



City of Coral Gables Planning and Zoning Staff Report

Applicant: Sunset 8, LLC/Andres Mejia
Application: Separation of a Building Site and Conditional Use Site Plan Review
Property: **601 Sunset Drive**
Public Hearing: Planning and Zoning Board
Date & Time: **May 11, 2012; 6:00 – 9:00 p.m.**
Location: City Commission Chambers, City Hall,
405 Biltmore Way, Coral Gables, Florida 33134

1. APPLICATION REQUEST

Request for Separation of a Building Site and Conditional Use Site Plan Review for the property located on Lots 13-18, Block 236, Coral Gables Riviera Section Part 11 as follows:

An Ordinance of the City Commission of Coral Gables, Florida requesting Conditional Use Review for a previously approved but expired Building Site Determination pursuant to Zoning Code Section 14-206.6, "Building Site Determination" to separate into two (2) single-family building sites on the property zoned Single-Family Residential (SFR) District, legally described as Lots 13-18 Block 236, Coral Gables Riviera Section Part 11 (601 Sunset Drive), Coral Gables, Florida; one (1) building site consisting of Lots 13, 14 and 15 (east parcel), and the other (1) building site consisting of Lot 16, 17 and 18 (west parcel); including required conditions; providing for a repealer provision, providing for a severability clause, and providing for an effective date.

2. APPLICATION SUMMARY

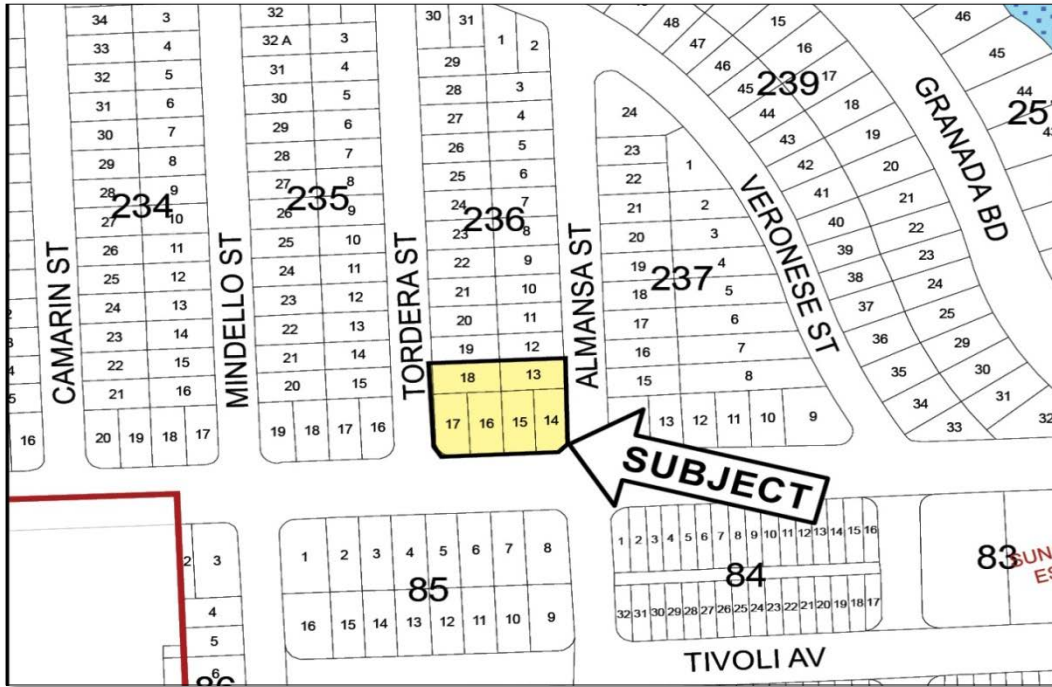
On March 12, 2019, by Ordinance No. 2019-16 the City Commission approved a Conditional Use Building Site Determination for the subject property which expired on September 12, 2020. The current applicant is also proposing a different design than what was previously approved.

The subject site consists of six (6) individually platted lots (lots 13 thru 18) with a street frontage of approximately 200 feet along Sunset Drive, totaling approximately 31,00 square feet (0.71 acres). The request is to separate the existing 0.71 acre (31,000 square feet) building site located at 601 Sunset Drive into two building sites; one (1) building site consisting of Lots 13, 14 and 15 (east parcel), and the other (1) building site consisting of Lot 16, 17 and 18 (west parcel).

