



City of Coral Gables Planning and Zoning Staff Report

Property:	<u>Ponce Park Residences</u> 3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga
Applicant:	RC Acquisitions, LLC and P&J Enterprise Holdings, LLC
Application:	Abandonment and Vacation of a Street, Abandonment and Vacation of an Alley, Comprehensive Plan Map Amendment, Development Agreement, Receipt of Transfer of Development Rights (TDRs), Conditional Use Review for Mixed-Use Site Plan, and Tentative Plat
Public Hearing:	Planning and Zoning Board / Local Planning Agency
Date & Time:	February 10, 2021; 6:00 – 9:00 p.m.
Location:	City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida 33134

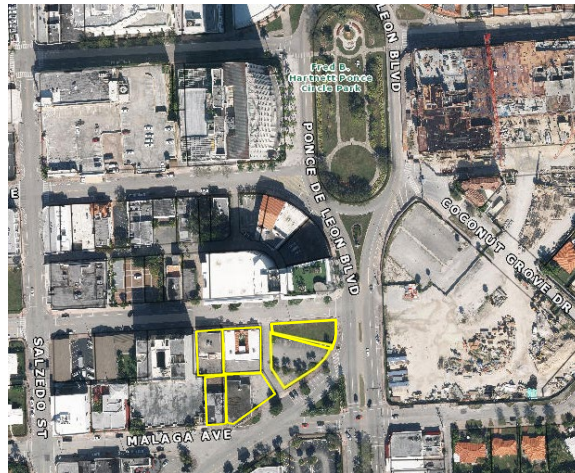
1. APPLICATION REQUEST

The request is for consideration of the following for the project known as “Ponce Park Residences:”

- A. Abandonment and Vacation of a public street
- B. Abandonment and Vacation of a public alley
- C. Comprehensive Plan Map Amendment
- D. Development Agreement
- E. Receipt of Transfer of Development Rights (TDRs)
- F. Conditional Use Review for Mixed-Use Site Plan
- G. Tentative Plat

2. APPLICATION SUMMARY

The subject site is on the corner of University Drive and Ponce de Leon Boulevard, within walking distance of Ponce Circle Park. RC Acquisitions, LLC and P&J Enterprise Holdings, Inc. (referred to as “Applicants”) submitted for the review of a proposed redevelopment with a mixed-use building - including the Applicants’ proposed vacations of a public street and an alley - to be located fronting Ponce de Leon Boulevard, Catalonia, University Drive, and Malaga.



The mixed-use project referred to as Ponce Park Residences is located on the east-half of Block 29, in the Crafts Section approximately 56,095 square feet (1.287 acres) in size, including the public street and alley that the Applicants are proposing to vacate. The project includes 171 residential units, ground floor commercial uses of approximately 18,107 square feet, and a parking structure with 265 parking spaces. The proposed building height is 16-stories at 179 feet to the top of the habitable space and 202'-0" to the top of the architectural elements.

1. Project Site is approximately 1.287 acres (56,095 square feet), including the street and alley
2. Building Height is 16-stories at 179' to the top of roof; 202'-0" to top of architecture
3. Total FAR 4.03 (226,332 sq.ft. including 30,000 sq.ft. of TDRs) or effective FAR 5.66 (private parcels)
4. 171 residential units (including 10 units converted from 10,000 sq. ft. of TDRs)
5. 18,107 square feet (8.46% of total square footage) of ground-floor commercial uses
6. 265 parking spaces
7. 17,879 square feet (31.87% of site area) of on-site Open Space

The Applicants have submitted an application (referred to as the "Application") for review of the following: Vacation and Abandonment of a segment of University Drive and of an Alley; Change of Land Use from Commercial Low-Rise Intensity to Commercial High-Rise Intensity; Change of Zoning from Mixed-Use 1 to Mixed-Use 3; Development Agreement; Transfer of Development Rights (TDRs) as a receiving site utilizing 40,000 sq. ft. of TDRs and 10 additional units made available pursuant to a Dispute Resolution Agreement; Tentative Plat; and Conditional Use Review for a Mixed-Use project referred to as Ponce Park Residences. The Application package submitted by the Applicants is provided as Attachment A.

The requests require three public hearings, including review and recommendation by the Planning and Zoning Board, and 1st and 2nd Reading before the City Commission. The Ordinances and Resolutions under consideration include the following:

1. *An Ordinance of the City Commission of Coral Gables, Florida, approving the vacation of a public street 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 that portion of*

University Drive north of the Malaga Avenue right-of-way and east of the Ponce de Leon Boulevard right-of-way which is approximately 13,145 square feet in area abutting Block 29, Crafts Section (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)

2. *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 twenty (20) foot wide alley which is approximately one hundred and fifty-five (155) feet in length lying between Lots 12 thru 18 and Lots 11 and 19 in Block 29, Crafts Section (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)*
3. *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 High-Rise Intensity" for Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, together with that portion of University Drive that runs north of the Malaga Avenue right-of-way and west of the Ponce de Leon Boulevard right-of-way (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE) (LPA review)*
4. *An Ordinance of the City Commission of Coral Gables, Florida approving a Development Agreement pursuant to Zoning Code Article 14, "Process," Section 14-217, "Development Agreements," for a proposed mixed-use development referred to as "Ponce Park Residences" related to the construction of a project consisting of a mix of uses including commercial and residential, on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, together with that portion of University Drive that runs north of the Malaga Avenue right-of-way and west of the Ponce de Leon Boulevard right-of-way; (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; providing for a repealer provision, severability clause and providing for an effective date. (LEGAL DESCRIPTION ON FILE)*
5. *An Ordinance of the City Commission of Coral Gables, Florida approving receipt of Transfer of Development Rights (TDRs) pursuant to Zoning Code Article 14, "Process," Section 14-204.6, "Review and approval of use of TDRs on receiver sites," for the receipt and use of TDRs for a Mixed-Use project referred to as "Ponce Park Residences" on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, together with that portion of University Drive that runs north of the Malaga Avenue right-of-way and west of the Ponce de Leon Boulevard right-of-way; (3000 Ponce*

de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)

6. *A Resolution of the City Commission of Coral Gables, Florida approving Mixed-Use Site Plan and Conditional Use review pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for a proposed Mixed-Use project referred to as "Ponce Park Residences" on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, together with that portion of University Drive that runs north of the Malaga Avenue right-of-way and west of the Ponce de Leon Boulevard right-of-way; (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)*
7. *A Resolution of the City Commission of Coral Gables, Florida approving the Final Plat entitled "Ponce Park Residences" pursuant to Zoning Code Article 14, "Process," Section 14-210, "Platting/Subdivision," being a re-plat of 56,095 square feet (1.287 acres) into two (2) tracts of land on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, together with that portion of University Drive that runs north of the Malaga Avenue right-of-way and west of the Ponce de Leon Boulevard right-of-way; (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)*

