurisdiction, ownership and control of Mariposa Court as part of the City's municipal road system shall be transferred and conveyed in its entirety as defined in Section 334.03(22), Florida Statutes, including the right of way, sidewalks and drainage, to the County as part of the County road system; to wit, from the beginning of Mariposa Court's intersection with South Dixie Highway (US 1) to the beginning of its intersection with Mariposa Avenue.
3. The right and responsibility of all traffic engineering matters to regulate traffic and determine appropriate measures and install, maintain, modify or remove traffic control devices such as traffic signals, signs and pavement markings shall remain with the COUNTY and is not impacted by this Agreement. In connection with the construction of the project, the COUNTY agrees to apply the higher of either 1) the COUNTY standards that are applied to all other roads and sidewalks within the County road system or 2) the existing condition as of the date of this Agreement. COUNTY agrees to limit its construction activities to the dates and times as outlined in the CITY ordinances in setting the construction dates and times for the Pedestrian Overpass, and the CITY will not unreasonably deny requests by the COUNTY pursuant to those ordinances to allow construction at dates and times outside the normally permitted construction

hours. The COUNTY agrees to obtain final design approval from the CITY of any material deviations as determined by the CITY from the plans which already have been preliminarily approved by the CITY for the Pedestrian Overpass, and such approval shall not be unreasonably withheld and the CITY shall make its decision within 21 days of such request.

4. COUNTY agrees to accept all legal rights, responsibilities and obligations with respect to Mariposa Court, including, but not limited to, the operation and routine maintenance (as defined in Section 334.03(23), Florida Statutes, including sidewalks, drainage and stormwater management) of said road. In addition, COUNTY accepts full permitting and regulatory responsibility with regard to any existing utilities located within Mariposa Court and CITY shall transfer any existing permits to the COUNTY with respect to same upon recording of the deed of transfer.

5. The COUNTY accepts and shall be responsible for any and all liability for any and all claims or causes of actions of whatsoever nature arising out of COUNTY's use, operation and maintenance of Mariposa Court including the construction, operation, use and maintenance of the Pedestrian Overpass, as provided herein. COUNTY agrees to the extent permitted by law and as limited by Section 768.28, Florida statutes where applicable, to defend, indemnify and hold harmless CITY, its Commissioners, officers, attorneys, employees and agents, against any claims, demands, damages and causes of action that may be brought against CITY relating to COUNTY's use, operation and maintenance of Mariposa Court and construction, use, operation and maintenance of the Pedestrian Overpass or otherwise related to this Agreement. COUNTY shall defend any action or proceedings brought against the CITY, its Commissioners, officers, attorneys, employees and agents pursuant to this Agreement and shall be responsible for all of their respective costs, attorneys fees, expenses and liabilities incurred as a result of any such

claims, demands, suits, actions, damages and causes of action, including the investigation or the defense thereof, and from and against any orders, judgments or decrees that may be entered as a result thereof. COUNTY shall also, to the extent permitted by law and as limited by Section 768.28, Florida Statutes where applicable, defend, indemnify and hold harmless CITY, its Commissioners, officers, attorneys, employees and agents from any claim, dispute, action or suit alleging any injury as a result of COUNTY's performance or failure to perform the duties assumed by COUNTY pursuant to this Agreement, and will satisfy the full and entire amount of any claims bill that may be enacted by the Florida Legislature as a result thereof or related thereto, so that the CITY, its Commissioners, officers, attorneys, employees and agents have no liability whatsoever resulting from or relating in any way to any such claims bill. In addition to COUNTY's Indemnification provisions provided herein, COUNTY shall require any contractor constructing the Pedestrian Overpass within CITY's municipal boundaries to name and include the City of Coral Gables as an additional Insured in any contract of liability insurance required by COUNTY of said contractor. Notwithstanding the foregoing, COUNTY shall not be required to defend or indemnify, nor shall it be responsible for any claims, damages or liability caused by the City's own negligence.

6. This Agreement shall not be construed to eliminate or impact CITY's responsibility, to the extent permitted by law, and subject to and as limited by Section 768.28, Florida Statutes, for any tort liability for any actions arising out of CITY's operation and maintenance of Mariposa Court prior to and up to the effective date of the transfer of such road, which shall survive such transfer.

7. Upon execution of this Agreement, the COUNTY and CITY shall, without undue delay, record in the public records of Miami-Dade County the CITY QUIT CLAIM DEED

transferring jurisdiction and ownership of Mariposa Court to COUNTY. Following the transfer of jurisdiction and ownership provided herein, should the Pedestrian Overpass project be discontinued or abandoned by COUNTY, after construction has commenced, and all construction activity toward completion of the Pedestrian Overpass has ceased for a period of twelve (12) months or more without good cause being shown as reasonably determined by CITY, then CITY may elect at its sole and exclusive option, to have COUNTY restore Mariposa Court at the sole cost and expense of COUNTY to the condition it was in prior to commencement of the Pedestrian Overpass project, and thereafter, execute a deed reconveying and transferring jurisdiction of Mariposa Court back to CITY.

8. Whenever one of the parties to this Agreement desires to give notice to the other, such notice must be in writing, sent by U.S. Mail, certified, return receipt requested, postage prepaid, addressed to the party for whom it is intended at the place last specified; the place for giving of notice shall remain such until it is changed by written notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective places for giving notice:

For the COUNTY:

County Mayor  
 County Mayor's Office  
 Stephen P. Clark Center  
 111 N.W. 1<sup>st</sup> Street, Suite 2910  
 Miami, Florida 33126  
 Telephone: (305) 375-5311  
 Facsimile: (305) 375-4656

For the CITY:

City Manager  
 405 Biltmore Way  
 Coral Gables, Florida 33134  
 Telephone: (305) 460-5201

Facsimile: (305) 460-5350  
Copies to City Attorney and Public Works Director

9. The provisions of this Agreement shall be in full force and effect commencing on the date of the execution of this agreement and continuing in perpetuity.

10. Each party represents that this Agreement has been duly approved and executed by its governing body and that it has the required power and authority to enter into and perform the obligations hereunder.

11. Any and all existing interlocal agreements between COUNTY, or any of its departments or agencies (such as but not limited to DERM, WASD, Public Safety, etc.) and CITY shall remain in full force and effect and shall not be altered, changed, modified, amended or terminated as a result of this Agreement.

12. If any term or provision of this Agreement shall to any extent be held invalid or unenforceable, the remainder of this Agreement shall not be affected and each term and provision of this Agreement shall be valid and be enforced.

13. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same Agreement.

14. This Agreement shall be construed in accordance with the laws of the State of Florida and any proceedings arising in any matter pertaining to this Agreement shall, to the extent permitted by law, be held in Miami-Dade County, Florida.

15. This Agreement shall not be construed as creating any rights in any parties, entities or individuals other than such parties, entities, and individuals who have been identified in this Agreement, and no other third party beneficiaries shall be deemed to be created hereby.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective and duly authorized representatives.

