



City of Coral Gables Planning and Zoning Staff Report

Applicant:	Jorge Navarro, Esq./Devon Vickers, Esq.
Application:	Variance – VARI-24-04-0014
Property:	1501 and 1505 Sunset Drive
Legal Description:	Lots 21, 22, and 23, less the West 9 feet, Block 205, Coral Gables Riviera Section Part 14
Present Owners:	One Sunset, LLC
Present Use:	Apartment Buildings/Office Use
Zoning District:	Mixed-Use 1 (MX1) District
Public Hearing:	Board of Adjustment
Date & Time:	Monday, July 1, 2024; 9:00 a.m.
Location:	First Floor Conference Room, Development Services 427 Biltmore Way, Coral Gables, Florida 33134

1. APPLICATION REQUEST

Request for variances for the property located at 1501 and 1505 Sunset Drive pursuant to the provisions of Ordinance No. 2021-07 as amended and known as the “Zoning Code.”

- 1. Grant a variance to reduce the required building setback including balconies on interior side (west) to ten feet (10') where fifteen feet (15') is required, pursuant to Section 2-201.D(4) of the Coral Gables Zoning Code.*
- 2. Grant a variance to reduce the required building setback including balconies on the rear (north) to zero where ten feet (10') is required, pursuant to Section 2-201.D(4) of the Coral Gables Zoning Code.*

2. BOARD OF ARCHITECTS REVIEW

The Board of Architect reviewed and approved this proposal on February 1, 2024.

3. ADVERTISING

This application was advertised in Miami’s Community Newspapers on June 17, 2024. Letters were mailed to properties within one thousand feet of the subject property and the property was posted on June 18, 2024.

4. STAFF OBSERVATION

The subject site, 1501 and 1505 Sunset Drive combined, is approximately 15,500 +/- square feet (0.35 acres). It is located on the northwest corner of Sunset Drive and Yumuri Street. It abuts an existing office building on the west side and a parking garage on the north side fronting San Ignacio Avenue. It is zoned Mixed Use 1 (MXD1) District with a land use designation of Commercial, Low-Rise intensity. Currently, there are two buildings originally built as apartment buildings and were repurpose for office uses.



Site Data and Surrounding Uses

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

Existing Property Designations

Land Use Map designation	Commercial, Low-Rise Intensity
Zoning Map designation	Mixed Use 1 (MX1) District
Overlay District	None
Mediterranean Architectural Design	Yes

Surrounding Land Uses

Location	Existing Land Uses	FLUM Designations	Zoning Designations
North	Parking Garage	Commercial Low-Rise Intensity	Mixed Use 1 (MX1) District
South	Residential Miami-Dade County	N/A Miami-Dade County	N/A Miami-Dade County
East	Office Building	Commercial Low-Rise Intensity	Mixed Use 1 (MX1) District
West	Office Building	Commercial Low-Rise Intensity	Mixed Use 1 (MX1) District



Existing Buildings

The owner, One Sunset LLC seeks to redevelop the site, proposing a commercial building with mix of uses, retail on the ground and office use above, with three parking levels. The proposed building height is 6-stories at 77 feet.



Proposed

Site Plan Information:

Standard	Required/Permitted	Proposed
Building Site	10,000 sq. ft.	15,500 sq. ft. (0.35 acres)
Landscaped Open Space	1,550 sq. ft. (10%)	2,243 sq. ft. (14%)
Density	125 units/acre	No residential units
FAR	54,250 sq. ft. (3.5 with Med Bonus)	28,880 sq. ft. (2.0)
Setback up to 45 feet		
<i>Front (South/Sunset Drive)</i>	0	1'-2"
<i>Side Interior (West)</i>	0	2"
<i>Side Street (East/Yumuri)</i>	0	1'-2"
<i>Rear- no alley (North)</i>	10'	10'
Stepback above 45 feet		
<i>Front (South/Sunset Drive)</i>	10'	10'
<i>Side Interior (West)</i>	15'	10'
<i>Side Street (East/Yumuri)</i>	10'	10'
<i>Rear-no alley (North)</i>	10'	0
Building Height	45' or 6 stories/77' w/ Med Bonus	6 stories/77'
Parking		
Retail (7,823 sq. ft./300)	26	81
Office (19,490 sq. ft./300)	65	<i>reduced parking matrix</i>

The applicant is requesting two variances for this project: to reduce the required building setback including balconies on interior side (west) to ten feet (10') where fifteen feet (15') is required; and to reduce the required building setback including balconies on the rear (north) to zero where ten feet (10') is required.

The building setback requirements on upper stories, which is fifteen (15) feet on interior side and ten (10) feet on the rear for properties with no alley, ensures building articulation by pulling the building mass away from the street edge on upper stories, above forty-five (45) feet. It also provides solar access to the street and views along corridors. The side interior setback allows for windows and openings that meet fire separation requirements which also allows privacy between the abutting buildings. This upper story setback requirement is applicable to all Mixed Used zoned properties with a building site of ten thousand (10,000) square feet or more.

