

Gables Station Conditions of Approval: June 8, 2016

**Zoning Code Text Amendment:**

1. The request to remove setbacks requirements on Grand Avenue should be omitted.
2. The maximum habitable building height should be 120 feet.

**Planned Area Development and Mixed-Use Site Plan:**

New Conditions from 05.17.16 Planning and Zoning Board meeting:

- Parking for small businesses on the north side of Ponce de Leon Boulevard should be provided within the project's parking garage.
- Traffic calming studies should be performed within a larger area around the project
- Design, funding and construction of the Underline should also include the following intersections: Grand Avenue, LeJeune Road, Riviera Drive, and Granada Boulevard.
- The vehicular access drive that cuts across the Underline from Ponce de Leon Boulevard should be eliminated if possible.
- Consider underground parking in order to reduce the height and bulk of the buildings.
- Work with residents of the McFarlane Homestead Historic District and the Golden Gate subdivisions to incorporate features in the ground level of the project and the Underline public space that recognize the contribution of Bahamian families to the history of Miami and Coral Gables.
- Efforts shall be made to provide job opportunities within the project for residents of adjacent neighborhoods.
- Work with the Underline Design Advisory Committee to design the internal driveway as a low-speed, pedestrian-oriented "woonerf."

Conditions included in the 05.17.16 Planning and Zoning Board Staff Report:

**1. To be completed prior to City Commission 1<sup>st</sup> Reading:**

- a. Building Height. Revise the project to have a maximum habitable building height of 120 feet. (*Note: The applicant has not implemented this condition at this time.*)
- b. Public Works Review. Public Works shall review and approve the Traffic Impact Study and the Civil Engineering Plans, as well as the site plan for transportation issues. The Civil Engineering plans and the Traffic Impact Study plans should be updated to reflect the proposed site plan. Other appropriate State and County agency review of plans shall be completed as required. (*Note: Public Works*

*review of the Traffic Impact Study and Site Plan are on-going as of Commission 1<sup>st</sup> Reading.)*

- c. Landscape Plans. Complete Landscape and Tree Mitigation Plans shall be provided for staff review and approval.
  - d. Architectural Plans – Dimensions. Provide dimensions and property lines on all floor plans, sections and elevations, in particular indicating building setbacks, arcade and public open space dimensions, driveway widths, etc.
  - e. Architectural Plans – Elevations. Provide the south elevation of Building C and the north elevation of Building B.
- 2. Application/supporting documentation.** Construction of the proposed project shall be in substantial conformance with all of the following:
- a. Applicant’s submittal package dated 05.12.2016 prepared by Gensler.
  - b. Traffic Impact Study, dated April 2016, prepared by David Plummer & Associates.
  - c. All representations proffered by the Applicant’s representatives as a part of the review of the Application at public hearings.
- 3. 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. It is recognized that the requirements contained in the restrictive covenant constitute regulatory conditions of approval and shall survive as regulatory conditions of approval even if the restrictive covenant is later found to be void or unenforceable.
- 4. Easements.** Ordinance 2274 shall be maintained for the reservation and maintenance of an unobstructed utility and sanitary sewer easement and an ingress and egress easement for city maintenance vehicles maintaining the sewer lines unless alternative easements are provided to and accepted by the City and applicable utilities.
- 5. Prior to issuance of the first Building Permit:**
- a. **Mobility Contribution.** The applicant shall provide a one-time lump sum contribution of \$2,400,000 towards capital and operational costs of an extension (or enhancement) of the Coral Gables trolley service to the University of Miami campus or other appropriate location, and shall provide for trolley stops adjacent to the project to support transit ridership in the vicinity. The proposed trolley stops shall include

shelters that are subject to approval by the Board of Architects. The route, headways, hours of operation, and transit stop locations of the trolley service enhancement or extension shall be determined and approved by the City's Parking Director and the Development Review Official.

- b. US1 Pedestrian Mobility Improvements.** Subject to approval by the Florida Department of Transportation (FDOT), provide full four-way crosswalks at US1 intersections: Grand Avenue and Ponce de Leon Boulevard. Provide pedestrian and bike crossings with countdown signalization and pedestrian priority. Design to meet Universal Design Standards. All crosswalks should be pulled back away from the intersection for safety and visibility in accordance with FDOT standards. Provide a minimum of 8' of landscape buffer along US1, to be reviewed and approved by the Landscape Services Director. Provide landscape improvements for the linear parks on the south side of US1, to be reviewed and approved by the Landscape Services Director in coordination with the adjacent property owners.
  