Attest: CITY OF CORAL GABLES, FLORIDA

By: [Signature]  
Walter Foeman  
City Clerk

By: [Signature] 1/30/14  
Patrick Salerno  
City Manager / Date

Approved for legal sufficiency and form:

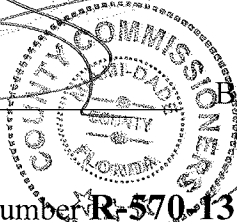
[Signature]  
City Attorney

Authorized by Resolution No. 2013-90

Attest: MIAMI-DADE COUNTY, FLORIDA

Harvey Ruvin, Clerk

By: [Signature]  
Deputy Clerk



By: [Signature] 1/23/13  
Mayor Carlos Gimenez or designee / Date

Authorized by Resolution Number R-570-13

Approved for legal sufficiency and form:

[Signature]  
County Attorney

Return to:  
 Craig Leen  
 City Attorney's Office  
 Instrument Prepared by:  
 Craig Leen  
 City Attorney's Office  
 City of Coral Gables  
 405 Biltmore Way  
 Coral Gables, Florida 33134

Public Road Transfer of Mariposa Court

Section 30-54-41

**CITY QUIT CLAIM DEED**

THIS DEED, Made this 30<sup>th</sup> day of JANUARY, A.D. 2014, by and between **CITY OF CORAL GABLES**, a Florida municipal corporation, whose address is 405 Biltmore Way, Coral Gables, Florida 33134, hereinafter "CITY", and **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, whose address is Stephen P. Clark Center, 111 N.W. 1st Street, Miami, Florida 33128-1970, hereinafter "COUNTY",

**WHEREAS:** Pursuant to Section 335.0415, Florida Statutes said CITY and said COUNTY have agreed that MARIPOSA COURT a Road located within the boundaries of the CITY is to be transferred to the jurisdiction of said COUNTY;

**WITNESSETH:**

That said CITY, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations to it in hand paid by the COUNTY, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the COUNTY, its successors and assigns forever, the following described public road together with the rights-of-way appurtenant thereto which are situate, lying and being entirely within the corporate limits of said CITY in Miami-Dade County, State of Florida, to wit:

The entirety of MARIPOSA COURT, a public road, as road is defined in Section 334.03(22) Florida Statutes, located in the City of Coral Gables in the Southwest 1/4 of the Northeast 1/4 of Section 30, Township 54 South, Range 41 East of Miami-Dade County, Florida, from its beginning boundary with South Dixie Highway (U.S.1) to its beginning boundary with Mariposa Avenue. Location Map attached hereto.



This grant conveys only the interest of the CITY and its City Commission in the property herein described, and shall not be deemed to warrant the title or to represent any state of facts concerning the same.

IN WITNESS WHEREOF, the said CITY has caused these presents to be executed in its name by its City Commissioners, acting by the City Manager, and attested by the Clerk or Deputy Clerk of said CITY, the day and year aforesaid.

ATTEST:  
WALTER FOEMAN  
CITY CLERK

CITY OF CORAL GABLES, FLORIDA,  
a Florida MUNICIPAL CORPORATION,  
  
BY ITS CITY COMMISSION


BY:   
City Clerk

By:   
City Manager

The foregoing transfer of a public road was authorized and approved by Resolution No. 2013-90 of the City Commission of the City of Coral Gables, Florida, on the 28th day of May, 2013;

And was approved and accepted by Resolution No. R-570-13 of the Miami-Dade County Board of County Commissioners on the 2nd day of July, 2013.

Approved as to form and legal sufficiency

  
Craig E. Leen, City Attorney



**Water and Sewer**  
P. O. Box 330316 • 3071 SW 38th Avenue  
Miami, Florida 33233-0316  
T 305-665-7471

[miamidade.gov](http://miamidade.gov)

October 5, 2023  
Laura L. Russo, Esq.  
2324 Ponce de Leon Boulevard, Suite 240  
Coral Gables, Florida. 33134  
RE: Request to Vacate Alley  
University Shopping Center/Zoning  
1250 S. Dixie Highway, Coral Gables, Fl.

Dear Mrs. Russo:

On behalf of Miami-Dade Water & Sewer Department (WASD), this letter shall serve as notice of "no-objection" to the vacation of the Alley located at 1250 S. Dixie Highway on City of Coral Gables measure 45.0 feet wide and 125.00 feet long, that starts at the eastern edge of property.

WASD does not have any Water and/or Sewer within the reference Alley.

If there are any questions, or if you require further assistance, please contact me at the telephone number below.

A handwritten signature in black ink, appearing to read "G. Guillermo Guerrero".

**G. Guillermo Guerrero, PSM**  
**Right of Way Unit**  
**Miami Dade County Water and Sewer Department**

☎: 786-268-5178

[www.miamidade.gov/water](http://www.miamidade.gov/water)

Connect With Us on [Twitter](#) | [Facebook](#)





October 9, 2023

**LAURA L. RUSSO, ESQ., LLC**  
2334 Ponce De Leon Boulevard, Suite 240  
Coral Gables, Florida 33134

Reference: ALTA / NSPS LAND TITLE SURVEY – 1250 S DIXIE HWY CORAL GABLES, FL

Location: A PORTION OF SECTION 30, TOWNSHIP 54 SOUTH, RANGE 41 EAST.  
CITY OF CORAL GABLES, MIAMI-DADE COUNTY, FLORIDA

Please consider this letter as your notification that satisfactory arrangements for installation of electric service have been made in accordance with Ordinance 68-69.

As per our agreement with you, we would appreciate your making these satisfactory arrangements contingent on easement requirements as follows:

- ( ) Easements necessary for electrical facilities marked on the attached copy of the subject tentative plat and a duplicate was sent to owner.
- (X) No Additional Easements are required at this time for electrical facilities. Any additional easements required will be obtained by instrument prior to completion of building construction.
- ( ) Easements have been assured verbally by the owner/developer and will be granted prior to completion of the building construction. An Easement by means of instrument will be granted by the customer for future facilities, therefore FPL has no objections to the approval and recording of the Plat.

In addition, contributions in aid of construction for relocation or installation of underground electrical facilities, whenever applicable, will be collected at a later date and therefore FPL has no objection to this Plat.

You must make sure none of the equipment being used during the project will be in conflict with any of our existing facilities. You verified that the road restoration will not come in conflict or damage our poles. If it will, you will be subject to a potential claim and/or a forced relocation cost of the facility. You will have to contact the engineer of the area once again if any conflicts are found during construction.

If there are any questions or you need further information, please call (305) 377-6009 for assistance.

Sincerely,

A handwritten signature in black ink that reads "Robert Gadon". The signature is written in a cursive, flowing style.

Robert Gadon  
Engineer II



Andres Hernandez  
OSPE  
AT&T Florida  
600 NW 79<sup>th</sup> Ave Room 360  
Miami, FL 33126

T: 305-322-3943  
Ah0816@att.com

October 6, 2023

Laura L. Russo, ESQ.

**RE: University Shopping Center**

**Property:1250 S DIXIE HWY, Coral Gables, FL 33146/Folio:03-4130-019-0020**

AT&T has no objection to the vacation of the 45' wide and 125' long alley described on the attached Title Survey. If you have any questions concerning this consent letter, please call me at (305) 322-3943.

Sincerely,

*Andres Hernandez*

Andres Hernandez  
Resource Manager  
OSP Planning & Engineering Design-South Florida  
AT&T Florida

Enclosed

**From:** Rodas, Paul [prodas@coralgables.com](mailto:prodas@coralgables.com)   
**Subject:** RE: Alley Vacation - Property: 1250 S. Dixie Highway, Coral Gables, FL  
**Date:** October 4, 2023 at 1:28 PM  
**To:** Saucedo, Jose [jsaucedo@coralgables.com](mailto:jsaucedo@coralgables.com), Jessy Pineda [jessyp@laurarussolaw.com](mailto:jessyp@laurarussolaw.com)  
**Cc:** Laura Russo [laurar@laurarussolaw.com](mailto:laurar@laurarussolaw.com)

PR

Good afternoon Jose and Jessy,

Jessy is requesting written verification that the Utilities Division does not have any facilities within their easement.

I missed commenting on that easement during DRC, so they are doing their due diligence to insure we have no interest in that area. A confirmation to this email would suffice.

Thank you,

**Paul Rodas, P.E.**  
**City Engineer & Permit Section Manager**  
**City of Coral Gables**  
**Department of Public Works**  
**2800 SW 72nd Avenue**  
**Miami, FL 33155**  
**T: 305.460.5048**



---

**From:** Saucedo, Jose <[jsaucedo@coralgables.com](mailto:jsaucedo@coralgables.com)>  
**Sent:** Wednesday, October 4, 2023 12:39 PM  
**To:** Jessy Pineda <[jessyp@laurarussolaw.com](mailto:jessyp@laurarussolaw.com)>; Laura Russo <[laurar@laurarussolaw.com](mailto:laurar@laurarussolaw.com)>  
**Cc:** Rodas, Paul <[prodas@coralgables.com](mailto:prodas@coralgables.com)>  
**Subject:** RE: Alley Vacation - Property: 1250 S. Dixie Highway, Coral Gables, FL

Ms. Pineda -

Thank you for your e-mail.