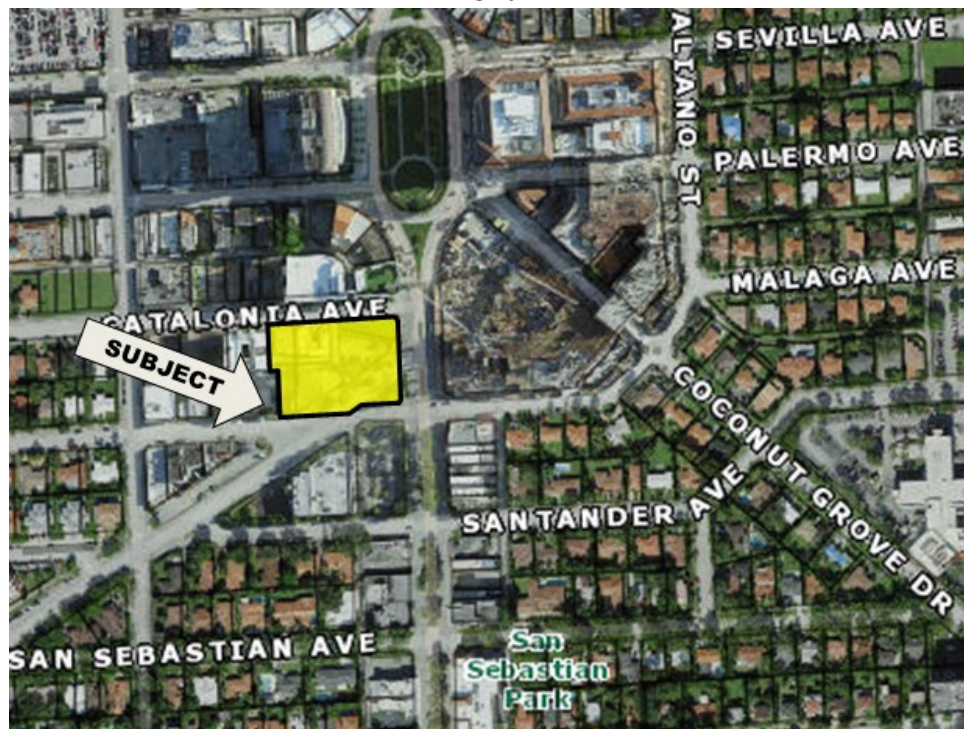
Project Location

The subject property occupies the east-half of Block 29 within the Crafts Section and is bounded by Catalonia Avenue (north), Ponce de Leon Boulevard (east) and the intersection of University Drive and Malaga Avenue (south). The property is legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, "Coral Gables Crafts Section," (3000 Ponce de Leon Blvd, 216 and 224 Catalonia Ave, 203 University Dr, and 225 Malaga Ave) together with that portion of University Drive that runs north of the Malaga Avenue right-of-way and west of the Ponce de Leon Boulevard right-of-way Coral Gables, Florida; as shown in the following location map and aerial:

Block, Lot and Section Location Map



Aerial



Site Data and Surrounding Uses

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

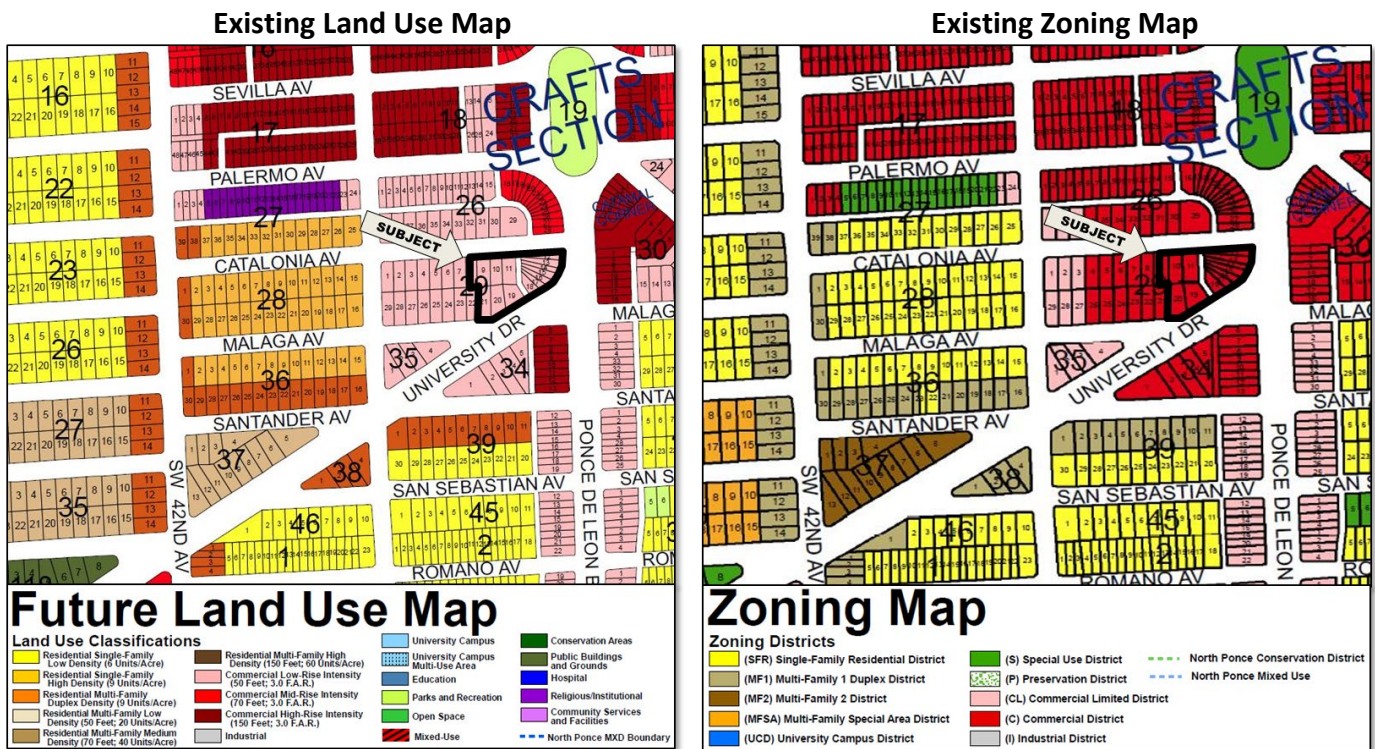
Existing Property Designations

Comprehensive Plan Map designation	Commercial Low-Rise Intensity
Zoning Map designation	Commercial District (C), or MX-1 w/ proposed Zoning Code updates
Coral Gables Redevelopment Infill District	Yes

Surrounding Land Uses

LOCATION	EXISTING LAND USES	CP DESIGNATIONS	ZONING DESIGNATIONS
North	Office building: 1 First Bank	Commercial Mid-Rise Intensity; Commercial Low-Rise Intensity	Commercial District (C)
South	Coral Gables District Court	Commercial High-Rise Intensity; Commercial Low-Rise Intensity	Commercial District (C)
East	The Plaza high-rise building	Commercial High-Rise Intensity	Commercial District (C)
West	Office Building	Commercial Low-Rise Intensity	Commercial District (C)

The property's existing land use and zoning designations, as illustrated in the following maps:



3. APPLICANTS' PROPOSAL

The Applicants are requesting multiple requests that require Planning & Zoning Board and Historic Preservation Board recommendation(s) and City Commission approval. Additionally, the Applicants are also requesting an amendment to the historic City Plan, to be reviewed by the Historic Preservation Board and consideration by the City Commission per Zoning Code Section 8-104.D [formerly Section 3-1104.D].

A. Vacation and Abandonment of a Segment of University Drive

The Applicants are requesting the vacation and abandonment of 13,145 square feet of the University Drive segment that abuts the private properties. The segment is proposed to be incorporated into the private property to enlarge the total building site area which would increase both the amount of square feet (FAR) and allowed density for the proposed development.