The application was reviewed and approved by the Board of Architects on April 7, 2022 for preliminary design.

The property is shown in the following location map and aerial:

Location Map



Aerial



Property Designations and Surrounding Uses

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

Existing Property Designations

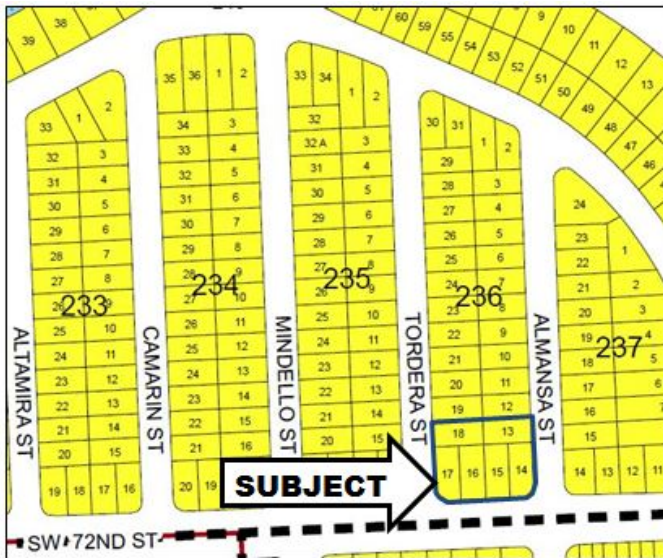
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|--|--|
| Comprehensive Plan Future Land Use Map designation | “Residential Single-Family Low Density” |
| Zoning Map designation | “Single Family Residential (SFR) District” |

Surrounding Land Uses

| Location | Existing Land Uses | CP Designations | Zoning Designations |
|----------|----------------------------------|---|--|
| North | 1-story single-family residences | “Residential Single-Family Low Density” | Single Family Residential (SFR) District |
| South | 2-story single-family residences | “Residential Single-Family Low Density” | Single Family Residential (SFR) District |
| East | 2-story single-family residence | “Residential Single-Family Low Density” | Single Family Residential (SFR) District |
| West | 1-story single-family residence | “Residential Single-Family Low Density” | Single Family Residential (SFR) District |

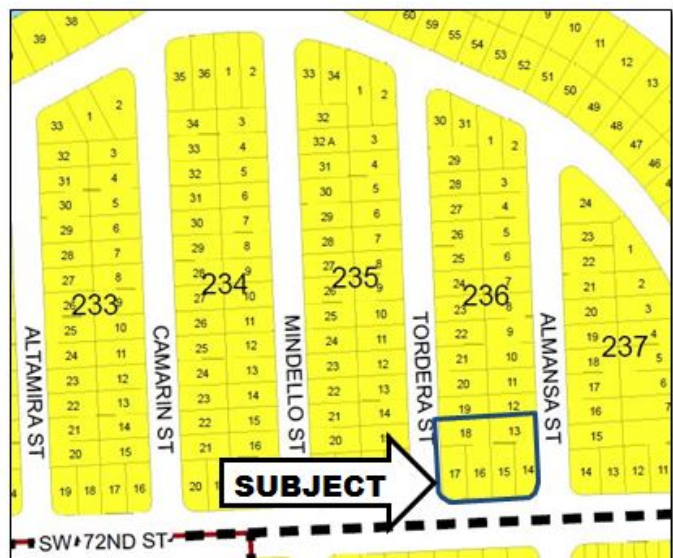
The surrounding properties have the same single-family residential land use and zoning designations as the subject property, illustrated as follows:

Existing Future Land Use Map



Land Use Classifications
 Residential Single-Family Low Density (6 Units/Acre)

Existing Zoning Map



Zoning Districts
 (SFR) Single-Family Residential District

City Review Timeline

The submitted application has undergone the following City reviews:

| Type of Review | Date |
|---|----------|
| Board of Architects | 04.07.22 |
| Historic Preservation Board | N/A |
| Planning and Zoning Board | 05.11.22 |
| City Commission (1 st reading) | TBD |
| City Commission (2 nd reading) | TBD |