We are copying Mr. Paul Rodas, Permit Section Manager, for his advice on how to proceed with this request.

In order to improve our service, could you please let us know who referred you to me?

Thanks

Have a great day.

Regards

Jose

---

**From:** Jessy Pineda <[jessyp@laurarussolaw.com](mailto:jessyp@laurarussolaw.com)>  
**Sent:** Wednesday, October 4, 2023 10:08 AM  
**To:** Saucedo, Jose <[jsaucedo@coralgables.com](mailto:jsaucedo@coralgables.com)>



September 19<sup>th</sup>, 2023

Ms. Laura L. Russo, Esq.  
**Law Office of Laura L. Russo, Esq.**  
2334 Ponce de Leon Blvd, suite 240  
Coral Gables, Florida 33134

**Re: No Objection – University Shopping Center / Zoning**  
**Located at 1250 S Dixie Hwy, Coral Gables, FL**  
**File #: 22L-266**

---

Dear Ms. Russo


On behalf of **Hotwire Communications**, this letter shall serve as a notice of “**no objection**” to vacate an alley that is 45’ wide and 125’ long that starts at the eastern edge of the property. As shows the limits of this plat.

If you have any questions, please contact me at (954) 699-0900 or via email at [walter.sancho-davila@hotwirecommunication.com](mailto:walter.sancho-davila@hotwirecommunication.com)

Sincerely,

*Walter Sancho-Davila*

**Walter Sancho-Davila**  
Project Manager - OSP Engineering

**From:** Haber, Juan J [juan.haber@verizon.com](mailto:juan.haber@verizon.com)   
**Subject:** Re: [E] Alley Vacation - Property: 1250 S. Dixie Highway, Coral Gables, FL  
**Date:** September 19, 2023 at 2:03 PM  
**To:** Jessy Pineda [jessyp@laurarussolaw.com](mailto:jessyp@laurarussolaw.com)  
**Cc:** [scott.gustafson@verizonwireless.com](mailto:scott.gustafson@verizonwireless.com), Laura Russo [laurar@laurarussolaw.com](mailto:laurar@laurarussolaw.com)



Good afternoon Jessy,

Verizon MCI does not have any facilities in the alleyways. The closest facilities are directly on US1. As long as you are not doing anything to US1, Verizon MCI is clear from facility issues.

Thanks,



**Juan Haber**

Engr II-Outside Plant  
Global Network and Technology  
Verizon Business Group

M 786 224 8576  
16563 NW 15th Ave  
Miami, FL 33169

On Tue, Sep 19, 2023 at 1:10PM Jessy Pineda <[jessyp@laurarussolaw.com](mailto:jessyp@laurarussolaw.com)> wrote:

Good afternoon,

Please see the attached.

Should you have any questions or require any additional information, please do not hesitate to call us.

Thank you,

Jessy Pineda  
Assistant to Laura L. Russo, Esq.  
LAURA L. RUSSO, ESQ., LLC  
2334 Ponce De Leon Boulevard, Suite 240  
Coral Gables, Florida 33134  
Tel: 305-476-8300  
Fax: 305-476-8383  
[Email: jessyp@laurarussolaw.com](mailto:jessyp@laurarussolaw.com)

NOTICE: This e-mail is from a law firm, Laura L. Russo, Esq., LLC, and is intended solely for the use of the individual(s) to whom it is addressed. If you believe you received this e-mail in error, please notify the sender immediately, delete the e-mail from your computer and do not copy or disclose it to anyone else. If you are not an existing client of Laura L. Russo, Esq., LLC, do not construe anything in this e-mail to make you a client unless it contains a specific statement to that effect and do not disclose anything to Laura L. Russo, Esq., LLC in reply that you expect it to hold in confidence. If you properly received this e-mail as a client, co-counsel or retained expert of Laura L. Russo, Esq., LLC, you should maintain its contents in confidence in order to preserve the attorney-client or work product privilege that may be available to protect confidentiality.

NOTE: Due to the overwhelming number of fraudulent cashier's checks circulating in



November 3rd, 2023

Laura L. Russo  
2334 Ponce De Leon Boulevard  
Coral Gables, Fl 33134  
laura@laurarussolaw.com

**RE: University Shopping Center / Zoning**  
**Property: 1250 S. Dixie Highway, Coral Gables, FL**  
**File No.: 22L-266**

Dear Ms. Russo:

Florida City Gas (FCG) has received your request to vacate a section of the aforementioned alley described on the attached survey. Based on a review of available records and/or field verification of existing FCG facilities, the following has been determined for the subject request:

**FCG does not have existing facilities within the identified limits of the aforementioned defined area. Therefore, FCG has no objections to the proposed vacation of only the described alley. FCG does have objections of vacating the mentioned alleyway.**

If you need additional information or should any questions, comments or concerns arise, please do not hesitate to contact me.

Regards,

A handwritten signature in black ink, appearing to read 'T. Simoes-Ponce'.

Tristan Simoes-Ponce  
Engineer II





**Engineering – Design Department  
6565 Nova Drive. Davie, FL 33317**

November 27, 2023

**Maria Johnston**

CEO

M. Johnston Consulting, LLC

Cell: 305-298-5500

Email: [Maria@mjohnstonconsult.com](mailto:Maria@mjohnstonconsult.com)

**RE: Easement Vacation - Property: 1250 S. Dixie Highway, Coral Gables, FL**  
Location: 1250 S. Dixie Highway, Coral Gables, FL

**Dear Mrs. Maria Johnston:**

On behalf of Comcast this letter shall serve as a notice of “No-Objection” to the following:

1. No objection to the approval the vacation of the 45’Wx 125’L Alley.

It is understood that any relocation of existing Comcast facilities associated with the proposed project will be at the owner’s expense. Additional future easements in another location may be required to provide service to the proposed project. Comcast show an existing aerial network within the easement to be vacated.

If you have any questions, please feel free to contact us.

Sincerely,

Maria Nunez  
Comcast/ Southern Division (RDC)  
6565 Nova Drive  
Davie, FL 33317

E-MAIL: [maria\\_nunez@comcast.com](mailto:maria_nunez@comcast.com)



rdr miami | public hearing notification services

certified lists of property owners within a specific radius + radius maps + mailing labels + mailouts + notice of public hearing site posting  
rdrmiami.com | diana@rdrmiami.com | 305.498.1614

March 21, 2024

City of Coral Gables  
405 Biltmore Way  
Coral Gables, Florida 33134

**Re: Property owners within 1,500 feet of:**

**SUBJECT:** 1250 S Dixie Highway, Coral Gables, FL 33146

**FOLIO NUMBER:** 03-4130-004-0010

This is to certify that the attached ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 1,500 feet radius of the external boundaries of the subject property listed above, including the subject property. This reflects the most current records on file in the Miami-Dade County Property Appraisers' Office.

Per Section 15-102: Should the radius extend beyond the City limits, notice shall be mailed outside of the City limits only to addresses that are known by reference to the latest ad valorem tax record that are within a five hundred (500) foot radius of the property that is the subject of the application.

The MDCPS Office of the Superintendent, the Principal of the MDCPS physically located within the notice area, the District 6 School Board Member, the School Board Chair and Vice Chair have been added to the list and mailing labels as per City of Coral Gables Res. 2020-245, if applicable.

Per Ordinance 2023-02, Section 15-102: All required mail notice will be sent to the property address and the mailing address per the Miami-Dade County Property Appraisers website. If the address is the same for both, then only one notice must be sent.