5. STAFF RECOMMENDATION

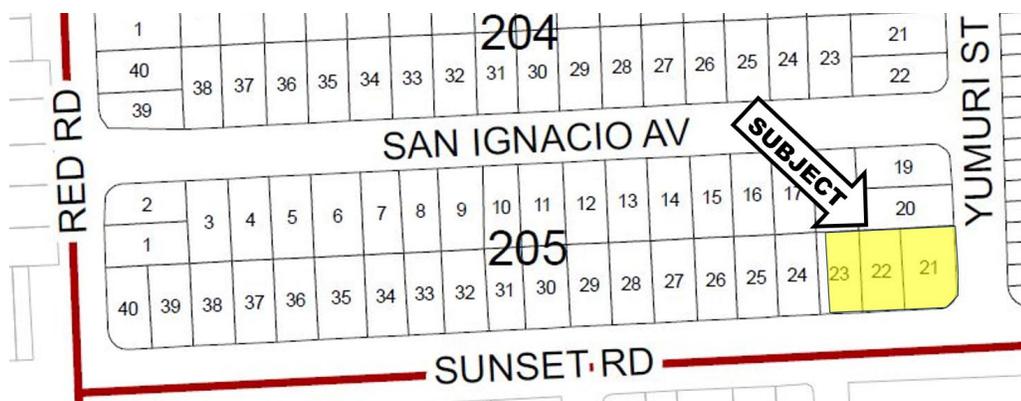
Pursuant to Section 14-207 Standards for Variances of the "Zoning Code," the Zoning Division staff finds as follows in regard to the applicant's proposal as presented in their application for a variance from the provision of Ordinance No. 2021-07, as amended and known as the "Zoning Code," and makes the following findings:

- 1) **That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.**

Does meet the standard required for authorization of variance.

The site is on a corner lot, subject to specific upper story setback requirements. On the street side (Yumuri) 10 feet is required which the project meets. On the interior side (west), 15 is required. To maintain building symmetry, the design incorporates 10-foot setback on both sides of the structure.

On the rear, a 10-foot setback is provided on the ground level which continues straight up, no upper story setback is provided on this side which abuts an existing parking garage. This is also where access to the site is being provided, through Yumuri Street. In addition, this block is platted in different orientation, while the subject site is platted north-south, the abutting north side (the garage) is platted east-west as shown below.



Staff does find special condition and circumstances that exist which are peculiar to the land that warrants granting setback reductions as requested due to the corner lot location and the aim to maintain building symmetry of the front façade; the platting orientation, and the as built condition of the abutting garage.

2) That the special conditions and circumstances do not result from the actions of the applicant.

Does meet the standard required for authorization of variance.

The corner lot location, the platting orientation, and the as built condition of the abutting garage to the north are special conditions and circumstances that do not result from the action of the applicant.

3) That granting the variances requested will not confer on the applicant a special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning district.

Does meet the standard required for authorization of variance.

The project proposes a lower Floor Area Ratio (FAR) of 2.0 instead of the allowed maximum 3.5 with onsite parking. Granting the variances requested will not confer on the applicant a special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning district.

4) The literal interpretation of the provisions of these regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations and would work unnecessary and undue hardship on the applicant (see also definition of “necessary hardship”).

Does meet the standard required for authorization of variance.

As designed with lower FAR, meeting setbacks and height, with parking provided onsite, necessitates a variance to make the project economically viable. The literal interpretation of the provisions of these regulations presents hardship in developing this property.

5) That the variance granted is the minimum variance that will make possible the reasonable use of land, building or structure.

Does meet the standard required for authorization of variance.

As designed with lower FAR, meeting setbacks and height, with parking provided onsite, the requested variance is the minimum relief necessary to ensure reasonable use of the property by making the project economically viable.

6) That granting the variance will not change the use to one that is not permitted in the zoning district or different from other land in the same district.

Does meet the standard required for authorization of variance.

The proposed development is Mixed Use project which a permitted use in this district. Granting the variances requested will not change the use to one that is not permitted in the zoning district.

- 7) **That the granting of the variance will be in harmony with the general intent and purpose of these regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

Does meet the standard required for authorization of variance.

The variances requested are setbacks above forty-five (45) feet of the project. The upper floors of the proposed project and the existing abutting building are office spaces which require less separation and privacy than residential use. Granting the variances requested will not be detrimental to the public welfare.

- 8) **The granting of the variance is appropriate for the continued preservation of an historic landmark or historic landmark district.**

Not applicable.

The property is not a historic landmark or in a historic landmark district.

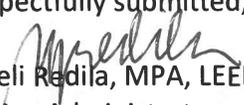
The Planning and Zoning Division staff recommends **APPROVAL** of items No. 1, 2.

6. ATTACHMENTS

- A. Applicant's submittal package.
- B. Property Appraiser Summary Report.
- C. Legal advertisement published and notice mailed to all property owners within 1,000 feet.

Please visit the City website at www.coralgables.com to view all application materials. The complete application 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,


Arceli Redila, MPA, LEED AP
Zoning Administrator
City of Coral Gables, Florida