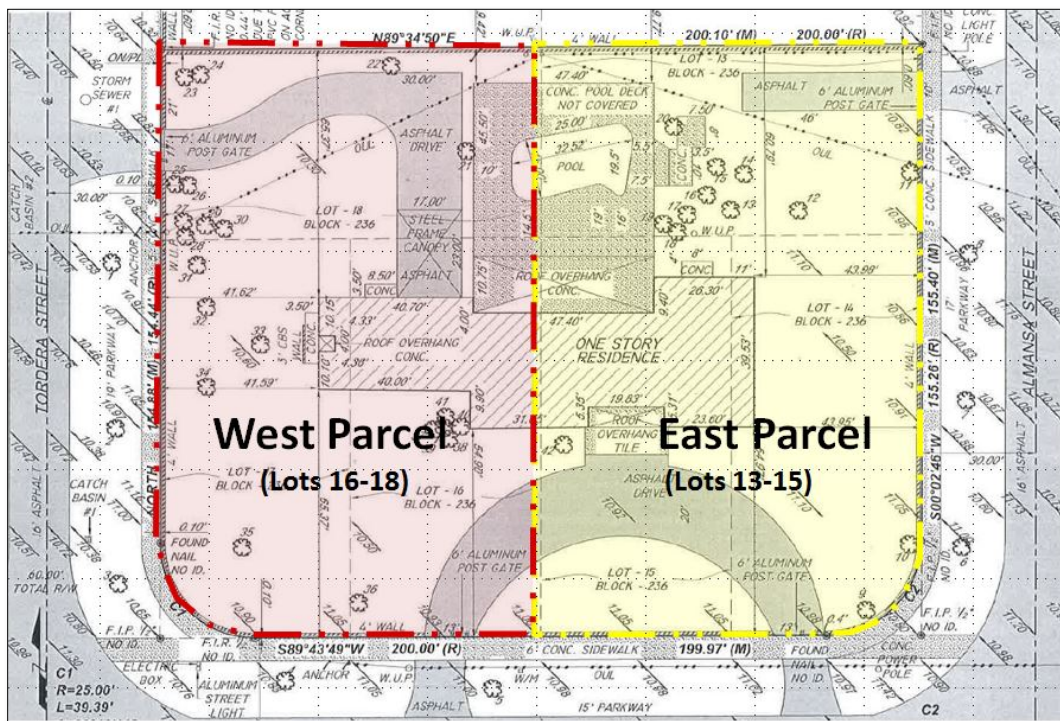
Proposal – Separation of a Building Site and Conditional Use Site Plan Review