Sincerely,

---

Diana B. Rio

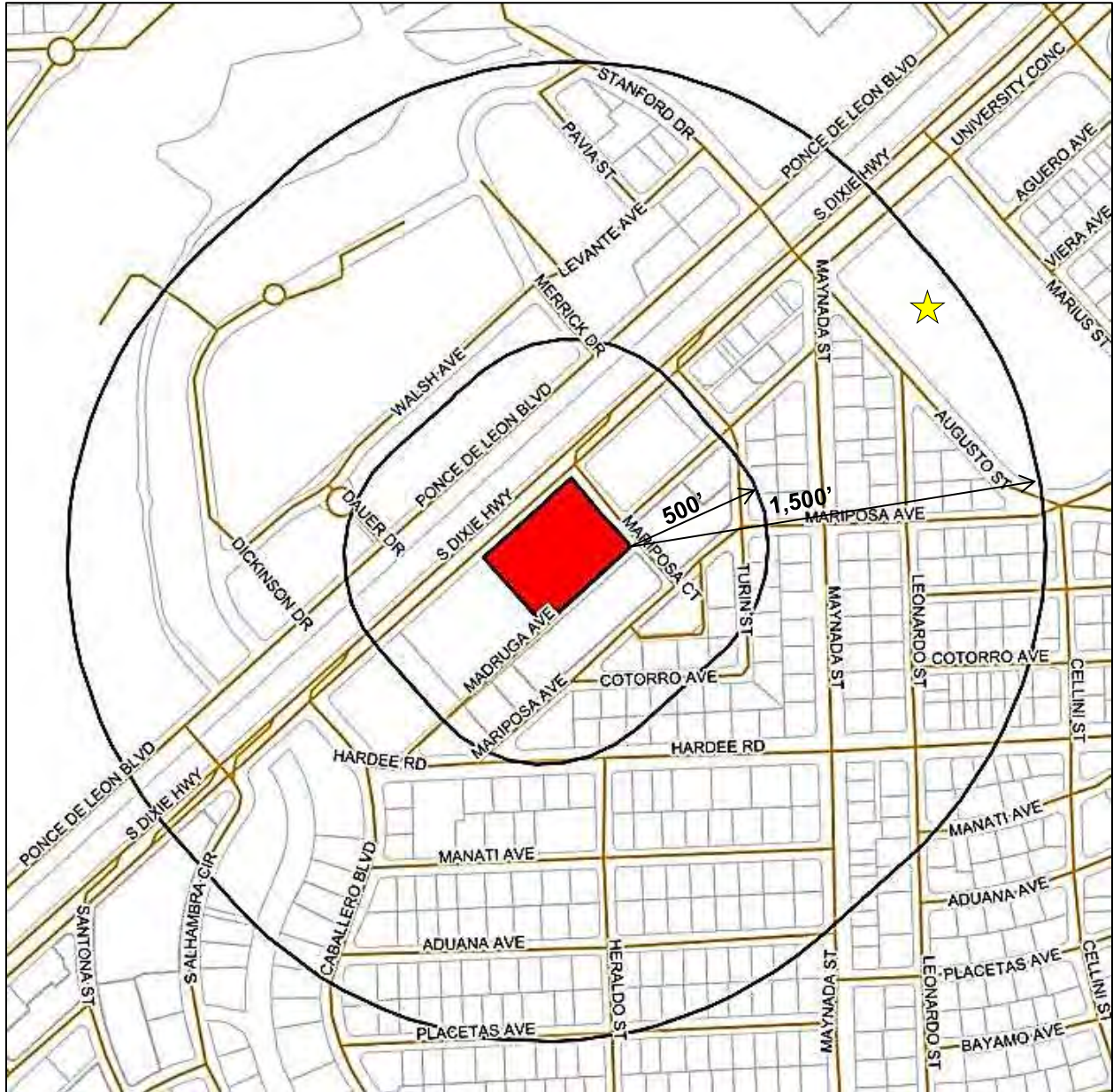
Total number of property owners without repetition: **817, including 7 international\* \*\***

*\*Includes the MDCPS Office of the Superintendent, the Principal of the MDCPS physically located within the notice area, the District 6 School Board Member, the School Board Chair and Vice Chair have been added to the list and mailing labels as per City of Coral Gables Res. 2020-245.*

*\*\*No properties outside of the City of Coral Gables boundaries were found within a 500' radius.*



### 1,500. RADIUS MAP (N.T.S.)



**SUBJECT:** 1250 S Dixie Highway, Coral Gables, FL 33146

**FOLIO NUMBER:** 03-4130-004-0010

**LEGEND, IF APPLICABLE:**

CITY OF CORAL GABLES BOUNDARY -----

MDCPS ★

## **The Mark Coral Gables**

*1250 S. Dixie Highway, Coral Gables, FL 33146*

Dear Neighbor,

We are reaching out on behalf of our recently announced mid-rise mixed-use project, The Mark Coral Gables, located at 1250 S. Dixie Highway (current University Shopping Center site). Our team at The Mark looks forward to joining the local community and would like to invite you and your fellow neighbors to an upcoming Town Hall meeting to find out about the Project.

The meeting will be held at the The Cocoplum located at 1375 Sunset Dr. on Wednesday, January 31 from 6:30 p.m. to 8:00 p.m.

Join us to learn more about The Mark Coral Gables and our commitment to providing quality neighborhood residential, restaurant and retail options, as well as enhanced open space and outdoor public amenities within walking distance to the surrounding community.

We look forward to your participation in the conversation as we look to join the Coral Gables neighborhood.

*- The Mark Coral Gables Team*

## The Mark Coral Gables

1250 S. Dixie Highway, Coral Gables, FL 33146

Dear Neighbor,

Thank you to those of you who attended our recent town hall for The Mark Coral Gables, the incoming mid-rise mixed-use residential property located at 1250 S. Dixie Hwy. We appreciate the thoughtful commentary and feedback from the audience.

Our team at The Mark is committed to continued transparency and collaboration with the Coral Gables community. **We would like to invite you to a follow-up town hall to discuss the project, held at The Cocoplum (1375 Sunset Dr.) on Wednesday, February 21 from 6:30 p.m. – 7:30 p.m.**

The Mark plans to replace an aging strip mall with quality residential, retail and restaurant options that the entire community can enjoy. Among others, benefits to the neighborhood include:

- Community green space within the planned paseo that will provide easier access to the pedestrian bridge crossing U.S. 1 to The Underline and University of Miami.
- 10- to 30-foot-wide sidewalks on all sides of the project, and unsightly overhead utility lines located along Madruga are planned to be buried underground.
- Additional significant streetscape improvements are proposed that will enhance the visual and pedestrian experience along the streets surrounding the project.
- A property committed to being a good neighbor, with outdoor amenity areas that will face U.S. 1 rather than the residential neighborhood as well as deliveries and services taking place inside of the building to minimize disruption.

We look forward to discussing further!

- *The Mark Coral Gables Team*



City of Coral Gables  
Development Services Department

**Affidavit Attesting to Public Notice of Zoning Application**

Property Owner or Authorized Representative:

All In One Direct Marketing Solutions

Property Address and Folio Number(s):

03-4130-004-0010

I, as property owner or Authorized Representative of the above described property attest that on (date) 2/8/24, I sent by U.S. Mail to each person on the list of names and addresses attached a true copy of the attached notice letter.

I further attest that I have complied with the requirements of Resolution No. 2020-245 and Resolution No. 2020-265 (requiring additional notice to Miami-Dade County Public Schools "MDCPS") as indicated below:

This application required notice to be sent to MDCPS and I have complied with the additional notice requirements in Resolutions No. 2020-245 and 2020-265 .

This application did not require notice to be sent to MDCPS.

I HEREBY CERTIFY that all information contained in this Affidavit is true and accurate. Under penalty of perjury, I declare that I have read the foregoing document and that the facts stated in it are true. Further, I acknowledge that I am subject to the City's False Claims Ordinance (Ch. 39, City of Coral Gables Code).

Affiant's Printed Name: Shelley Jacoby  
Affiant's Signature: [Signature] Date: 3/19/24

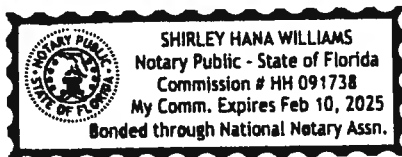
**Notary Public Affirmation**

SWORN AND SUBSCRIBED before me, this 19 day of March, 20 24, personally appeared Shelley Jacoby, being personally known to me  or having produced as identification \_\_\_\_\_, and who being fully sworn and cautioned, states that the foregoing is true and correct to the best of his/her knowledge and belief.