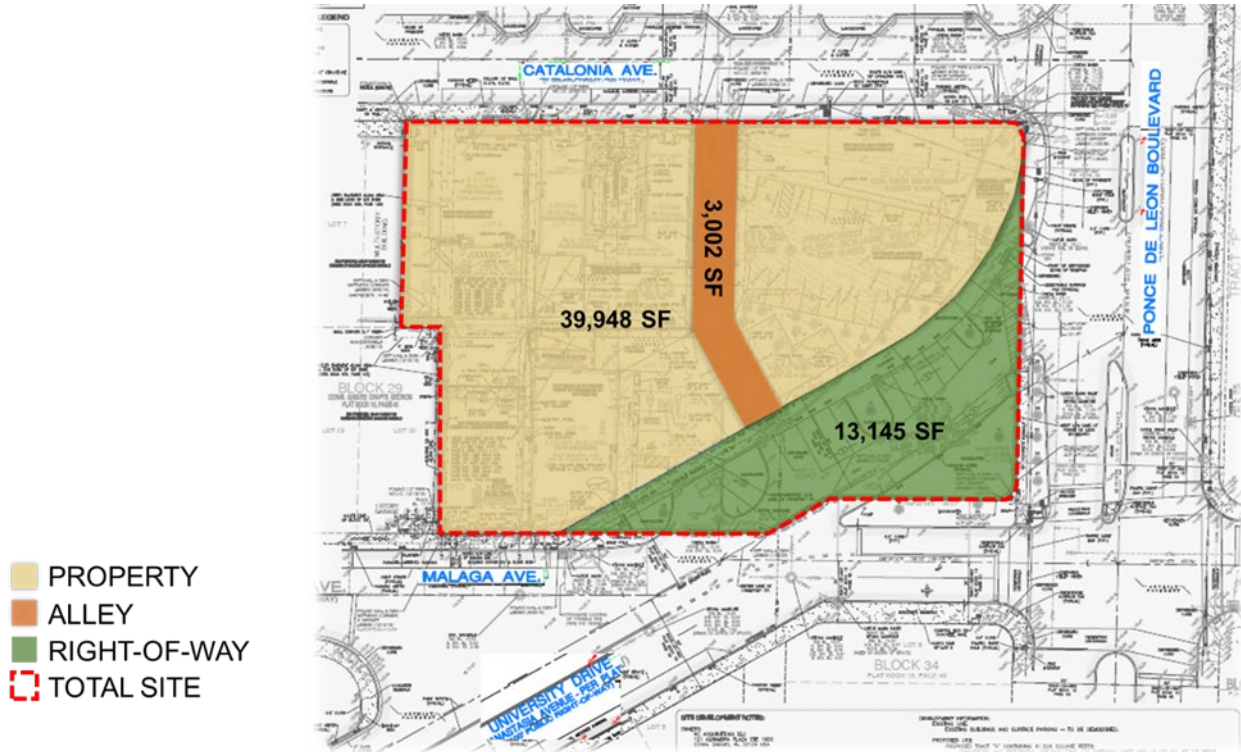
This request also requires an Amendment to the historic City Plan, which is reviewed by the Historic Preservation Board and approval by the City Commission per Zoning Code Section 8-104.D [formerly Section 3-1104.D].



existing street network



proposed street network



City Code Chapter 62, Article VIII, “Vacation, Abandonment and Closure of Streets, Easements and Alleys by Private Owners and the City; Application Process” requires that the Public Works Department shall review all applications for the vacation of a public right-of-way in accordance with criteria set forth in City Code Sections 62-259 and 62-262.

Zoning Code, Article 14, ‘Process’, Section 14-211.3, “Standards for review” [formerly Section 3-1203] provides the standards for review for the proposed vacations, abandonment or closure of public streets and alleyways.

Findings of Fact – Vacation of University Drive

The standards provided in Zoning Code Section 14-211.3. [formerly 3-1203], “Standards for review” and the Applicants’ response to each standard is as follows:

“The Zoning Code specifies that applications for the abandonment and vacation of city streets, alleys, special purpose easements and other non-fee interests which the City may have in real property may be approved provided that it is demonstrated that:

STANDARD FOR REVIEW	STAFF FINDING OF APPLICANT’S RESPONSE
The non-fee property interest sought to be abandoned does not provide a benefit to the public health, safety, welfare, or convenience, in that it is not being	Proposed vacation will make the intersection safer and more pedestrian-friendly, as well as increase the amount of landscaped open space at the Applicants’ expense.

STANDARD FOR REVIEW	STAFF FINDING OF APPLICANT’S RESPONSE
used by the City for any of its intended purposes.	There is no plan or program that anticipates the use of the portion of University Drive to remain vehicular.
The Comprehensive Plan, special purpose plan, or capital improvement program does not anticipate its use	Converting the existing portion of University Drive into an urban open space is consistent with and furthers the goal of the Recreation and Open Space element of the Comprehensive Plan to provide public open space spaces that serve as gathering places in the downtown areas. The vacation of University Drive does not frustrate any Comprehensive Plan, special purpose plan, or capital improvement program of the City.
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 the vacation or abandonment will not frustrate any comprehensive plan, special purpose plan, or capital improvement program of the City.	The vacation and abandonment of the portion of University Drive will not interfere with any planning effort of the City that is presently underway but not yet completed.
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.	The vacation will increase the amount of urban open space and improve pedestrian and vehicular safety. The Applicants will also maintain the open space and will provide any necessary mitigation beyond the mitigation provided for in the development agreement. The alley will be replaced with a mid-block paseo, which will improve pedestrian movement and safety.
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.”	

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

This section provides those CP Goals, Objectives and Policies applicable to the Application and the determination of consistency:

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
1.	Objective FLU-1.2. Efforts shall continue to be made to control blighting influences, and redevelopment shall continue to be encouraged in areas experiencing deterioration.	Complies
2.	Policy FLU-1.11.1. Maintain and enforce effective development and maintenance regulations through site plan review, code enforcement, and design review boards and committees.	Complies
3.	Goal DES-1. Maintain the City as a livable city, attractive in its setting and dynamic in its urban character.	Complies
4.	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.	Complies
5.	Policy MOB-1.1.2. Encourage land use decisions that encourage infill, redevelopment and reuse of vacant or underutilized parcels that support walking, bicycling and public transit use.	Complies
6.	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.	Complies
7.	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 bulb-outs, small curb radii, on-street parking along sidewalks, pedestrian paths and bicycle paths to encourage walking and cycling with the intent of enhancing the feeling of safety.	Complies

Staff Comments: Staff’s determination that this application is “consistent” with the CP Goals, Objectives and Policies that are identified is based upon compliance with conditions of approval recommended by Staff, and proffered by the Applicants.

B. Vacation of an Alley

In addition to the proposed vacation and abandonment of University Drive, the Applicants are also proposing to vacate the existing alley that bisects the property.

City Code Chapter 62, Article VIII, “Vacation, Abandonment and Closure of Streets, Easements and Alleys by Private Owners and the City; Application Process” requires that the Public Works Department shall review all applications for the vacation of a public right-of-way in accordance with criteria set forth in City Code Sections 62-259 and 62-262.

Zoning Code, Article 14, ‘Process’, Section 14-211.3., “Standards for review” [formerly Section 3-1203] provides the standards for review for the proposed vacations, abandonment or closure of public streets

and alleyways.

Findings of Fact – Alley Vacation

The standards provided in Zoning Code Section 14-211.3 [formerly 3-1203], “Standards for review” and the Applicants’ response to each standard is as follows:

“The Zoning Code specifies that applications for the abandonment and vacation of city streets, alleys, special purpose easements and other non-fee interests which the City may have in real property may be approved provided that it is demonstrated that:

STANDARD FOR REVIEW	STAFF FINDING OF APPLICANT’S RESPONSE
The non-fee property interest sought to be abandoned does not provide a benefit to the public health, safety, welfare, or convenience, in that it is not being used by the City for any of its intended purposes.	The existing alley is not being used the City for any of its intended purposes The Applicants will work closely with its architect and City staff to ensure that all needs are met by the proposed driveway to the garage, loading area, and pedestrian paseo to replace the form and function of the existing alley.
The Comprehensive Plan, special purpose plan, or capital improvement program does not anticipate its use	There is no plan or program that anticipates the use of the alleyway.
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 the vacation or abandonment will not frustrate any comprehensive plan, special purpose plan, or capital improvement program of the City.	The alley will be replaced with a mid-block paseo, which will improve pedestrian movement and safety. The trash, loading, and other aspects of the alley will be internalized within the confines of the building. Moreover, the vacation of the alley will not frustrate any comprehensive plan.
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.	The vacation and abandonment of the alley will not interfere with any planning effort of the City that is presently underway but not yet completed.
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 requested alley vacation will provide a material public benefit to the City by improving pedestrian safety. The alley will be replaced with a mid-block paseo, which will improve pedestrian movement and safety.