Conceptual Site Plan

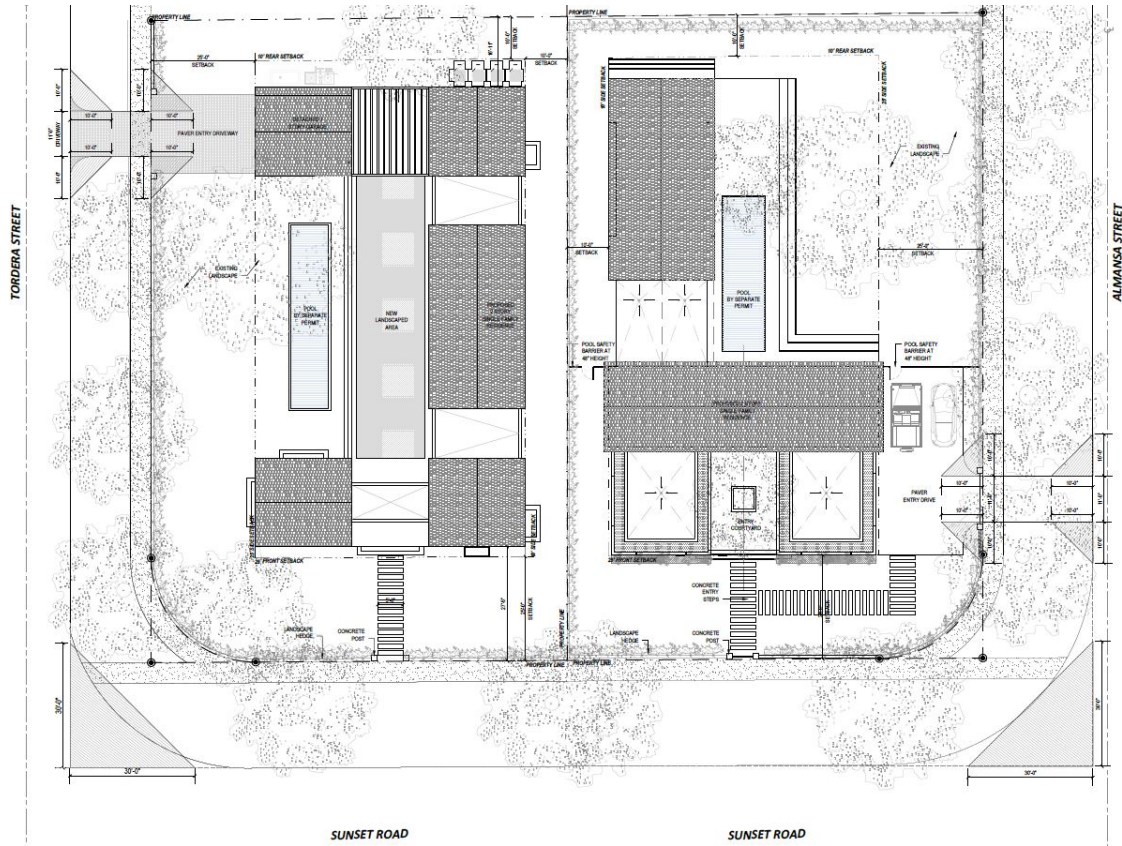
A conceptual site plan was submitted with the application depicting the development potential of the proposed building sites. The site plans are only intended to indicate how the proposed building sites could be developed according to the Single-Family Residential (SFR) District provisions and applicable Zoning Code site specific regulations.

The Applicant’s proposed building site separation, conceptual site plans and renderings are provided on the following pages.

Proposed Building Site Separation



Conceptual Site Plan



Conceptual Renderings



House 1 (West Parcel)



House 2 (East Parcel)

Permitted Development

The subject property comprised of six (6) individually platted lots (lots 13 thru 18) totaling approximately 31,000 square feet (0.71 acres) in size. It is a parcel with frontages on Sunset Drive to the south, Almansa Street to the east, and Tordera Street to the west.

The site currently vacant. If the property were to be developed as a single building site then one (1) single-family residence with approximately 10,450 sq. ft. of building floor area could be constructed on the property. The two (2) proposed building sites would each have a street frontage of 100 feet with a site area of 15,500 sq. ft. allowing for residences with a maximum building floor area of 5,800 sq. ft. Together, the proposed building sites would be permitted a total of 11,600 sq. ft. of building floor area.

The following table compares the proposed building sites with the applicable Zoning Code requirements for single-family residences. This analysis shows that the property can be developed as proposed and meet the requirements of the Zoning Code:

Site plan information:

| Type | Existing Building Site* (Lots 13-18) | Proposed Building Site (Lots 13-15, East Parcel) | Proposed Building Site (Lots 16-18 West Parcel) |
|---|---------------------------------------|--|---|
| Building site frontage | 200' (existing) | 100' | 100' |
| Building site depth | 154'-8" (existing) | 154'-8" | 154'-8" |
| Total site area | 31,000 sq. ft. (existing) | 15,500 sq. ft. | 15,500 sq. ft. |
| Building floor area (FAR) (maximum permitted) | 10,450 sq. ft. | Max. 5,749 sq. ft. | Max. 5,725 sq. ft. |
| Building height (maximum permitted) | 2 stories/25'-0" above finished floor | Max. 2 stories/25'-0" above finished floor | Max. 2 stories/25'-0" above finished floor |
| Setbacks required: | | | |
| Front (Sunset Drive) | Min. 25' | Min. 25' | Min. 29'-11" |
| Side interior | Min. 10' | Min. 10' | Min. 10' |
| Side street | Min. 15' | Min. 25' | Min. 25' |
| Rear (north side) | Min. 10' | Min. 10' | Min. 18' |
| Ground area coverage: | | | |
| Principal building | Max. 35% | Max. 27% | Max. 23% |
| Total (including auxiliary structures) | Max. 45% | Max. 29% | Max. 29% |

3. FINDINGS OF FACT

This section of the report presents City Staff’s evaluation of the Application and Findings of Facts. The City’s responsibility is to review the Application for consistency with the City’s Comprehensive Plan (CP) Goals, Objectives and Policies, compliance with the Zoning Code and compliance with other applicable portions of the City Code.