Signature of Notary: [Signature]

Print Name: Shirley H. Williams

Notary Public Stamp:



My Commission Expires:



City of Coral Gables  
Development Services Department

**Affidavit Attesting to Public Notice of Zoning Application**

Property Owner or Authorized Representative: All in ONE Direct Marketing Solutions

Property Address and Folio Number(s): 03-4130-004-0010

I, as property owner or Authorized Representative of the above described property attest that on (date) 1/18/24, I sent by U.S. Mail to each person on the list of names and addresses attached a true copy of the attached notice letter.

I further attest that I have complied with the requirements of Resolution No. 2020-245 and Resolution No. 2020-265 (requiring additional notice to Miami-Dade County Public Schools "MDCPS") as indicated below:

This application required notice to be sent to MDCPS and I have complied with the additional notice requirements in Resolutions No. 2020-245 and 2020-265 .

This application did not require notice to be sent to MDCPS.

I HEREBY CERTIFY that all information contained in this Affidavit is true and accurate. Under penalty of perjury, I declare that I have read the foregoing document and that the facts stated in it are true. Further, I acknowledge that I am subject to the City's False Claims Ordinance (Ch. 39, City of Coral Gables Code).

Affiant's Printed Name: Shelley Jacoby  
Affiant's Signature: Shelley Jacoby Date: 1/22/24

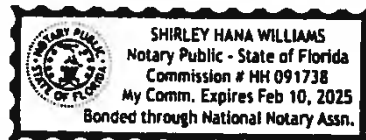
**Notary Public Affirmation**

SWORN AND SUBSCRIBED before me, this 22 day of January, 2024, personally appeared Shelley Jacoby, being personally known to me  or having produced as identification \_\_\_\_\_, and who being fully sworn and cautioned, states that the foregoing is true and correct to the best of his/her knowledge and belief.

Signature of Notary: Shirley H. Williams

Print Name: Shirley H. Williams

Notary Public Stamp:



My Commission Expires:

**Summary of Neighbor's Meeting**  
**January 31, 2024**

The meeting was well attended - approximately 53 people. At least 3 to 4 people did not sign the attendance sheet.

The applicant presented the project showing a PowerPoint of architectural plans, site plan and photographs of the surrounding area. The floor was opened to questions. Most questions revolved around traffic issues on Madrugá and the traffic light at Mariposa Ct. on US1 and the Academy (large traveling) buses that go to the Paseo project. The City's traffic consultant tried to address questions but the neighbors did not allow him to respond and doubted his independence. The meeting calmed down a bit when some neighbors asked questions about heights, the paseo and density and breakdown of unit types. The neighbors thought there was a request to increase density at first. Afterwards, several neighbors stayed behind to say they were not opposed to the project.

We are having another neighbor's meeting on February 21<sup>st</sup> to answer more questions.



## **NEIGHBOR MEETING SUMMARY FEBRUARY 21, 2024**

The second neighbors meeting was held on Wednesday, February 21, 2024 in the Cocoplum Women's Club. 32 individuals attended this meeting.

Eric Leath from Landmark made a short presentation with boards showing the elevation of the proposed project. He then opened the floor to questions.

The questions and issues centered on traffic on Madruga and intrusion into the neighborhood.

Some residents wanted less parking because apartments tenants could use Metrorail for transportation and bridge to access U.M. Campus. Some residents want speed tables on Madruga to slow down traffic. Some neighbors want the timing of the light on U.S. 1 and Mariposa Ct. looked out to prevent long queue on Mariposa Ct. One neighbor worries about increased crime and safety.

There were concerns raised on construction staging. Mr. Leath assured the neighbors that they would have access to a project representative because Landmark will construct building and construction workers would park on site. Once site cannot accommodate them, workers would park offsite and be shuttled to the site.

Some neighbors do not want apartment tenants to use Jaycee Park. Mr. Leath explained that they project has many internal amenities for tenants and if students, they also have access to U.M. amenities and facilities. One neighbor suggested a shuttle bus service to U.M.



## City of Coral Gables Notice of Public Hearing

<b>Applicant:</b>	LCD Acquisitions, LLC
<b>Application:</b>	<ol style="list-style-type: none"><li>1. Comprehensive Plan Map Amendment</li><li>2. Zoning Map Amendment</li><li>3. Zoning Code Text Amendment</li><li>4. Abandonment and Vacation of an Alley</li><li>5. Planned Area Development (PAD)</li><li>6. Conditional Use - Mixed-Use Site Plan</li></ol>
<b>Property:</b>	1250 S Dixie Highway
<b>Public Hearing - Date/Time/ Location:</b>	<b>Planning &amp; Zoning Board</b> Wednesday, April 10, 2024, 6:00 p.m.  City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134 e-comments: <a href="http://www.CoralGables.GranicusIdeas.com/meetings">www.CoralGables.GranicusIdeas.com/meetings</a>

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Planning & Zoning Board will conduct a Public Hearing on **Wednesday, April 10, 2024.**

An application has been submitted by LCD Acquisitions, LLC (“LCD”) (the “Applicant”) requesting for the review of a proposed mixed-use building to be located fronting US1, Mariposa Court, and Madruga Avenue. The project, referred to as “The Mark,” includes 393 residential units, 12 live work units, 34,631 square feet of ground floor commercial uses, 701 parking spaces, and 18,775 square feet of open space, including a greenway in between the two buildings. The proposed buildings are 97 feet (8 stories).

The requests require three public hearings, including review and recommendation by the Planning and Zoning Board, and 1<sup>st</sup> and 2<sup>nd</sup> Reading before the City Commission.

1. **Change of Land Use.** An Ordinance of the City Commission of Coral Gables, Florida amending the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 14, “Process,” Section 14-213, “Comprehensive Plan Text and Map Amendments,” and Small Scale Amendment Procedures (SS. 163.3187, Florida Statutes), from “Commercial Low-Rise Intensity” to “Commercial Mid-Rise Intensity” for a Portion of Tract A and Lots 27 through 31, Block 156, Riviera Section Part 8 (1250 S Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date (Legal description on file).
2. **Change of Zoning.** An Ordinance of the City Commission of Coral Gables, Florida making Zoning District boundary changes pursuant to Zoning Code Article 14, “Process,” Section 14-212, “Zoning Code Text and Map Amendments,” from Mixed Use 1 (MX1) to Mixed Use 2 (MX2) for a Portion of Tract A and Lots 27 through 31, Block 156, Riviera Section Part 8 (1250 S Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date (Legal description on file).
3. **Zoning Code Text Amendment.** An Ordinance of the City Commission of Coral Gables, Florida providing

for a text amendment to the City of Coral Gables Official Zoning Code, Appendix A, "Site Specific Zoning Regulations," Section A-83, "Riviera Section Part 8" to remove Lots 27 through 31, Block 156 from the Floor Area Ratio (FAR) and building height limitations to allow for an increase in FAR and building height provided by the underlying zoning, Block 156, Riviera Section Part 8 (1250 S Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date (Legal description on file).

4. **Alley Vacation.** An Ordinance of the City Commission of Coral Gables, Florida, approving the vacation of a public alleyway pursuant to Zoning Code Article 14, "Process," Section 14-211, "Abandonment and Vacations" and City Code Chapter 62, Article 8 "Vacation, abandonment and closure of streets, easements and alleys by private owners and the city; application process," providing for the vacation of the forty-five (45) foot wide alley which is approximately one hundred twenty-five (125) feet in length lying between Tract A and Lots 27 through 31, Riviera Section Part 8 (1250 S Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date (Legal description on file).
5. **Planned Area Development (PAD).** An Ordinance of the City Commission of Coral Gables, Florida approving a Planned Area Development (PAD) pursuant to Zoning Code Article 14, "Process," Section 14-206, "General Procedures for Planned Area Development" for a proposed mixed-use project referred to as "The Mark" on the property legally described as a Portion of Tract A, together with Lots 27 through 31, and together with that portion of the 45-foot platted alley, Block 156, Riviera Section Part 8 (1250 S Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date (Legal description on file).
6. **Conditional Use for Mixed-Use Site Plan.** A Resolution of the City Commission of Coral Gables, Florida approving mixed-use site plan review pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for a proposed mixed-use project including live/work units referred to as "The Mark" on the property legally described as a Portion of Tract A, together with Lots 27 through 31, and together with that Portion of the 45-foot platted alley, Block 156, Riviera Section Part 8 (1250 S Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date (Legal description on file).

