

City of Coral Gables
CITY COMMISSION MEETING
November 15, 2016

ITEM TITLE:

Ordinance on Second Reading. Amendment to Development Agreement.

An Ordinance of the City Commission of Coral Gables amending the City of Coral Gables and University of Miami Development Agreement, adopted by Ordinance No. 2010-31 on 09.28.10, pursuant to Zoning Code Article 3, Division 19, entitled "Development Agreements", for the University of Miami, City of Coral Gables Campus, amending Paragraph 19 of the Development Agreement ("Internal Road and Access") that governs internal circulation on the Coral Gables Campus, modifying the scope and schedule of Phase II of the Internal Road; providing for conditions of approval, providing for enforcement, providing for a repealer provision, providing for a severability clause, and providing for an effective date. (legal description on file)

DEPARTMENT HEAD RECOMMENDATION:

Approval with Conditions.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board at their 12.09.15 meeting recommended approval with conditions. (vote: 6-0).

BRIEF HISTORY:

The University of Miami has submitted an application for an amendment to the Development Agreement between the University and the City of Coral Gables, and associated amendments to Ordinance 2007-16 approving amendments to the University of Miami Campus Area Development (UMCAD) Master Plan.

This application request is to update the design of Phase II of the Internal Road around the north side of the Coral Gables Campus.

Update from First Reading

Following the approval of this item 5-0 on First Reading by the City Commission on April 12, 2016, the Applicant has made the following updates to the request:

- The University designed a service road connection between Phase 1 and Phase 2 of the Internal Road without impacting the Arboretum.
- The University will expand the Arboretum to include a portion of that land previously occupied by the University's wood art studio.
- The University will improve the streetscape of its Pisano edge.
- The University will voluntarily proffer \$250,000 to the City for public realm improvements.

At First Reading, the application request did not have a road connection around the Arboretum, did not

include expansion of the Arboretum, and included a \$1 million contribution to the City for public realm improvements in the neighborhoods adjacent to the campus.

Staff recommends the following conditions of approval for this request on 2nd Reading:

- i. The construction documents for the improvements in the campus and in the right of way area of Pisano Avenue shall be submitted for review and approval pursuant to applicable city regulations. Submittal of construction plans for these improvements and completion of these improvements shall follow the Internal Road deadlines outlined in Section 19 of the Development Agreement dated September 28, 2010 between the City of Coral Gables and the University of Miami, and as modified by this Development Agreement Amendment request.
- ii. The University shall fund construction costs for specific public realm improvements to be designed and constructed by the City based upon input from City Staff, the surrounding residential community and the University up to \$250,000 (“Public Realm Improvements”).
 - a. The Public Realm Improvements shall be designed and constructed by the City in its discretion to benefit the surrounding residential community at locations adjacent to the University’s campus.
 - b. The University shall tender payment to fund the Public Realm Improvements when presented by the City with written request for payment with the appropriate contract/work order for the construction of the Public Realm Improvements.
 - c. This condition – and the University’s obligation to fund the Public Realm Improvements – shall expire within ten (10) years of the date of the date of the adoption of this Ordinance (_____) unless extended in writing by the mutual consent of the parties.
 - d. Based upon public input received during the public outreach process, no changes to the existing sidewalk and lighting shall occur on San Amaro Drive from Memorial Drive to Campo Sano Avenue west of the Gifford Arboretum.
- iii. The University will identify pedestrian/bicycle pathway connections internally on campus comprised of both current and new segments as needed to provide connectivity from Memorial Drive to University Drive including Brunson Drive.
- iv. The University will install signage, wayfinding, maps, and labels of the Gifford Arboretum’s unique plant species. Installation of these features shall follow the Internal Road deadlines outlined in Section 19 of the Development Agreement dated September 28, 2010 between the City of Coral Gables and the University of Miami, and as modified by the Development Agreement Amendment request.
- v. Commission approval is required for a special treatment sidewalk, decorative pavers, landscaping, irrigation, street lighting, landscaping lighting, and any other encroachments into, onto, under and over the right of way. The above encroachments shall be approved by City resolution and a Hold Harmless agreement shall be executed.

- vi. Incorporate Silva cell planters or structural soil into the landscape plans for all trees planted within the public right-of-way.
- vii. The University shall maintain the existing bridge crossing from University Drive south over the canal to accommodate pedestrian connectivity as well as emergency police vehicles.
- viii. The University shall construct a service road connection Phase I and Phase II of the Internal Road along the south side of the Gifford Arboretum in a manner that does not impact the existing Arboretum. Construction of this service road connection shall follow the Internal Road deadlines outlined in Section 19 of the Development Agreement dated September 28, 2010 between the City of Coral Gables and the University of Miami, and as modified by the Development Agreement Amendment request.
- ix. The University shall expand the Arboretum to include a portion of that land previously occupied by the University's wood art studio. Expansion of the Arboretum shall follow the Internal Road deadlines outlined in Section 19 of the Development Agreement dated September 28, 2010 between the City of Coral Gables and the University of Miami, and as modified by the Development Agreement Amendment request.

There has been additional discussion about the possibility that the University of Miami Campus Master Plan should be amended to include provisions to remove parking lot 102 and replace it with an expansion of Gifford Arboretum at a future date.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
N/A		

OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

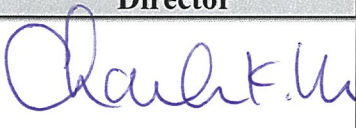
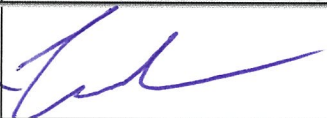

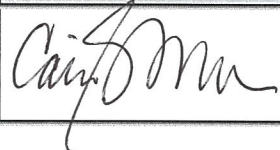
Date	Board/Committee	Comments (if any)
10.14.15	Planning and Zoning Board	Item continued to allow for additional neighborhood input.
12.09.15	Planning and Zoning Board	Recommended approval with conditions (vote: 6-0).

PUBLIC NOTIFICATION(S):

Date	Form of Notification
October 2, 2015	Courtesy notification mailed to all property owners within 1,000 feet of the boundary of the subject property.
October 2, 2015	Posted property.
October 2, 2015	Legal advertisement.
October 2, 2015	Post agenda at City Hall.
October 7, 2015	Applicant-sponsored neighborhood meeting – invitations mailed to all property owners within 1,000 feet of the boundary of the subject property.

October 9, 2015	Posted agenda, staff report, legal notice and all attachments on City web page.
November 19, 2015	City of Coral Gables-sponsored neighborhood meeting – invitations mailed to all property owners within 1,000 feet of the boundary of the subject property.
January 29, 2016	Posted property.
January 29, 2016	Legal advertisement with ordinance heading on First Reading.
April 1, 2016	Legal advertisement with ordinance heading on First Reading.
October 14, 2016	Legal advertisement with ordinance heading on Second Reading.
October 14, 2016	Courtesy notification mailed to all property owners within 1,000 feet of the boundary of the subject property.
October 18, 2016	Applicant-sponsored neighborhood meeting
October 26, 2016	Applicant-sponsored neighborhood meeting
November 4, 2016	Legal advertisement with ordinance heading on Second Reading.

APPROVED BY:

Interim Department Director	City Attorney	Assistant City Manager	City Manager
			

EXHIBIT(S):

- A. Applicant's Amended Request
- B. Draft Ordinance – Amendment to Development Agreement 2nd Reading
- C. 11.15.16 City Commission 2nd Reading Powerpoint Presentation UM Internal Road