Review of Zoning Code Criteria

Zoning Code Section 14-202.6(F) provides the criteria for the separation and establishment of building sites, as follows:

F. When reviewing and providing a recommendation on an application for conditional use for a building site determination, the Planning and Zoning Division, Planning and Zoning Board and the City Commission shall consider and evaluate the request together with a proposed site plan and provide findings that the application satisfies the following criteria:

- 1. That the building site(s) created would have a lot area equal to or larger than the majority of the existing building sites of the same zoning designation within a minimum of one thousand (1,000) feet of the perimeter of the subject property. The Development Review Official may determine that the comparison of building sites within one thousand (1,000) feet of the subject property shall be based on one (1) or more of the following: building sites located on the same street as the subject property; building sites with similar characteristics such as golf course frontage, water frontage, cul-de-sac frontage; and, building sites within the same platted subdivision.

The Application **satisfies** this criterion.

- 2. That exceptional or unusual circumstances exist, that are site specific such as unusual site configuration or partially platted lots or are code specific such as properties having two (2) or more zoning or land use designations, multiple facings or through-block sites, which would warrant the separation or establishment of a building site(s).

Staff Comment: The property has an unusual circumstance in that it consists of six (6) individually platted lots with multiples street frontage and access onto Sunset Drive, Almansa Street, and Tordera Street.

The Application **satisfies** this criterion.

- 3. That the proposed building site(s) maintains and preserves open space and specimen trees, promotes neighborhood compatibility, preserves historic character, maintains property values and enhances visual attractiveness of the area.

Staff Comments: The conceptual plans submitted by the applicant show that both building sites can be developed in compliance with the requirements of the Zoning Code. The proposed building sites would have a greater street frontage than a majority of building sites within

1,000 feet of the subject property. As a result, Staff has determined that the proposed building sites would be compatible with the surrounding neighborhood.

The Application **satisfies** this criterion.

4. That the application satisfies at least three (3) of the following four (4) criteria:
- a. That the building site(s) created would have a street frontage, golf course frontage (if applicable), and water frontage (if applicable) equal to or larger than the majority of the existing building sites of the same zoning designation within a minimum of one thousand (1,000) feet of the perimeter of the subject property. For a cul-de-sac building site(s), the comparison of street frontages and water frontages (if applicable) shall include those similarly situated cul-de-sac building sites within one thousand (1,000) feet. If no cul-de-sac building sites exist within one thousand (1,000) feet then the comparison may be expanded to include all cul-de-sac building sites within the platted subdivision and any adjacent platted subdivision.

The Application **satisfies** this criterion.

- b. That the building site(s) separated or established would not result in any existing structures becoming non-conforming as it relates to setbacks, lot area, lot width and depth, ground coverage and other applicable provisions of the Zoning Code, Comprehensive Plan and City Code. The voluntary demolition of a building or structure within the last ten (10) years which eliminates any of the conditions identified in this criterion shall result in non-compliance with this criterion.

Staff Comment: The subject property is currently vacant. There was a one-story single-family house built in 1953 that was in poor condition which was demolished, not voluntarily, but as required by the agreed upon Code Enforcement Board Order and Notice of Unsafe Structure that was issued to the property in 2018.

The Application **satisfies** this criterion.

- c. That no restrictive covenants, encroachments, easements, or the like exist which would prevent the separation of the site. The voluntary demolition of a building or structure within the last ten (10) years which eliminates any of the conditions identified in this criterion shall result in non-compliance with this criterion.

The Application **satisfies** this criterion.

- d. That the building site(s) created has been owned by the current owner continuously for a minimum of ten (10) years prior to an application submittal for conditional use for a building site determination.

Staff Comment: The current property owner purchased the property in 2019.

The Application **does not satisfy** this criterion.

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

This section provides a detailed analysis of the CP providing a basis of consistency, and finds the following CP Goals, Objectives and Policies are applicable.