Additional information may be found at [www.coralgables.com](http://www.coralgables.com). Please forward to other interested parties.

The meeting will also be via Zoom at [www.zoom.us/j/83788709513](https://www.zoom.us/j/83788709513). A dedicated phone line will also be available by dialing: (305) 461-6769, Meeting ID: 837 8870 9513.

The public may also comment on an item on the agenda by sending an email to [planning@coralgables.com](mailto:planning@coralgables.com) prior to the meeting.

Sincerely,

*City of Coral Gables, Florida*



## City of Coral Gables Notice of Public Hearing

<b>Applicant:</b>	LCD Acquisitions, LLC
<b>Application:</b>	<ol style="list-style-type: none"><li>1. Comprehensive Plan Map Amendment</li><li>2. Zoning Map Amendment</li><li>3. Zoning Code Text Amendment</li><li>4. Abandonment and Vacation of an Alley</li><li>5. Planned Area Development (PAD)</li><li>6. Conditional Use - Mixed-Use Site Plan</li></ol>
<b>Property:</b>	1250 S Dixie Highway
<b>Public Hearing - Date/Time/ Location:</b>	<b>Planning &amp; Zoning Board</b> Wednesday, April 10, 2024, 6:00 p.m.  City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134 e-comments: <a href="http://www.CoralGables.GranicusIdeas.com/meetings">www.CoralGables.GranicusIdeas.com/meetings</a>

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Planning & Zoning Board will conduct a Public Hearing on **Wednesday, April 10, 2024.**

An application has been submitted by LCD Acquisitions, LLC (“LCD”) (the “Applicant”) requesting for the review of a proposed mixed-use building to be located fronting US1, Mariposa Court, and Madruga Avenue. The project, referred to as “The Mark,” includes 393 residential units, 12 live work units, 34,631 square feet of ground floor commercial uses, 701 parking spaces, and 18,775 square feet of open space, including a greenway in between the two buildings. The proposed buildings are 97 feet (8 stories).

The requests require three public hearings, including review and recommendation by the Planning and Zoning Board, and 1<sup>st</sup> and 2<sup>nd</sup> Reading before the City Commission.

1. **Change of Land Use.** An Ordinance of the City Commission of Coral Gables, Florida amending the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 14, “Process,” Section 14-213, “Comprehensive Plan Text and Map Amendments,” and Small Scale Amendment Procedures (SS. 163.3187, Florida Statutes), from “Commercial Low-Rise Intensity” to “Commercial Mid-Rise Intensity” for a Portion of Tract A and Lots 27 through 31, Block 156, Riviera Section Part 8 (1250 S Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date (Legal description on file).
2. **Change of Zoning.** An Ordinance of the City Commission of Coral Gables, Florida making Zoning District boundary changes pursuant to Zoning Code Article 14, “Process,” Section 14-212, “Zoning Code Text and Map Amendments,” from Mixed Use 1 (MX1) to Mixed Use 2 (MX2) for a Portion of Tract A and Lots 27 through 31, Block 156, Riviera Section Part 8 (1250 S Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date (Legal description on file).
3. **Zoning Code Text Amendment.** An Ordinance of the City Commission of Coral Gables, Florida providing

for a text amendment to the City of Coral Gables Official Zoning Code, Appendix A, "Site Specific Zoning Regulations," Section A-83, "Riviera Section Part 8" to remove Lots 27 through 31, Block 156 from the Floor Area Ratio (FAR) and building height limitations to allow for an increase in FAR and building height provided by the underlying zoning, Block 156, Riviera Section Part 8 (1250 S Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date (Legal description on file).

4. **Alley Vacation.** An Ordinance of the City Commission of Coral Gables, Florida, approving the vacation of a public alleyway pursuant to Zoning Code Article 14, "Process," Section 14-211, "Abandonment and Vacations" and City Code Chapter 62, Article 8 "Vacation, abandonment and closure of streets, easements and alleys by private owners and the city; application process," providing for the vacation of the forty-five (45) foot wide alley which is approximately one hundred twenty-five (125) feet in length lying between Tract A and Lots 27 through 31, Riviera Section Part 8 (1250 S Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date (Legal description on file).
5. **Planned Area Development (PAD).** An Ordinance of the City Commission of Coral Gables, Florida approving a Planned Area Development (PAD) pursuant to Zoning Code Article 14, "Process," Section 14-206, "General Procedures for Planned Area Development" for a proposed mixed-use project referred to as "The Mark" on the property legally described as a Portion of Tract A, together with Lots 27 through 31, and together with that portion of the 45-foot platted alley, Block 156, Riviera Section Part 8 (1250 S Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date (Legal description on file).
6. **Conditional Use for Mixed-Use Site Plan.** A Resolution of the City Commission of Coral Gables, Florida approving mixed-use site plan review pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for a proposed mixed-use project including live/work units referred to as "The Mark" on the property legally described as a Portion of Tract A, together with Lots 27 through 31, and together with that Portion of the 45-foot platted alley, Block 156, Riviera Section Part 8 (1250 S Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date (Legal description on file).

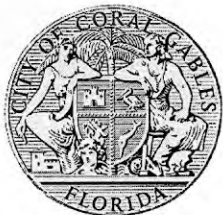
Additional information may be found at [www.coralgables.com](http://www.coralgables.com). Please forward to other interested parties.

The meeting will also be via Zoom at [www.zoom.us/j/83788709513](https://www.zoom.us/j/83788709513). A dedicated phone line will also be available by dialing: (305) 461-6769, Meeting ID: 837 8870 9513.

The public may also comment on an item on the agenda by sending an email to [planning@coralgables.com](mailto:planning@coralgables.com) prior to the meeting.

Sincerely,

*City of Coral Gables, Florida*



City of Coral Gables  
Development Services Department

**Affidavit Attesting to Public Notice of Zoning Application**

Property Owner or Authorized Representative:

Laura L. Russo, Authorized Representative

Property Address and Folio Number(s):

1250 South Dixie Highway, Coral Gables, FL / Folio #: 03-4130-004-0010

I, as property owner or Authorized Representative of the above described property attest that on March 27, 2024 I sent by U.S. Mail to each person on the list of names and addresses attached a true copy of the attached notice letter.

I further attest that I have complied with the requirements of Resolution No. 2020-245 and Resolution No. 2020-265 (requiring additional notice to Miami-Dade County Public Schools "MDCPS") as indicated below:

This application required notice to be sent to MDCPS and I have complied with the additional notice requirements in Resolutions No. 2020-245 and 2020-265 .

This application did not require notice to be sent to MDCPS.

I HEREBY CERTIFY that all information contained in this Affidavit is true and accurate. Under penalty of perjury, I declare that I have read the foregoing document and that the facts stated in it are true. Further, I acknowledge that I am subject to the City's False Claims Ordinance (Ch. 39, City of Coral Gables Code).

Affiant's Printed Name: Laura L. Russo

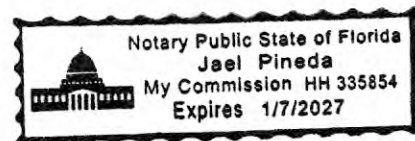
Affiant's Signature: *Laura Russo* Date: 3/27/24

**Notary Public Affirmation**

SWORN AND SUBSCRIBED before me, this 27<sup>th</sup> day of March, 2024, personally appeared Laura L. Russo, being personally known to me ( ) or having produced as identification \_\_\_\_\_, and who being fully sworn and cautioned, states that the foregoing is true and correct to the best of his/her knowledge and belief.

Signature of Notary: *Jael Pineda*

Print Name: Jael Pineda



Notary Public Stamp:

My Commission Expires: 01/07/2027



City of Coral Gables  
Development Services Department

**Affidavit Attesting to Notice Posting of Zoning Application**

Property Owner or Authorized Representative:

Laura L. Russo

Property Address and Folio Number(s):

1250 South Dixie Highway, Coral Gables, FL / Folio #: 03-4130-004-0010

I, as property owner or Authorized Representative of the above-described property attest that on March 27, 2024, I posted notice pursuant to Zoning Code Section 15-102.