STANDARD FOR REVIEW	STAFF FINDING OF APPLICANT’S RESPONSE
<p>the Applicants provide 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>	

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

This section provides those CP Goals, Objectives and Policies applicable to the Application and the determination of consistency:

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
1.	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 (see FLU-1: Future Land Use Map).	Complies
2.	Objective FLU-1.2. Efforts shall continue to be made to control blighting influences, and redevelopment shall continue to be encouraged in areas experiencing deterioration.	Complies
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.	Complies
4.	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.	Complies
5.	Policy MOB-1.1.2. Encourage land use decisions that encourage infill, redevelopment and reuse of vacant or underutilized parcels that support walking, bicycling and public transit use.	Complies
6.	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.	Complies
7.	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;	Complies

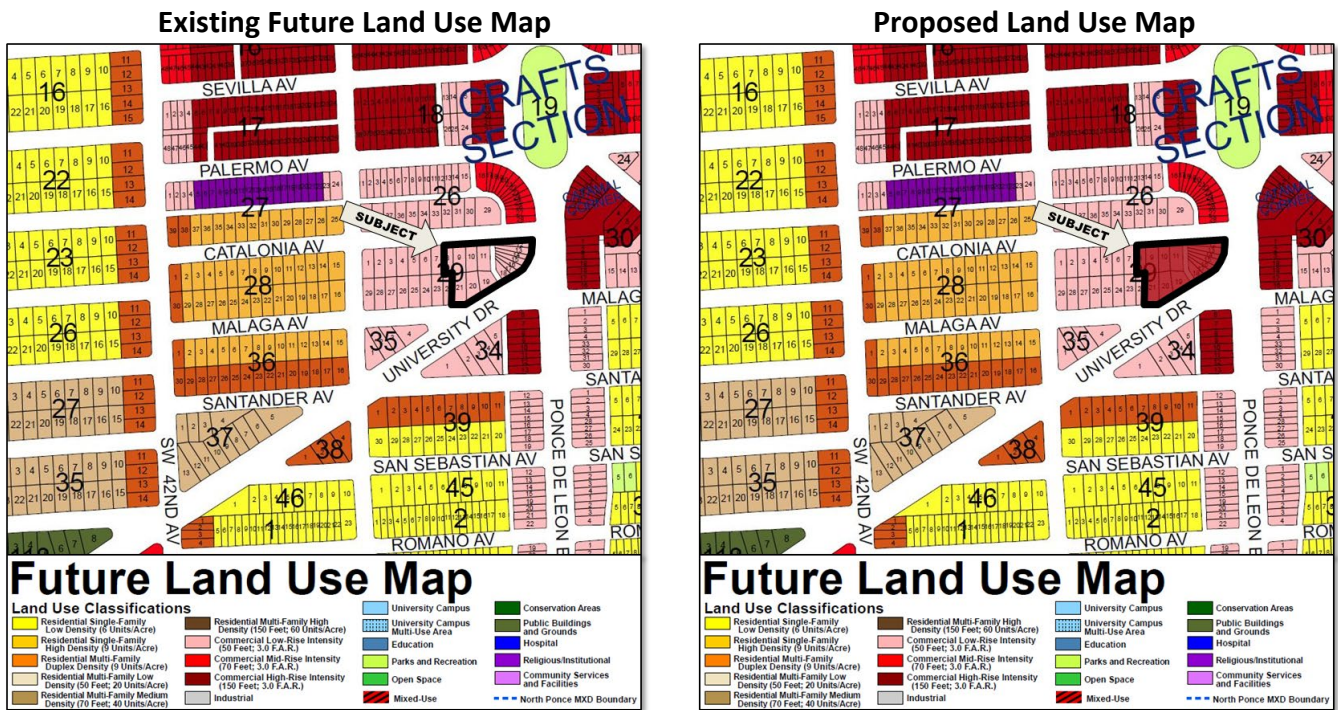
REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
	bicycle parking; street trees; improved pedestrian crossing with bulb-outs, small curb radii, on-street parking along sidewalks, pedestrian paths and bicycle paths to encourage walking and cycling with the intent of enhancing the feeling of safety.	

Staff Comments: Staff’s determination that this application is “consistent” with the CP Goals, Objectives and Policies that are identified is based upon compliance with conditions of approval recommended by Staff, and proffered by the Applicants.

C. Comprehensive Plan Map Amendment

The subject site is currently designated as Commercial Low-Rise Intensity on the Comprehensive Plan Future Land Use Map. The Applicants are proposing to change the land use to Commercial High-Rise Intensity, with an ability to secure an additional 3 stories and have a maximum height of 190.5 feet with Mediterranean Bonus Level 2.

A comparison of the property’s existing Future Land Use Map designations and the Applicants’ requested designation is shown on the following mapping:



Findings of Fact- Land Use Map Amendment

Zoning Code Section 14-213.6 [formerly 3-1506] provides review standards for Comprehensive Plan amendments:

Standard	Staff Evaluation
1. Whether it specifically advances any objective or policy of the Comprehensive Land Use Plan.	The Comprehensive Plan map amendment from Commercial Low-Rise Intensity to Commercial High-Rise Intensity may be appropriate for this location near a major thoroughfare, employment hubs and commercial centers. Moreover, the change of land use would effectively advance the objectives and policies in multiple Comprehensive Plan elements that encourage mixed use development and urban housing options near downtown that reduce the need to drive, such as Policy FLU-1.9.1; Objective HOU-1.5; Policy HOU-1.5.2; Policy HOU-1.5.8; Policy MOB-1.1.1; and Policy GRN-1.3.6.
2. Whether it is internally consistent with Comprehensive Land Use Plan.	The proposed mixed-use redevelopment is consistent with the Commercial High-Rise land use, as it allows for mixed-use development. However, the change of land use to the Mixed-Use land use designation will be more appropriate and consistent with the proposed redevelopment project.
3. Its effect on the level of service of public infrastructure.	The proposed map amendment will support enhanced multi-modal activity along Ponce de Leon Boulevard if developed as a mixed-use building. However, Staff’s recommendation of utilizing the Mixed-Use land use solidifies the opportunity to reduce traffic in the area by encouraging residents to work where they live, and walk, bike, or use transit.
4. Its effect on environmental resources.	The proposed amendment promotes urban infill redevelopment on a currently underutilized land with deteriorating buildings. No significant environmental resources will be impacted.
5. Its effect on the availability of housing that is affordable to people who live or work in the City of Coral Gables.	The proposed amendment will provide additional multi-family housing opportunities near downtown with access to frequent transit service, biking distance to multiple destination, and pedestrian access to dining, shopping, and employment opportunities. The project contributes to the provision of additional housing options for people who live, work, and study in the City.
6. Any other effect that the City determines is relevant to the City Commission’s decision on the application.	Related to this application, the Applicants are also requesting a vacation of a portion of University Drive and a vacation of the alley that bisects the property. If these vacations and the proposed map amendments are to approved, the proposed land use would also be applied to the vacated alley and portion of University Drive.

Staff comments:

The intent of the Comprehensive Plan is to encourage redevelopment or development of areas where mixed use development would increase residents closer to downtown, encourage mass transit and bicycle usage, and reduce the need for automobile travel. There are several ways to implement these goals. The Applicants’ proposed **Commercial High-Rise Intensity** is one way allowed by current regulations. An alternative designation from the current Comprehensive Plan would be the **Mixed-Use** land use designation. The Coral Gables Zoning Code is undergoing an update at the present time, to enhance

mixed-use provisions. However, the applicant submitted the request prior to the update, and are therefore under the processes and regulations that have been in place for the past decade.

D. Development Agreement

The Applicants have submitted a Development Agreement, provided as part of Attachment B. The contents of the Development Agreement have been developed in coordination with Staff, with the requirements of Section 14-217.7 [formerly 3-2007] of the Zoning Code.

Section 14-217.6 [formerly 3-2006] of the Zoning Code, “Standards for review” provides the standards for review for the proposed Development Agreements, as follows:

Standard for Review	Staff Finding
In reaching a decision as to whether or not the development agreement should be approved, approved with changes, approved with conditions, or disapproved, the City Commission and the Planning and Zoning Board shall determine whether the development agreement is consistent with and furthers the goals, policies and objectives of the Comprehensive Plan.	The Development Agreement is a tool that will be used to guarantee and enforce the operations, maintenance, and public amenities of the proposed Ponce Park Residences. The public benefits provided in the agreement ensure the completion of the proposed pedestrian improvements to encourage a more walkable environment, as outlined in the Mobility Element of the Comprehensive Plan. Furthermore, the additional gathering place and improvements to existing open spaces furthers many goals, policies, and objectives of the Comprehensive Plan.