Consistent CP Goals, Objectives and Policies are as follows:

| Ref. No. | Comprehensive Plan Goals, Objectives and Policies | Staff Review |
|----------|--|--------------|
| 1. | Policy FLU-1.3.2. All development applications in residential neighborhoods shall continue to be reviewed by applicable boards and committees to ensure the protection from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic. The City will continue to enforce the adopted restrictive design standards; historic preservation policies and the applicable performance standards of the Commercial Limited designation in the Zoning Code. | Complies |
| 2. | Objective FLU-1.11. Maintain a pattern of overall low density residential use with limited medium and high density residential uses in appropriate areas to preserve the low intensity and high quality character of the residential neighborhoods. | Complies |
| 3. | Objective FLU-1.14. The City shall enforce Zoning Code provisions which continue to preserve and improve the character of neighborhoods. | Complies |
| 4. | Goal FLU-3. The City as a part of its development review process shall engage public/community participation and collaboration to provide for a transparent development review process. | Complies |
| 5. | Policy DES-1.1.5. Promote the development of property that achieves unified civic design and proper relationship between the uses of land both within zoning districts and surrounding districts, by regulating, limiting and determining the location, height, density, bulk and massing, access to light and air, area of yards, open space, vegetation and use of buildings, signs and other structures. | Complies |
| 6. | Policy DES-1.1.6. Maintain the character of the residential and nonresidential districts, and their peculiar suitability for particular uses. | Complies |
| 7. | Policy DES-1.1.7. Preserve residential properties to assure that future development will be in conformity with the foregoing distinctive character, with respect to type, intensity, design and appearance. | Complies |

Staff Comments: Staff’s determination is that this Application is **consistent** with the CP goals, objectives and policies related to Zoning Code requirements for site plan review.

4. PUBLIC NOTIFICATION

The Applicant completed the mandatory neighborhood meeting with notification to all property owners within 1,000 feet of the property boundary. A meeting was held by the Applicant with the property owners on April 26, 2022.

The Zoning Code requires that a courtesy notification be provided to all property owners within 1,000 feet of the subject property. The notice lists the type of applications filed, proposed public hearing dates/time and location where the application files can be reviewed. The notice also provides for an opportunity to submit comments on pending applications. 196 notices were mailed to surrounding property owners. A Copy of the legal advertisement and courtesy notice are provided as Attachments B. Copies of public comments received shall be provided to the Board at the public hearing.

A map of the notice radius is as follows:

Notification Radius Map



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

Public Notice

| Type | Date |
|--|----------|
| Neighborhood information meeting held by applicant | 04.26.22 |
| Notification - 1,000 feet of the property | 04.27.22 |
| Posting of property | 04.29.22 |
| Legal advertisement | 04.29.22 |
| Posted agenda on City web page/City Hall | 05.06.22 |
| Posted Staff report on City web page | 05.06.22 |

STAFF RECOMMENDATION

The Planning and Zoning Division based upon the complete Findings of Fact contained within this Report recommends **approval with conditions** of the Applicant's request.

Conditions of Approval

Planning and Zoning Division Staff recommends the application be recommended for approval by the Board subject to the following conditions of approval:

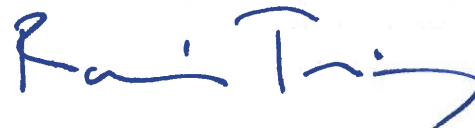
1. The total square footage of the residence allowed on the separated building sites shall be equal to or less than the total square footage that could be constructed on the property if developed as a single building site.
2. The new single-family residences constructed on the separated buildings sites shall meet all applicable requirements of the Zoning Code, and no variances shall be required or requested.
3. The plans depicting the site plans and elevations of the residences on the separated building sites and submitted as part of the conditional use application shall be made part of the approval with any instructions or exceptions provided by the City Commission. Any changes to the plans are subject to Sec. 14-203.10 of the Zoning Code.
4. A bond shall be required, as determined by the building official, to ensure the timely removal of any non-conformities as a result of the building site separation approval.

5. ATTACHMENTS

- A. Applicant's submittal package.
- B. Legal advertisement and courtesy notice.

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,



Ramon Trias, PhD, AIA, AICP, LEED AP
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for Planning and Zoning
City of Coral Gables, Florida