I further attest that I have complied with the requirements of Administrative Order No. 2022-03, *Uniform Notices Required to be Posted by Applicant*, as indicated below:

- Notice posted on a wooden stake on each street side of the property.
- For frontages 200+ feet, two equally spaced signs posted on each qualifying street side.
- Site conditions prevented the erection of wooden stakes, and therefore the notice was neatly and prominently posted using clear tape on an existing structure or by such other means as would provide reasonable notice to passersby.

I HEREBY CERTIFY that all information contained in this Affidavit is true and accurate. Under penalty of perjury, I declare that I have read the foregoing document and that the facts stated in it are true. Further, I acknowledge that I am subject to the City's False Claims Ordinance (Ch. 39, City of Coral Gables Code).

Affiant's Printed Name: Laura L. Russo

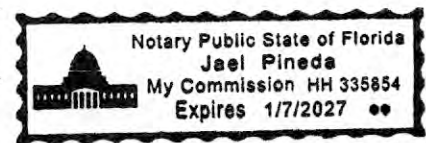
Affiant's Signature: *Laura L. Russo* Date: 3/27/2024

**Notary Public Affirmation**

SWORN AND SUBSCRIBED before me, this 27<sup>th</sup> day of March, 2024, personally appeared Laura L. Russo, being personally known to me ( ) or having produced as identification \_\_\_\_\_, and who being fully sworn and cautioned, states that the foregoing is true and correct to the best of his/her knowledge and belief.

Signature of Notary: *Jael Pineda*

Print Name: Jael Pineda



Notary Public Stamp:

My Commission Expires: 1 | 7 | 2027

**Applicant Representation  
The Mark Coral Gables**

**Legal:**

Laura L. Russo, Esq.  
Laura L. Russo, Esq., LLC  
2334 Ponce de Leon Blvd., Suite 240  
Coral Gables, FL 33134  
Tel: 305-476-8300  
Email: [Laurar@Laurarussolaw.com](mailto:Laurar@Laurarussolaw.com)

**Architect:**

Javier Font, Principal  
George Rosello  
Behar Font & Partners, P.A.  
4533 Ponce de Leon Blvd.  
Coral Gables, FL 33146  
Tel: 305-740-5442  
Email: [javier@Behar.com](mailto:javier@Behar.com)  
Email: [George@Behar.com](mailto:George@Behar.com)

**Contract Purchaser:**

Landmark Properties, Inc.  
315 Oconee Street  
Athens, GA 30601  
Tel: 404-455-7973  
Bryan Boyles, Development Manager  
Email: [Bryan.Boyles@LandmarkProperties.com](mailto:Bryan.Boyles@LandmarkProperties.com)  
Eric Leath, Director of Development  
Email: [Eric.Leath@LandmarkProperties.com](mailto:Eric.Leath@LandmarkProperties.com)  
Jason Doornbos, Executive Managing Director  
Email: [Jason.Doornbos@LandmarkProperties.com](mailto:Jason.Doornbos@LandmarkProperties.com)

**Landscape Architect:**

Jeremy Todaro  
Witkin, Hults & Partners  
307 S. 21<sup>st</sup> Avenue  
Hollywood, FL 33020  
Tel: 954-923-9681  
Email: [jeremyt@witkindesigns.com](mailto:jeremyt@witkindesigns.com)



**Civil Engineer:**

Jamil Pierre, P.E.  
Kimley-Horn  
2 Alhambra Plaza, Suite 500  
Coral Gables, FL 33134  
Tel: 305-673-2025  
Email: [Jamil.Perre@kimley-horn.com](mailto:Jamil.Perre@kimley-horn.com)

**Traffic Engineer:**

Tim Plummer  
Juan Espinosa  
David Plummer & Associates  
1750 Ponce de Leon Blvd.  
Coral Gables, FL 33134  
Tel: 305-447-0900  
Email: [tim.plummer@dplummer.com](mailto:tim.plummer@dplummer.com)  
Email: [juan.espinosa@dplummer.com](mailto:juan.espinosa@dplummer.com)

**Planning Consultant:**

Eric Riel, Jr.  
eplanning, LLC  
12418 North Bayshore Dr.  
North Miami, FL 33181  
Tel: 786-216-8088  
Email: [eplanning@yahoo.com](mailto:eplanning@yahoo.com)

**Government Consultant**

Leslie E. Pantin  
PantinGOV  
300 Sevilla Avenue, Suite 215  
Coral Gables, FL 33134  
Tel: 305-215-2162  
Email: [les@pantingov.com](mailto:les@pantingov.com)

**LOBBYIST REGISTRATION CERTIFICATE  
CITY OF CORAL GABLES  
CITY CLERK'S OFFICE**

405 Biltmore Way - Coral Gables, FL 33134  
305-460-5210 cityclerk@coralgables.com

**LOBBYIST NAME:** Laura L. Russo

**LOBBYIST ADDRESS:** 2334 Ponce De Leon Boulevard, Suite 240, Coral Gables, FL 33134

**PRINCIPAL NAME:** LCD Acquisitions LLC, a Delaware limited liability company

**PRINCIPAL ADDRESS:** 315 Oconee Street, Athens, GA 30601

**PRINCIPAL ISSUE:** Approval for a mixed use project

**REGISTERED DATE:** 12/6/2023

**EXPIRATION DATE:** 12/31/2023

State of Florida, City of Coral Gables  
I HEREBY CERTIFY, that the foregoing is an official copy  
of a lobbyist record electronically filed in this office.

This 6th day of December AD 2023



Billy Y Urquia, City Clerk

**OATH**

*I do solemnly swear that all facts contained on this Annual Lobbyist Registration form and principal are true and correct; and that I have read and am familiar with the Ordinance 2017-44 of the Code of*



**LOBBYIST REGISTRATION CERTIFICATE  
CITY OF CORAL GABLES  
CITY CLERK'S OFFICE**

405 Biltmore Way - Coral Gables, FL 33134  
305-460-5210 cityclerk@coralgables.com

**LOBBYIST NAME:** Javier Font

**LOBBYIST ADDRESS:** 4533 Ponce de Leon Blvd., Coral Gables, FL 33146

**PRINCIPAL NAME:** LCD Acquisitions, LLC

**PRINCIPAL ADDRESS:** 315 Oconee Street, Athens, GA 30601

**PRINCIPAL ISSUE:** Approval of mixed use project in Coral Gables

**REGISTERED DATE:** 3/18/2024

**EXPIRATION DATE:** 12/31/2024

State of Florida, City of Coral Gables  
I HEREBY CERTIFY, that the foregoing is an official copy  
of a lobbyist record electronically filed in this office.

This 18th day of March AD 2024

Billy Y Urquia, City Clerk

**OATH**

*I do solemnly swear that all facts contained on this Annual Lobbyist Registration form and principal are true and correct; and that I have read and am familiar with the Ordinance 2017-44 of the Code of City of Coral Gables.*



**LOBBYIST REGISTRATION CERTIFICATE  
CITY OF CORAL GABLES  
CITY CLERK'S OFFICE**

405 Biltmore Way - Coral Gables, FL 33134  
305-460-5210 cityclerk@coralgables.com

**LOBBYIST NAME:** George Rosello

**LOBBYIST ADDRESS:** 4533 Ponce de Leon Boulevard, Coral Gables, FL 33146

**PRINCIPAL NAME:** LCD Acquisitions, LLC

**PRINCIPAL ADDRESS:** 315 Oconee Street, Athens, GA 30601

**PRINCIPAL ISSUE:** DRC & Board of Architects; Planning & Zoning Board, City Commission

**REGISTERED DATE:** 3/19/2024

**EXPIRATION DATE:** 12/31/2024

State of Florida, City of Coral Gables  
I HEREBY CERTIFY, that the foregoing is an official copy  
of a lobbyist record electronically filed in this office.