Staff comments:

The Development Agreement states the public benefits proposed by the Applicants include:

1. Park design and construction costs. \$2,000,000.00.
2. Contribution for parking elimination. \$336,000.
3. Sidewalk improvement in the vicinity of the project.
4. Offsite contributions for Ponce Circle Pak. \$1,000,000.00.

E. Transfer of Development Rights (TDRs)

The Applicants are requesting the receipt of 40,000 square feet of TDRs; with 30,000 square feet applied toward the Floor Area Ratio (FAR) and the remaining 10,000 square feet converted to 10 additional units.

Although not a receiver site, on August 17, 2019, by Resolution No. 2019-252, the City Commission approved the Applicants to file an application, pursuant to a Dispute Resolution Agreement between the City and Mundomed S.A. and South High Cliff Corporation. As a result of this Dispute Resolution Agreement, specific TDRs were created to preserve some environmentally-sensitive lands which TDRs may be transferred and utilized not only within the boundaries of designated receiving areas (CBD and North Ponce Mixed-Use Corridor), but also in Commercial and Industrial zoned areas.

The Historic Preservation Board will also review the request to receive Transfer of Development Rights (TDRs) as required by the Zoning Code because the subject site is within 500 feet of a local historic landmark.

Findings of Fact – Transfer of Development Rights (TDRs)

Sections 14-204.5 and 14-204.6 [formerly 3-1005 and 3-1006] of the Zoning Code establish the requirements for the use of TDRs on receiver sites. Those provisions state that the Planning and Zoning Board and City Commission may recommend conditions of approval that are necessary to ensure compliance with the criteria and standards as specified in the Zoning Code.

Below is the review and approval process of use of TDR's on receiver sites as set out in Zoning Code Section 14-204.6 [formerly 3-1006], as follows:

- A. *"An application to transfer development rights to a receiver site shall be reviewed subject to all of the following":*
1. *"In conformance with any applicable conditions of approval pursuant to the Certificate of TDRs."*
 2. *"Board of Architects review and approval subject to Article 5, Division 6, Design Review Standards."*
 3. *"If the receiving site is within five hundred (500) feet of a local historic landmark, Historic Preservation Board review and approval is required to determine if the proposal shall not adversely affect the historic, architectural, or aesthetic character of the property".*
 4. *"Planning and Zoning Board review and recommendation and City Commission review to determine if the application satisfies all of the following":*
 - a. *"Applicable site plan review requirements per Article 3, Division 2, General Development Review Procedures and conditional use review requirements per Article 3, Division 4, Conditional Uses".*
 - b. *"The extent to which the application is consistent with the Zoning Code and City Code otherwise applicable to the subject property or properties, including but not limited to density, bulk, size, area and use, and the reasons why such departures are determined to be in the public interest".*
 - c. *"The physical design of the proposed site plan and the manner in which the design makes use of adequate provisions for public services, provides adequate control over vehicular traffic,*

provides for and protects designated common open areas, and furthers the amenities of light and air, recreation and visual enjoyment”.

d. *“The conformity of the proposal with the Goals, Objectives and Policies of the City’s Comprehensive Plan”.*

Staff Comments: The proposed mixed-use building meets the Zoning Code’s conditional use review requirements and complies with the property’s Commercial zoning district provisions. The utilization of **30,000 sq. ft.** TDRs in this project will permit an increase in FAR from 3.5, as permitted in the underlying zoning district with Mediterranean Bonus Level II, to 4.03 an increase of 13% in FAR, which is within the 25% increase in FAR, when TDRs are utilized. The proposed urban park will provide for a common area to serve the immediate neighborhood and become an amenity for the community. The proposed mixed-use building is consistent with the goals, objectives, and policies of the Comprehensive Plan to offer housing options closer to the downtown and urban areas of the city.

F. Mixed Use Site Plan

Consistent with the trend to allow residential units near and within downtown Coral Gables, the Applicants are requesting Conditional Use Review for the proposed mixed-use site plan.

The regulations are voluntary and property owners who choose to develop under these regulations are required to undergo Site Plan review in accordance with the Conditional Use process pursuant to the requirements established in Zoning Code Article 14, Section 14-203, “Conditional Uses” [formerly Article 3, Division 4].

Site Plan Information:

Type	Allowed/Required	Proposed
Area existing lot	20,000 sq. ft.	39,948 sq. ft. (east and west parcels)
Proposed alley vacation		3,002 sq. ft.
Proposed ROW vacation		13,145 sq. ft.
Total area		56,095 sq. ft. (1.29 acres)
FAR	3.0, or 3.5 with Med Bonus Level 2	196,333 sq. ft.
TDRs	25% maximum increase	30,000 square feet (13% increase)
Total FAR	4.375 (3.5 + TDRs)	4.03 FAR (226,332 sq. ft.) 5.66 Effective FAR (private parcels only)
Building height	Existing land use: Commercial Low-Rise Intensity 50 ft., 77 feet (Med Bonus Level 2) Proposed land use: Commercial High-Rise Intensity 150 ft., 190.5 feet (Med Bonus Level 2)	179 feet to top of the roof 202 feet to the top of ornamental structure
Number of stories	After change of land use to Commercial High-Rise Intensity:	16 stories

Type	Allowed/Required	Proposed
	16 floors/190.5 feet	
Proposed Uses:		
<i>Residential</i>	Density: 125 units/acre 115 units (private parcels only) 161 units (incl. alley and ROW vacations)	Density: 133 units/acre 171 units (using 10,000 sq. ft./10 units from TDRs)
<i>Ground Floor Commercial</i>	18,107 sq. ft. (8%)	18,107 sq. ft. (8%)
Parking		
<i>Residential Units</i>		
<i>1BR, 96 units @1/unit</i>	96 spaces	
<i>2BR, 49 units @1.75/unit</i>	85,75 spaces	
<i>3BR, 26 units @2.25/unit</i>	58.5 spaces	
<i>Retail @ 1 space/300</i>	60 spaces (18,107 sq. ft./300)	
Total Parking	186 per shared parking analysis	265 spaces
Open Space at ground level	5,609 sq. ft. (10%) of the site area	17,879 square feet (31.87%) on-site

Setbacks*	Permitted/Required	Permitted/Required
<i>Primary street frontages Ponce de Leon Blvd</i>	10 ft.	0 feet (Building setback reductions per Mixed Use and Med Bonus)
<i>Side street (North) (Catalonia Avenue)</i>	15 ft.	0 feet (Building setback reductions per Mixed Use and Med Bonus)
<i>Side street (South) (Malaga Avenue)</i>	15 ft.	0 feet (Building setback reductions per Mixed Use and Med Bonus)
<i>Rear (Westside)</i>	10 ft.	0 feet (Building setback reductions per Mixed Use and Med Bonus)

* Setback reductions may be awarded for MXD projects subject to providing vertical building setbacks, a minimum of 10 ft. at maximum height of 45 ft. on all facades.

Findings of Fact – Mixed-Use Site Plan

Conditional Use Review Criteria

Planning Staff’s review of the criteria set out in Section 14-203.8 [formerly 3-408], “Standards for Review” is as follows:

STANDARD	STAFF EVALUATION
1. The proposed conditional use is consistent with and furthers the goals, objectives and policies of the Comprehensive Land Use Plan and furthers the purposes of these regulations and other	Yes. The Application is “consistent” with the CP’s Goals, Objectives and Policies with the recommended conditions of approval and site plan provisions incorporated by the Applicant which address the City objectives for encouraging mix of uses within the city’s urban areas bounded by Bird Road, LeJeune Road, U.S. 1 and Ponce de Leon Boulevard. The