- c. Emergency Vehicle Signal Preemption Technology.** The Applicant, property owner(s), their successors or assigns shall contribute \$64,000 to emergency vehicle technology improvements for traffic signal preemption to improve response times within the Gables Redevelopment Infill District (GRID).
  
- d. Underline Design.** The applicant shall design and fund all proposed improvements to the Underline between Grand Avenue to the southwest and Ponce de Leon Boulevard to the northeast. The public realm design shall be subject to written approval by the City and County, as part of The Underline implementation process that coordinates the construction of each phase of the Underline to ensure a coordinated and cohesive design.
  - i.** Prior to issuance of the first building permit, the Applicant shall provide to the City a surety bond, or other form of security deemed acceptable by the City, in the amount of 100% of the estimated total hard and soft cost of all Underline improvements as determined by the Public Works Director.
  - ii.** Secure a County permit for the driveways that will be located within the Metrorail right-of-way.
  - iii.** Consider, subject to approval by Miami-Dade County, relocating the previously-permitted driveway across the Underline to a location that is optimized for pedestrian, bike, and vehicular circulation around the site.
  - iv.** Coordinate design and location of the bicycle path and the pedestrian path with Miami-Dade County and the Underline Steering Committee. Ensure that all locations where the Underline bicycle path and pedestrian path intersect

with driveways, sidewalks, or any other potential conflict point, that the intersection is designed for maximum safety for users.

- v. Reconfigure the current bicycle and pedestrian crossing at Grand Avenue and LeJeune Road to allow one crossing movement during a pedestrian/bike priority phase of the signals at this five-way intersection.
- vi. Underline Parking Lot. Consider developing a remote shared parking agreement to provide parking within the Gables Station and Gables Ponce parking garages rather than surface parking within the Underline right-of-way.
- vii. Internal Driveway. Consider a more pedestrian-oriented design with less pavement markings / signage as well as the possibility of a one way / one lane driveway. Control vehicular speed and volume through design: narrow lanes, parallel parking on both sides of the drive, 10' maximum width travel lanes, no 6" double solid yellow marking down the middle, two lanes at the Ponce de Leon Boulevard entrance instead of four (left turn only southbound / right turn only north bound), include pedestrian crosswalk leading into the courtyard and crossing Ponce de Leon Boulevard, indicate the design, signalization and signage that will be used to mark the crosswalk across Ponce.
- viii. Provide a signalized Pedestrian crosswalk across Ponce de Leon Boulevard between the Underline and the northwest side of the street.

The Applicant shall be responsible for construction and completion of the Underline improvements prior to issuance of a Final Certificate of Occupancy.

- e. **On Street Parking.** Provide parallel parking on both sides of the internal drive; maximize the number of parallel parking spaces on Ponce de Leon Boulevard, and reconfigure proposed parking lot to have parallel parking along a one-way, one-lane drive, to allow space for a landscape strip with shade trees along Ponce de Leon Boulevard.
- f. **Additional Reviews.**
  - i. Board of Architects. Additional review of each individual building shall be conducted by the Board of Architects, at which time staff comments and BOA comments on the function and aesthetics of each building shall be addressed. Final approval of the project by the Board of Architects is required prior to issuance of any building permit.
  - ii. Public Works. The Public Works Department shall review and approve all transportation design aspects of the project.
  - iii. 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.

- g. Peer Reviews and Inspections.** The Applicant is required to employ the services of an independent Structural Peer Reviewer. As an alternative, a Private Provider for all trades may be used to expedite the permit process.
- h. Landscape Plan.** Subject to approval by FDOT, provide landscape buffer/ swale and trees along US1. Integrate landscape into the site plan to reduce noise echo from US1 and Metrorail. Coordinate tree removals and relocations with Public Service Director.
- i. Signage.** Provide Signage Plan indicating size and location of all proposed exterior signage, including tenant signs, directory signs, parking garage signs, etc.
- j. Building Height.** The maximum building height – as defined by the Zoning Code - shall be as approved by the City Commission.
- k. Parking Garage Design.** The parking garage shall be designed to address the following items:

  - i.** Provide direct pedestrian access from the parking garage to all adjacent streets, the Underline, and the plazas and open spaces in the project.
  - ii.** All parking garage openings shall be screened so that interior lights and car headlights are not visible from surrounding properties and rights-of-way.
- l. 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.
  - ii.** Arcades shall not be interrupted by stairwells, elevators, or solid walls.
  - iii.** Pedestrian entrances into active spaces (lobbies, retail, etc) shall be provided on all ground floor facades with an average spacing of 60' except in cases when a single tenant space requires less entrances for functional purposes such as store security, if approved by the Development Review Official.
- m. Loading and Service.** Loading and Service shall be designed so as to minimize its effect on the pedestrian realm.
- n. Parking Garage Pedestrian Access.** Provide direct pedestrian access from the parking garage to all adjacent streets, retail spaces, the Underline, and the plazas and open spaces in the project.
- o. Paseos.** A minimum width of 25' of pedestrian area should be provided in the pass-through area on the east end of the project.
- p. Pedestrian Circulation.** Provide a complete pedestrian circulation plan.

- q. 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 adjacent to property, particularly along US1.
- r. Traffic Improvements.** All proposed traffic flow modifications including street design, width, sight triangles, cross walks, diverters, etc. shall require written conceptual approval of Miami-Dade County and the City prior to the issuance of the first City permit for vertical construction. If any components of the proposed modifications are not approved, the traffic study shall be revised and additional community involvement may be required.
- s. Encroachment Plan.** Obtain Commission approval by resolution of an Encroachment Plan addressing special treatment sidewalks, decorative pavers, landscaping, irrigation, street lighting, landscaping lighting and any other encroachments into, onto, under and over the right of way as shown in the site plan. The above encroachments must be approved by City resolution and a Hold Harmless agreement must be executed approving the encroachments.
- t. Encroachment Agreement and Covenant.** Execute and record a restrictive covenant regarding encroachments and utilities in, below and above the public rights-of-way, in a form acceptable to the Public Works Director, the Risk Management Division, and the City Attorney, which shall include the precise locations and dimensions of the proposed areas of all encroachments. It is recognized that the requirements contained in the restrictive covenant constitute regulatory conditions of approval and shall survive as regulatory conditions of approval even if the restrictive covenant is later found to be void or unenforceable.
- u. Bond to Restore Project Property.** Provide to the City a surety bond, or other form of security deemed acceptable by the City, covering the estimated maximum cost of the full restoration of the Property, including installation of sod and landscaping to City Code standards, and removal of all construction fencing.
- v. Bond for Offsite Improvements.** Provide to the City a surety bond, or other form of security deemed acceptable by the City, in the amount of 100% of the estimated total hard and soft cost of all Offsite Improvements as determined by the Public Works Director.
- w. Construction Notices.** Provide written notice to all properties within one thousand (1,000) feet of the project boundaries providing a specific liaison/contact person for the project including the contact name, contact telephone number and email, to allow communication between adjacent neighbors or interested parties of construction activities, project status, potential concerns, etc.

**x. Bicycle Amenities.**

- i. **Bicycle Station.** Per the City's Bicycle Pedestrian Master Plan, provide a bicycle station that offers a wide variety of services, such as secure and attended parking facilities; bicycle rentals; showers, lockers and changing facilities; repair services or facilities; and cafe/social space. Consider partnering with a non-profit organization, such as Friends of the Underline, Bike Coral Gables, or the Green Mobility Network, in the provision of these services.
- ii. **Bicycle Parking.** Provide one Bicycle Parking space for every vehicular parking space on site.
- iii. **Bike Sharing Facilities.** The Applicant shall reserve space within the project for future bike sharing facilities. Final design shall require written conceptual approval of the Parking Director and Public Works Director prior to issuance of the first City permit.

**y. Car Sharing Facilities.** To the same extent of other projects of similar size within the City, the Applicant shall reserve space within the project for future car sharing facilities in coordination with the City's Parking Director. Final design shall require written conceptual approval of the Parking Director prior to issuance of the first City permit. Required parking spaces may be utilized for car sharing.

**z. Electric Car-Charging Stations.** The Applicant shall provide a minimum of one (1) electric car-charging station for every seventy-five (75) parking spaces. The electric car-charging station may be counted towards the project parking requirement.

**aa. Gateway Landmarks.** The project shall provide gateway landmarks on-site at U.S. 1 and Grand Avenue; and at U.S. 1. Ponce de Leon Blvd.

