

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2019-__

A RESOLUTION, PURSUANT TO SECTION 3-1705 OF THE ZONING CODE, PROVIDING RATIFICATION OF THE DISPUTE RESOLUTION AGREEMENT REGARDING THE PROPERTY LOCATED AT 701-711 VALENCIA AND LEGALLY DESCRIBED AS LOTS 23, 24, 25, 26, 27, AND 28, BLOCK 10, OF "CORAL GABLES BILTMORE SECTION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, AT PAGE 28, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, WHICH PROVIDES, IN PART, FOR AN INCREASE TO THE MAXIMUM FLOOR AREA RATIO UP TO 2.7 (FROM 2.0), SUBJECT TO ADDITIONAL TERMS AND CONDITIONS IN THE DISPUTE RESOLUTION AGREEMENT.

WHEREAS, on March 12, 2019, the City Commission reviewed and approved the dispute resolution agreement (Resolution No. 2019-84), pursuant to Article 3, Division 17 of the City's Zoning Code, among Biltmore Development, LLC (the "Owner"), the David William Hotel Condominium Association, Jorge M. Guarch, Jr., and the City of Coral Gables regarding the property located at 701-711 Valencia Avenue, identified by Miami-Dade County Property Tax Folio Identification Nos. 03-4117-059-0010, 03-4117-008-1780 and 03-4117-008-1790, and legally described as:

Lots 23, 24, 25, 26, 27, and 28, Block 10, of "CORAL GABLES BILTMORE SECTION", according to the Plat thereof, as recorded in Plat Book 20, at Page 28, of the Public Records of Miami-Dade County, Florida (the "Valencia Property"); and

WHEREAS, after approval by the Commission, the City Manager and the other parties executed the dispute resolution agreement, attached hereto as **Exhibit A**; and

WHEREAS, Section 3-1705 of the Zoning Code requires that once executed by the City Manager, the dispute resolution agreement shall be placed on the next available consent agenda of the City Commission for ratification and shall not be pulled from the consent agenda except by supermajority vote of the entire membership of the City Commission; and

WHEREAS, the executed dispute resolution was placed on the March 26, 2019 consent agenda and was not pulled from the consent agenda.

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

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

SECTION 2. That the executed dispute resolution agreement attached as Exhibit A is ratified by the City Commission.

SECTION 3. That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS ____ DAY OF _____, A.D., 2019.

(Moved: / Seconded:)

(Yeas:)

(; Vote)

APPROVED:

RAÚL VALDÉS-FAULI
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

BILLY Y. URQUIA
CITY CLERK

MIRIAM SOLER RAMOS
CITY ATTORNEY