STANDARD	STAFF EVALUATION
City ordinances and actions designed to implement the Plan.	geographic area encompasses a large area that is served by numerous residential, commercial, retail and office uses. The area is served by the Coral Gables Trolley and regional Miami-Dade Metrorail at Douglas Station.
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.	Yes. The subject property is located south of downtown which allows for the voluntary development of this property as a mixed-use project with predominantly residential units. The project is compatible with the surrounding mixed-use developments – including The Plaza across the street and other commercial uses in the area.
3. The proposed conditional use does not conflict with the needs and character of the neighborhood and the City	Yes. The subject property is surrounded by properties with commercial land use designations and existing commercial and mixed-use developments - including The Plaza. Ponce de Leon Boulevard serves as a multi-modal transportation corridor with weekday trolley service and wide sidewalks used by pedestrians and bicycle riders. The redevelopment of this property as a mixed-use project fulfills the objectives of the City to attract mixed-use developments to the downtown area and the creation of a pedestrian oriented urban environment.
4. The proposed conditional use will not adversely or unreasonably affect the use of other property in the area.	Yes. The Plaza – which is currently under construction – is a mixed-use project is located east of this site that includes residential, retail, hotel, and office uses. The Applicant’s proposal is consistent with the proposed land use designation as it will not adversely or unreasonably affect the use of other adjoining, adjacent and contiguous properties in the area. Conditions of approval are recommended that mitigate potential negative impacts created during construction and after the project has been built, including the provision of public realm/landscaping improvements, streetscape improvements and other off-site improvements that would otherwise not have been realized.
5. 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	Yes. The planned redevelopment of this property as a mixed-use project is compatible with the nature, condition and development of adjacent uses. The Plaza – which is currently under construction is a mixed-use project located east of this site, and multiple mixed-use projects north in the downtown. The proposed project height is 179 feet and surrounded by existing buildings to the north and east of approximately the same height, some under construction.
6. The parcel proposed for development is adequate in size and shape to accommodate all development features.	Yes. The subject property is larger than the minimum 20,000 square foot size for a mixed-use project within an approved MXD and MXOD).
7. The nature of the proposed development is not detrimental	Yes. Commercial and mixed-use properties surround the project site, and the proposed project is consistent with the

STANDARD	STAFF EVALUATION
to the health, safety and general welfare of the community.	stated goals and objectives for mixed use redevelopment. The redevelopment of this property as a mixed use project fulfills the objective of the City to attract residential developments to downtown and to create an urban environment designed for people.
8. The design of the proposed driveways, circulation patterns and parking is well defined to promote vehicular and pedestrian circulation.	Yes. All vehicular parking for the project is located within the confines of the building to be accessed from Catalonia, and service access and areas are enclosed to be accessed from Malaga. Arcades and a pedestrian paseo are provided to encourage and facilitate pedestrian circulation through and around the project site and surrounding district. Staff's recommended conditions of approval include the requirement for a level and continuous sidewalk through these driveways to prioritize pedestrian circulation.
9. The proposed conditional use satisfies the concurrency standards of Section 14-218 [formerly Article 3, Division 13] and will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner.	Yes. The proposed project was reviewed by the Zoning Division and meets concurrency and does not adversely burden public facilities. Furthermore, a Traffic Impact Study was done by Kimley Horn & Associates with the Public Works Department and is attached. Additionally, certain conditions of approval are recommended to ensure the project meets required infrastructure.

Traffic Study

The subject site is within the Gables Redevelopment Infill District (GRID). The City's GRID allows development within its boundaries to move forward regardless of a roadway's level of service (LOS). The City does, however, require all developments within the GRID that increase intensity/density to complete a Traffic Impact Study (TIS). A TIS dated November 2020 prepared by Kimley Horn & Associates for the Public Works Department is provided in Attachment D. The study demonstrates that there will not be significant impacts to the surrounding roadways with the proposed development.

Concurrency Management

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

Public School Concurrency Review

Pursuant to the Educational Element of the City's Comprehensive Plan, Section 14-218.4 [formerly Article 3, Division 13] of the Zoning Code, and State of Florida growth management statute requirements, public school concurrency review is required prior to final Board of Architects review for all applications for development approval in order to identify and address the impacts of new residential development on the levels of service for public school facilities. Adequate school capacity must be available. If capacity is not available, the developer, school district and affected local government must work together to find a

way to provide capacity before the development can proceed. A letter issued by the Miami-Dade County Public School Board dated September 3, 2020 states the proposed project had been reviewed and that the required Level of Service (LOS) standard had been met. A copy of that letter is provided as part of Attachment A.

Art in Public Places Program

The Applicant is required to satisfy the City's Art in Public Places program by either providing public art on site or providing a contribution to the Art in Public Places Fund. The Applicant proposes to provide contribution to the Art in Public Places Fund in compliance with Zoning Code regulations. A portion of the contribution will be used by the City to provide art at Ponce Circle Park.

Off-site improvements and Undergrounding of Overhead Utilities.

The provisions in Zoning Code for Mixed-Use Districts require that all utilities shall be installed underground pursuant to the direction of the Public Works Department. In accordance with that requirement, all utilities within the public right-of-way adjoining the project site will be installed underground. To assist in a cohesive undergrounding of all utilities, in furtherance of satisfying Zoning Code Article 2 "Zoning Districts," and Article 14, "Conditional Uses," Section 14-203 [formerly 3-408], "Standards for review," the Applicant is required to underground all existing overhead utilities.

G. Tentative Plat

Related to the two separate right-of-way vacation requests, the Applicants are proposing a re-plat of the private property to reflect the abandoned segment of University Drive and the vacated alley. The proposed tentative plat contains two tracks. Tract "A" will become the building site for the Project, and Tract "B" will become the site of the urban park, formerly City right-of-way.

Findings of Fact - Tentative Plat Review

The procedure for reviewing and recommending a tentative plat is contained in Sections 14-210.1 through 14-210.4 [formerly 3-901 through 3-904] of the Zoning Code. The Planning and Zoning Board provides a recommendation on tentative plats to the City Commission. The final plat is prepared from the tentative plat, with a final review and approval in resolution form by the City Commission. Administrative review and approval of the final plat by the Miami-Dade County Subdivision Department is required prior to the City Commission hearing. The tentative plat is provided in the submitted Application (see Attachment A).

City Staff Review

This tentative plat was submitted for review to the Development Review Committee (DRC) and distributed to City Departments as required in Zoning Code Section 14-210.2 [formerly 3-902]. The Zoning Code requires review and comments be provided by the Public Works Department, which have been sent to the Applicants. Further review is required by the Public Works Department and Miami-Dade County prior to final plat consideration by the City Commission.

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

This section provides those Comprehensive Plan Goals, Objectives and Policies applicable to the proposed re-plat and the determination of consistency:

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
1.	Goal FLU-1. 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.	Complies
2.	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 (see FLU-1: Future Land Use Map).	Complies
3.	Objective FLU-1.2. Efforts shall continue to be made to control blighting influences, and redevelopment shall continue to be encouraged in areas experiencing deterioration.	Complies
4.	Policy FLU-1.1.5. Mixed-Use land use classifications (Land use descriptions provided herein are general descriptions, refer to underlying/assigned Zoning Classification for the list of permitted uses) as presented in Table FLU-4., entitled “Mixed-Use land use”.	Complies
5.	Policy FLU-1.9.1. Encourage balanced mixed use development in the central business district and adjoining commercial areas to promote pedestrian activity and provide for specific commitments to design excellence and long term economic and cultural vitality.	Complies
6.	Policy FLU-1.11.1. Maintain and enforce effective development and maintenance regulations through site plan review, code enforcement, and design review boards and committees.	Complies
7.	Goal DES-1. Maintain the City as a livable city, attractive in its setting and dynamic in its urban character.	Complies
8.	Policy DES-1.1.6. Maintain the character of the residential and nonresidential districts, and their peculiar suitability for particular uses.	Complies
9.	Policy DES-1.2.1. 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.	Complies
10.	Objective HOU-1.5. Support the infill of housing in association with mixed use development.	Complies
11.	Policy HOU-1.5.2. Encourage residential mixed use as a means of increasing housing	Complies