**6. Prior to issuance of the first Certificate of Occupancy, Applicant shall:**

- a. Underground utilities.** All new utilities shall be installed underground as part of this project.
- b. Art in Public Places.** Prior to the issuance of a Temporary Certificate of Occupancy (TCO) for the project, the Applicant shall comply with all City requirements for Art in Public Places.
- c. Conceptual Employee Parking Plan.** Submit and obtain the approval by the City Parking Director, of an employee parking management plan to limit spillover parking impacts.
- d. Traffic improvements and study.** Complete all traffic improvements recommended by the Traffic Study prepared by David Plummer and Associates, and satisfactorily resolve any outstanding Traffic Study issues as identified by the Public Works Department and City's traffic consultant, subject to review and approval by the Director of Public Works.
- e. Bicycle / Pedestrian Plan.** The bicycle and pedestrian paths shall comply with the City's Bicycle Pedestrian Master Plan. Through the Metrorail right-of-way, it shall also comply with The Underline Master Plan, and shall be subject to approval by Miami-Dade Transit and Miami-Dade Parks Department.
- f. Valet Operations Plan.** A valet operations plan shall be submitted to and approved by the Parking Director. The plan shall ensure that queuing of vehicles for valet during large events or peak traffic hours will not block the flow of traffic.
- g. Taxi Management Plan.** The applicant shall submit and obtain the approval of the Parking Director, for final plans for loading, unloading and queuing of taxis for the hotel.
- h. Traffic Flow Modifications.** All traffic flow modifications including street design, width, sight triangles, cross walks, and diverters shall require the written approval of Miami-Dade County in addition to the City. Prior to issuance of the first Temporary Certificate of Occupancy for the project, the Applicant shall construct all of the traffic improvements outlined in the Traffic Impact Analysis.
- i. Right-of-way and public realm improvements.** Install all right-of-way improvements and all landscaping, public realm and streetscape improvements identified on the Applicant's approved plans, subject to review and approval by the Directors of Public Works, Landscape Services, Planning and Zoning, and Parking. Any changes to and departures from the right-of-way and public realm improvements identified on the Applicant's approved plans and associated detail plans and specifications via the permitting process shall be subject to review and

approval by Directors of Public Works, Landscape Services, Planning and Zoning, and Parking.

- j. Undergrounding of overhead utilities.** Submit all necessary plans and documents, and shall complete the undergrounding of all new utilities along all public rights-of-way surrounding and abutting the project boundary, subject to review and approval by the Directors of Public Works, Landscape Services and Planning and Zoning.
- k. Utility Upgrades.** All sanitary sewer gravity lines serving the project shall be properly upgraded to handle all peak flows downstream from the points of connection through the serving pump station.
- l. Publicly Accessible Open Spaces Easement.** Execute and record a Publicly Accessible Open Spaces Easement Agreement between the City and the Owner.
- m. LEED.** Within two years of the issuance of a Final Certificate of Occupancy for any individual building, such individual building must achieve LEED Silver or equivalent certification.

**7. Following issuance of the first Certificate of Occupancy, Applicant shall:**

- a. Traffic Calming.** At the Applicant's expense, the City shall perform traffic calming studies one year from the issuance of the first Temporary Certificate of Occupancy at locations to be determined by the Public Works Director within the area bounded by Bird Road, on the North, Ponce de Leon Boulevard on the East, Le Jeune Road, on the West, and US-1, on the South. If the Public Works Director determines that traffic calming is warranted on any of these roadways, the Applicant shall construct or pay for any physical traffic calming improvements required by these studies within one year of the completion of these studies, as approved by the Public Works Director.
- b. Traffic Monitoring.** At the Applicant's expense, the City shall perform annual traffic monitoring for a period of five years commencing six months from the issuance of the first certificate of occupancy. The traffic monitoring shall include a study of the number of external vehicular trips generated by the project during the morning and afternoon peak periods. Should the actual number of external vehicular trips during either of these periods result in a 10% increase in the number of external vehicular trips generated by the development above that which was projected during the original traffic impact analysis, the City will conduct traffic impact studies, at the Applicant's expenses, to determine appropriate mitigation. The Applicant shall construct or pay for any improvements in the traffic impact studies within one year of completion of these studies.

- c. Modifications to US1.** Obtain FDOT approval and, if approval is obtained, install curb cut, landscaping and any other modifications to State of Florida right-of-way.