This 19th day of March AD 2024

Billy Y Urquia, City Clerk

**OATH**

*I do solemnly swear that all facts contained on this Annual Lobbyist Registration form and principal are true and correct; and that I have read and am familiar with the Ordinance 2017-44 of the Code of City of Coral Gables.*



**LOBBYIST REGISTRATION CERTIFICATE  
CITY OF CORAL GABLES  
CITY CLERK'S OFFICE**

405 Biltmore Way - Coral Gables, FL 33134  
305-460-5210 cityclerk@coralgables.com

**LOBBYIST NAME:** Bryan Boyles  
**LOBBYIST ADDRESS:** 315 Oconee St, Athens, GA 30601  
**PRINCIPAL NAME:** LCD Acquisitions, LLC.  
**PRINCIPAL ADDRESS:** 315 Oconee St, Athens, GA 30601  
**PRINCIPAL ISSUE:** Approval of a mixed-use project  
**REGISTERED DATE:** 3/19/2024  
**EXPIRATION DATE:** 12/31/2024

State of Florida, City of Coral Gables  
I HEREBY CERTIFY, that the foregoing is an official copy  
of a lobbyist record electronically filed in this office.

This 19th day of March AD 2024

Billy Y Urquia, City Clerk

**OATH**

*I do solemnly swear that all facts contained on this Annual Lobbyist Registration form and principal are true and correct; and that I have read and am familiar with the Ordinance 2017-44 of the Code of City of Coral Gables.*



**LOBBYIST REGISTRATION CERTIFICATE  
CITY OF CORAL GABLES  
CITY CLERK'S OFFICE**

405 Biltmore Way - Coral Gables, FL 33134  
305-460-5210 cityclerk@coralgables.com

**LOBBYIST NAME:** Eric Leath

**LOBBYIST ADDRESS:** 315 OCONEE ST, Athens, GA 30601

**PRINCIPAL NAME:** LCD Acquisitions LLC

**PRINCIPAL ADDRESS:** 315 OCONEE ST, Athens, GA 30601

**PRINCIPAL ISSUE:** Approval of a mixed use project

**REGISTERED DATE:** 3/18/2024

**EXPIRATION DATE:** 12/31/2024

State of Florida, City of Coral Gables  
I HEREBY CERTIFY, that the foregoing is an official copy  
of a lobbyist record electronically filed in this office.

This 18th day of March AD 2024

Billy Y Urquia, City Clerk

**OATH**

*I do solemnly swear that all facts contained on this Annual Lobbyist Registration form and principal are true and correct; and that I have read and am familiar with the Ordinance 2017-44 of the Code of City of Coral Gables.*



**LOBBYIST REGISTRATION CERTIFICATE  
CITY OF CORAL GABLES  
CITY CLERK'S OFFICE**

405 Biltmore Way - Coral Gables, FL 33134  
305-460-5210 cityclerk@coralgables.com

**LOBBYIST NAME:** Juan Espinosa

**LOBBYIST ADDRESS:** 1750 Ponce de Leon, Coral Gables, FL 33134

**PRINCIPAL NAME:** LCD Acquisitions LLC

**PRINCIPAL ADDRESS:** 315 Oconee Street, athens, GA 33134

**PRINCIPAL ISSUE:** Approval for a Mixed Use Project

**REGISTERED DATE:** 3/14/2024

**EXPIRATION DATE:** 12/31/2024

State of Florida, City of Coral Gables  
I HEREBY CERTIFY, that the foregoing is an official copy  
of a lobbyist record electronically filed in this office.

This 14th day of March AD 2024

Billy Y Urquia, City Clerk

**OATH**

*I do solemnly swear that all facts contained on this Annual Lobbyist Registration form and principal are true and correct; and that I have read and am familiar with the Ordinance 2017-44 of the Code of City of Coral Gables.*



LOBBYIST REGISTRATION CERTIFICATE  
CITY OF CORAL GABLES  
CITY CLERK'S OFFICE

405 Biltmore Way - Coral Gables, FL 33134  
305-460-5210 cityclerk@coralgables.com

LOBBYIST NAME: Eric Riel  
LOBBYIST ADDRESS: 12418 North Bayshore Dr, North Miami, FL 33181  
PRINCIPAL NAME: LCD Acquisitions, LLC  
PRINCIPAL ADDRESS: 315 Oconee Street, Athens, GA 30601  
PRINCIPAL ISSUE: Landmark Properties, Inc  
REGISTERED DATE: 2/21/2024  
EXPIRATION DATE: 12/31/2024

State of Florida, City of Coral Gables  
I HEREBY CERTIFY, that the foregoing is an official copy  
of a lobbyist record electronically filed in this office.

This 1st day of February AD 2024

Billy Y Urquia, City Clerk

**OATH**

*I do solemnly swear that all facts contained on this Annual Lobbyist Registration form and principal are true and correct; and that I have read and am familiar with the Ordinance 2017-44 of the Code of City of Coral Gables.*





**LOBBYIST REGISTRATION CERTIFICATE  
CITY OF CORAL GABLES  
CITY CLERK'S OFFICE**

405 Biltmore Way - Coral Gables, FL 33134  
305-460-5210 cityclerk@coralgables.com

**LOBBYIST NAME:** Leslie E Pantin

**LOBBYIST ADDRESS:** 300 Sevilla Avenue, Suite 215, Coral Gables, FL 33134

**PRINCIPAL NAME:** LCD Acquisitions, LLC

**PRINCIPAL ADDRESS:** 3060 Peachtree Road NW, Suite 500, Atlanta, GA 30305

**PRINCIPAL ISSUE:** Approval of mixed-use project in Coral Gables.

**REGISTERED DATE:** 1/3/2024

**EXPIRATION DATE:** 12/31/2024

State of Florida, City of Coral Gables  
I HEREBY CERTIFY, that the foregoing is an official copy  
of a lobbyist record electronically filed in this office.

This 3rd day of January AD 2024

Billy Y Urquia, City Clerk

**OATH**

*I do solemnly swear that all facts contained on this Annual Lobbyist Registration form and principal are true and correct; and that I have read and am familiar with the Ordinance 2017-44 of the Code of City of Coral Gables.*



City of Coral Gables  
Development Services Department

**Affidavit Attesting to Public Notice of Zoning Application**

Property Owner or Authorized Representative:

Laura L. Russo, Authorized Representative

Property Address and Folio Number(s):

1250 South Dixie Highway, Coral Gables, FL / Folio #: 03-4130-004-0010

I, as property owner or Authorized Representative of the above described property attest that on March 27, 2024 I sent by U.S. Mail to each person on the list of names and addresses attached a true copy of the attached notice letter.

I further attest that I have complied with the requirements of Resolution No. 2020-245 and Resolution No. 2020-265 (requiring additional notice to Miami-Dade County Public Schools "MDCPS") as indicated below:

This application required notice to be sent to MDCPS and I have complied with the additional notice requirements in Resolutions No. 2020-245 and 2020-265 .

This application did not require notice to be sent to MDCPS.

I HEREBY CERTIFY that all information contained in this Affidavit is true and accurate. Under penalty of perjury, I declare that I have read the foregoing document and that the facts stated in it are true. Further, I acknowledge that I am subject to the City's False Claims Ordinance (Ch. 39, City of Coral Gables Code).

Affiant's Printed Name: Laura L. Russo

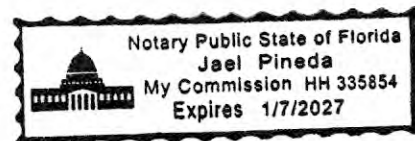
Affiant's Signature: *Laura Russo* Date: 3/27/24

**Notary Public Affirmation**

SWORN AND SUBSCRIBED before me, this 27<sup>th</sup> day of March, 2024, personally appeared Laura L. Russo, being personally known to me ( ) or having produced as identification \_\_\_\_\_, and who being fully sworn and cautioned, states that the foregoing is true and correct to the best of his/her knowledge and belief.

Signature of Notary: *Jael Pineda*

Print Name: Jael Pineda



Notary Public Stamp:

My Commission Expires: 01/07/2027