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
	supply within the Downtown/Central Business District/Mixed Use Development Overlay Area, thereby promoting increase in commercial and retail activity, increased use of transit, reduction of auto dependency, in association with minimizing visual and physical impacts of nearby lower density areas.	
12.	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.	Complies
13.	Policy MOB-1.1.1. Promote mixed use development to provide housing and commercial services near employment centers, thereby reducing the need to drive.	Complies
14.	Policy MOB-1.1.2. Encourage land use decisions that encourage infill, redevelopment and reuse of vacant or underutilized parcels that support walking, bicycling and public transit use.	Complies
15.	Policy MOB-1.1.3. Locate higher density development along transit corridors and near multimodal stations.	Complies
16.	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 bulb-outs, small curb radii, on-street parking along sidewalks, pedestrian paths and bicycle paths to encourage walking and cycling with the intent of enhancing the feeling of safety.	Complies
17.	Policy MOB-1.1.8. Protect residential areas from parking impacts of nearby nonresidential uses and businesses and discourage parking facilities that intrude, impact and increase traffic into adjacent residential areas.	Complies
18.	Policy MOB-2.7.1. The City shall, via the review of development projects and city transportation improvement projects, conserve and protect the character and livability of all residential neighborhoods by preventing the intrusion of through vehicles on local and collector streets. The City shall discourage through traffic in neighborhoods and may incorporate traffic management and calming measures including, but not limited to, signage, landscape design, traffic calming devices and roadway design.	Complies
19.	Policy MOB-2.8.1. The City shall continue implementation and further strengthen the City's existing land development regulations requiring the placement of landscaping within rights-of-way to complete the following: <ul style="list-style-type: none"> •Promote expansion of the City's existing tree canopy. •Provide screening of potentially objectionable uses. •Serve as visual and sound buffers. •Provide a comfortable environment for pedestrian walking (walkability) and other activities. •Improve the visual attractiveness of the urban and residential areas (neighborhoods). 	Complies

Staff Comments: Staff’s determination that the proposed re-plat is consistent with the CP Goals, Objectives and Policies that are identified is based upon compliance with conditions of approval recommended by Staff. It meets the policies of the City’s Comprehensive Plan by encouraging greater housing opportunities within close proximity to the city’s downtown, transit, employment centers, and parks.

4. REVIEW TIMELINE AND PUBLIC NOTIFICATION AND COMMENTS

City Review Timeline

The submitted applications have undergone the following City reviews:

TYPE OF REVIEW	DATE
Development Review Committee	07.31.20
Board of Architects (Preliminary Design and Mediterranean Architecture)	11.09.20
Planning and Zoning Board	02.10.21
Historic Preservation Board	02.17.21
City Commission (1 st reading)	TBD
City Commission (2nd reading)	TBD

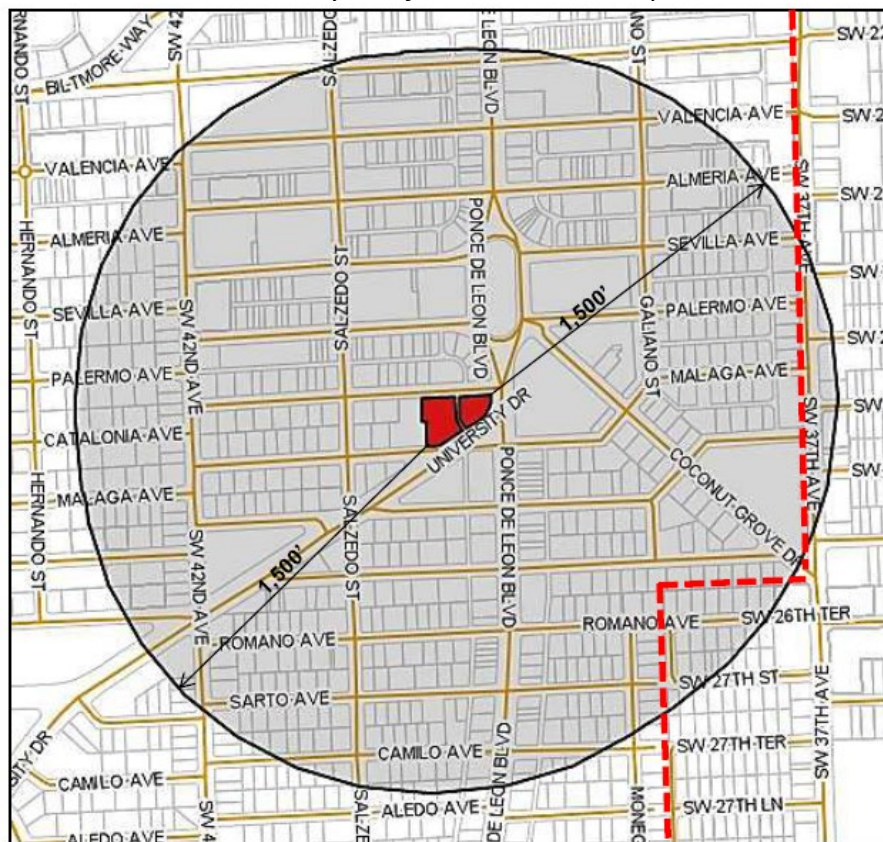
STAFF REVIEW				
Department	DRC 07.31.20	Board of Architects 11.19.20	Staff Meeting 01.08.21	Comments Provided?
Historical Resources and Cultural Arts	x		x	Yes
Parking	x		x	Yes
Public Service	x		x	Yes
Concurrency	x		x	Yes
Police	x			Yes
Fire	x			Yes
Public Works	x		x	Yes
Zoning	x		x	Yes
Board of Architects	x	x		Yes
Planning	x		x	Yes
Building	x		x	
Economic Development	x		x	Yes

Public Notification and Comments

The Applicant held the mandatory neighborhood meeting on November 24, 2020 with notification to all property owners within 1,500 of the property. A summary of the meeting and attendance list is provided as Attachment C.

The Zoning Code requires that a mailed notification be provided to all property owners within 1,500 feet of the property. The notification was sent on January 28, 2021. The notice indicates the following: applications filed; public hearing dates/time/location; where the application files can be reviewed and provides for an opportunity to submit comments. Approximately 835 notices were mailed. A copy of the legal advertisement and courtesy notice are provided as Attachment E. A map of the notice radius is provided below.

Courtesy Notification Radius Map



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

Public Notice

TYPE	DATE
Applicant neighborhood meeting	11.24.20
Courtesy notification	01.28.21
Sign posting of property	01.29.21
Legal advertisement	01.29.21
Posted Staff report on City web page	02.05.21

Staff Recommendation and Conditions of Approval.

The Planning Division based upon the complete Findings of Fact contained within this Report recommends the following:

1. *An Ordinance of the City Commission of Coral Gables, Florida, approving the vacation of a public street 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 that portion of University Drive north of the Malaga Avenue right-of-way and east of the Ponce de Leon Boulevard right-of-way which is approximately 13,145 square feet in area abutting Block 29, Crafts Section (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)*

Staff recommends **Approval**. Proposed enhancements to the public spaces are described in a condition of approval of Mixed-Use Site Plan request and are included in the development agreement.

2. *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 twenty (20) foot wide alley which is approximately one hundred and fifty-five (155) feet in length lying between Lots 12 thru 18 and Lots 11 and 19 in Block 29, Crafts Section (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)*

Staff recommends **Approval**.

3. *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 High-Rise Intensity" for Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, together with that portion of University Drive that runs north of the Malaga Avenue right-of-way and west of the Ponce de Leon Boulevard right-of-way (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE) (LPA review)*

Staff recommends **Approval**. However, maximum density should be consistent with the maximum of 125 units/acre allowed by the Comprehensive Plan.

4. *An Ordinance of the City Commission of Coral Gables, Florida approving a Development Agreement pursuant to Zoning Code Article 14, "Process," Section 14-217, "Development Agreements," for a proposed mixed-use development referred to as "Ponce Park Residences" related to the construction*

of a project consisting of a mix of uses including commercial and residential, on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, together with that portion of University Drive that runs north of the Malaga Avenue right-of-way and west of the Ponce de Leon Boulevard right-of-way; (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; providing for a repealer provision, severability clause and providing for an effective date. (LEGAL DESCRIPTION ON FILE)

Staff recommends **Approval**.

- 5. An Ordinance of the City Commission of Coral Gables, Florida approving receipt of Transfer of Development Rights (TDRs) pursuant to Zoning Code Article 14, "Process," Section 14-204.6, "Review and approval of use of TDRs on receiver sites," for the receipt and use of TDRs for a Mixed-Use project referred to as "Ponce Park Residences" on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, together with that portion of University Drive that runs north of the Malaga Avenue right-of-way and west of the Ponce de Leon Boulevard right-of-way; (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)*

Staff recommends **Approval**, with maximum effective FAR (private parcels and vacated alley only) to be 4.375, and maximum effective density (private parcels and vacated alley only) to be 125 units per acre as permitted in the Comprehensive Plan.

- 6. A Resolution of the City Commission of Coral Gables, Florida approving the Final Plat entitled "Ponce Park Residences" pursuant to Zoning Code Article 14, "Process," Section 14-210, "Platting/Subdivision," being a re-plat of 56,095 square feet (1.287 acres) into two (2) tracts of land on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, together with that portion of University Drive that runs north of the Malaga Avenue right-of-way and west of the Ponce de Leon Boulevard right-of-way; (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)*

Staff recommends **Approval**. Survey shall be revised as needed to conform to development parcels, as required and approved by the Director of Public Works.

- 7. A Resolution of the City Commission of Coral Gables, Florida approving Mixed-Use Site Plan and Conditional Use review pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for a proposed Mixed-Use project referred to as "Ponce Park Residences" on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, together with that portion of University Drive that runs north of the Malaga Avenue right-of-way and west of the Ponce de Leon Boulevard right-of-way; (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr,*

and 225 Malaga), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)

Staff recommends **Approval**, with maximum effective Density (private parcels and vacated alley only) to be 125 units per acre and maximum FAR of 4.375 to be consistent with the Comprehensive Plan.

Summary of the Basis for Approval

Staff's support and recommendation of approval of the vacations, land use change, Receipt of TDRs, Mixed-Use Site Plan, and tentative plat is subject to all recommended conditions of approval. As enumerated in the Findings of Fact contained herein, Planning Staff finds the Application is in compliance with the CP Goals, Objectives and Policies, Zoning Code and the City Codes subject to all of the following listed conditions of approval.

Conditions of Approval

In furtherance of the Comprehensive Plan's Goals, Objectives and Policies, Zoning Code Article 2, "Zoning Districts," and Article 14, "Process," Section 14-203, "Conditional Uses," and all other applicable Zoning Code and City Code provisions, the recommendation for approval of the Application is subject to all of the following conditions of approval:

1. **To be completed prior to City Commission. The Applicant shall continue to work with Staff in refining the proposal, including the following issues:**
 - a. Reduce effective density (private parcels and alley only) to 125 units per acre to be consistent with Comprehensive Plan.
 - b. Revise *effective* FAR (private parcels and alley only) to 4.375.
 - c. The proposed site plan design shall be updated to include: a continuous and level sidewalk through each driveway; flare curbcuts at each driveway entrance; access to bike storage from residential lobby; and streetscape on Ponce de Leon Blvd shall be coordinated with The Plaza's proposed landscape, bulbouts, and on-street parking.
2. **Application/supporting documentation.** Construction of the proposed project shall be in substantial conformance with all of the following:
 - a. The Applicant's submittal package dated 11/23/2020 prepared by Bilzin Sumberg and Oppenheim Architecture to include:
 - i. 4.375 *Effective* FAR (187,906 sq. ft. including 19,621 sq. ft. of TDRs)
 - ii. 125 units per acre of *Effective* Density (private parcels and alley only)
 - b. Traffic Impact Study dated November 2020 prepared by Kimley Horn.
2. **Restrictive covenant.** Within thirty (30) days of City Commission approval of the Application, the Applicant, property owner(s), its successors or assigns shall submit a restrictive covenant for City Attorney review and approval outlining all conditions of approval as approved by the City Commission. Failure to submit the draft restrictive covenant within the specified time frame shall render the approval void unless said time frame for submittal of the draft restrictive covenant is extended by the

City Attorney after good cause as to why the time frame should be extended.

3. **Bond.** Within 90 days of approval, the property owner, its successors or assigns shall post a bond in favor of the City in an amount determined by the Public Works Director to cover the costs of restoring the property to a clean, safe, and attractive condition in the event that the project is not completed in a timely manner, consistent with the Development Agreement, Site Plan approval, and applicable conditions.
4. **Prior to issuance of the first Building Permit,** Applicant shall:
 - a. **Impact Fees.** The Applicant shall include the payment of all applicable City of Coral Gables impact fees, sewer capacity fees and service charges prior to the issuance of a building permit. Impact fees shall be beyond the proffered amounts provided in the Development Agreement. No impact fee shall be waived.
 - b. **Additional Reviews.**
 - i. **Board of Architects.** Final approval of the project by the Board of Architects is required prior to issuance of any building permit.
 - ii. **Zoning Review.** The Applicant shall provide measurable floor plans of the project to City Staff for verification of Zoning requirements such as floor area ratio, setbacks, height and parking.
 - iii. **Landscape Plan.** Final approval of the overall landscape plan by the Landscape Services Director is required prior to issuance of any building permit.
 - c. **Signage.** Provide Signage Plan indicating size and location of all proposed exterior signage, including tenant signs, directory signs, parking garage signs, etc.
 - d. **Parking.** Replacement or payment in lieu of lost on-street parking spaces as a result of this project shall be provided by the Applicant, property owner, its successors or assigns according to established City requirements subject to review and approval by the Parking Director. Provide bicycle parking as required in the Zoning Code.
 - e. **Ground Floor Design.** The ground floor of all buildings shall continue to be designed to optimize pedestrian activity and retail success. All Storefronts shall be transparent.
 - i. All arcades shall be flush with the sidewalk grade and open to the public.
 - ii. Arcades shall not be interrupted by stairwells, elevators, or solid walls.
 - iii. Create a continuous and even walkway in the colonnades and through driveways.
 - iv. All green areas shall be open to the public.
 - f. **Parking Garage Design.** The parking garage shall be designed to address the following items:
 - i. Provide a level and continuous sidewalk through driveway.
 - ii. Provide direct pedestrian access from the parking garage to all adjacent streets and open spaces in the project.
 - iii. All parking garage openings shall be screened so that interior lights and car headlights are not visible from surrounding properties and rights-of-way
 - g. **Construction Staging.** A construction staging plan shall be submitted to the Building Division. A checklist of requirements shall be provided upon request. Construction phasing/staging shall maintain pedestrian access and circulation along Ponce de Leon Boulevard and University Drive, with sidewalks to remain open throughout construction.

- b. **Sustainability Certification.** Within two years of the issuance of a Final Certificate of Occupancy, the building must achieve LEED Silver or equivalent certification. If the applicant chooses to pursue NGBS Silver Certification, an Energy Star Label will also be required within two years of the Final Certificate of Occupancy.
 - i. The City will hold the Green Building Bond for the time necessary for the green certification, or equivalent, to be issued for twenty-four (24) months after issuance of the Certificate of Occupancy or Completion; whichever occurs first. Upon receiving final documentation of certification from the developer/owner/contractor, the City shall release the full amount of the bond within thirty (30) days.
 - ii. If the developer/owner/contractor is unable to provide proof of green certification, or equivalent, within twenty-four (24) months after issuance of the Certificate of Occupancy or Completion, the full amount of the Green Building Bond shall be forfeited to the City. Any proceeds from the forfeiture of the bond under this section shall be allocated toward funding Sustainability Master Plan initiatives.
- c. **Traffic Monitoring.** At the Applicant's expense, the City shall perform an annual review of traffic monitoring studies for three (3) years from the issuance of the first Temporary Certificate of Occupancy at locations to be determined by the Public Works Director. If the Public Works Director determines that livability improvements are warranted on any of these roadways, the Applicant shall construct or pay for any physical livability improvements required by these studies within one year of the completion of these studies, as approved by the Public Works Director.

ATTACHMENTS

- A. Applicants' submittal package.
- B. Development Agreement.
- C. Neighborhood Meeting invitation and summary.
- D. Traffic Impact Analysis.
- E. Notice mailed to all property owners within 1,500 feet and legal ad.
- F. Powerpoint Presentation.
- G. Public Comments.

Please visit the City's webpage at www.coralgables.com to view all Application materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134.

Respectfully submitted,



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for Planning and Zoning
City of Coral Gables, Florida