

City of Coral Gables

Planning Department Staff Report

To: Planning and Zoning Board Members

From: Planning Department

Date: February 13, 2008

Subject: **Application No. 01-08-043-P. Mixed-Use (MXD) Site Plan Review.**
Requesting MXD site plan review for the proposed mixed use project referred to as "4311 Ponce" on property legally described as Lots 38-43, Block 5, Industrial Section (4311 Ponce de Leon Boulevard), Coral Gables, Florida.

Recommendation

The Planning Department based upon the findings of fact contained herein recommends approval subject to all conditions of approval listed herein of the MXD site plan for a proposed mixed use project referred to as "4311 Ponce" on property legally described as Lots 38-43, Block 5, Industrial Section (4311 Ponce de Leon Boulevard), Coral Gables, Florida.

Conditions of Approval

In furtherance of the Comprehensive Land Use Plan (CLUP) Goals, Objectives and Policies, Zoning Code and other applicable City provisions, the recommendation for approval of the mixed use project referred to as "4311 Ponce" is subject to the following conditions of approval:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following:
 - a. Site plans, building elevations and building program prepared by Mateu Architecture Inc., dated 01.04.08.
 - b. Landscape plans prepared by Mariano Corral Landscape Architect, dated 01.04.08.
 - c. Traffic impact study prepared by David Plummer & Associates, dated January 2008.
 - d. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated 01.04.08, and proffered by the applicant's representatives as a part of the review of the application at public hearings.
2. Restrictive Covenant. Within 30 days of approval of the adoption of the site plan, the property owner, its successors or assigns shall submit a restrictive covenant for City Attorney review and approval outlining all conditions of approval required 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.
3. Prior to the issuance of a building permit for the project, the property owner, its successors or assigns, shall satisfy the following conditions:
 - a. Retail customer parking. Thirty (30) floor level parking spaces (non-mechanical lift) shall

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- be designated and reserved on the second floor of the building for use by retail customers, and shall remain unrestricted by the mechanical lifts above for the use of retail parking patrons during all hours that retail businesses are open. Each space shall include signage indicating “Retail customer parking”.
- b. Parking garage gates. No vehicular gates or similar devices shall be installed that prohibit public access and use of required commercial office or retail parking spaces during all hours that commercial businesses are open.
 - c. Parking spaces. The sale or leasing of parking spaces to any person, business or entity that is not a tenant or resident of the building shall be prohibited.
 - d. Pedestrian crosswalk signal. The applicant shall prepare and provide to the Public Works Director a traffic signal timing analysis for the Ponce de Leon / Bird Road signal identifying modifications required for pedestrian crossing times as recommended by the Traffic Study.
 - e. Required landscaping. Minimum ten (10%) percent on-site landscaping shall be provided and confirmed by the Building and Zoning Department at the time the Final Zoning Analysis is prepared.
 - f. Gym facilities. The roof top gym facility and lap pool shall be for the exclusive use of building tenants, residents and guests, and shall not be made available for use by the general public.
5. Prior to the issuance of the final Certificate of Occupancy (CO), the property owner, its successors or assigns shall complete the following:
- a. Public realm improvements. Install all landscaping and public realm improvements and streetscape improvements on-site and within the public ROW adjacent to project site as shown on the Site Landscape Plan and Site Hardscape Plan (sheets LP-1 & LH-1), subject to review and approval by Directors of Public Works and Public Service Departments.

Draft Resolution containing these recommended conditions of approval is provided as Attachment A.

Request

Development information:

<i>Application</i>	<i>Request</i>
Change of land use designation(s)	No
Comprehensive Plan text amendment	No
Change of zoning designation(s)	No
Zoning Code text amendment	No
Site plan review	Yes (MXD)
Planned Area Development	No
Subdivision Review or Tentative Plat	No
Conditional uses	No
Abandonment and vacation of non fee interests (streets and alleys)	No

The applicant has submitted an application package that includes a statement of use, contextual plan and massing study, site plan, landscaping plan, building elevations, building program/site data and other miscellaneous support documents (see Attachment B).

Facts – Background and Proposed Project

The proposed MXD project consists of a seven story / 83'-6" high building with a penthouse (to 95'-6" height) containing 46,150 square feet of primarily commercial office space with ground floor retail and four (4) live/work residential units and three floors of parking. 182 parking spaces are provided (24 spaces more than required by Code), with 83 of those spaces being mechanical lifts. A small gym and lap pool is located on the roof for the exclusive use of the tenants and residents of the building. Vehicular and service access to the building is entirely from the rear public alleyway with no curb cuts proposed along either Ponce de Leon Boulevard or San Lorenzo Avenue.

The subject property is contiguous to the east by the City of Miami. This area is zoned "I", Industrial and "C-2", Commercial, which allows for development with a maximum height of one hundred twenty (120') feet or ten (10) stories, whichever is less. The adjacent area of the City of Miami is currently undergoing a transition, with the construction of new high-rise commercial office buildings that are replacing existing low-rise buildings containing primarily industrial uses.

The Building and Zoning Department's Preliminary Zoning Analysis findings are summarized in the below tables. The Preliminary Zoning Analysis is provided as Attachment C. That analysis indicates that the proposed project meets all applicable Zoning Code requirements for the proposed project:

City reviews and approvals:

City Reviews/Timeline	Date Scheduled/ Reviewed/Approved*
Development Review Committee	07.27.07
Board of Architects	09.27.07
Board of Adjustment	N/A
Historic Preservation Board	N/A
Landscape Advisory Board	N/A
Local Planning Agency	N/A
Planning and Zoning Board	02.13.08
Street and Alley Vacation Committee	N/A
Public rights-of-way encroachment (City Commission)	TBD
City Commission, 1 st reading (resolution – only one reading required)	03.11.08

*All scheduled dates and times are subject to change without notice.

Existing property designations:

Applicable Designations	
CLUP Map Designations	"Commercial, Mid-Rise Intensity"
Zoning Map Designations	"C", Commercial
Within Central Business District	No
MXD South Industrial District	Yes
Mediterranean Architectural District (citywide)	Yes
Within Coral Gables Redevelopment Infill District (GRID) (Traffic Concurrence Exemption Area)	Yes

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Location	Existing Land Uses	CLUP Designations	Zoning Designations
North	1-2 story commercial buildings	“Commercial, Mid-Rise Intensity “	“C”, Commercial
South	6 story commercial office building and parking garage (Village of Merrick Park)	“Industrial Use”	“I”, Industrial
East – Coral Gables	8 story commercial office building	“Industrial Use”	“I”, Industrial
East – City of Miami	District consisting of 10 story commercial office buildings and 1-2 story industrial buildings.	“Industrial” and “Liberal Commercial”	“I”, Industrial and “C-2”, Commercial
West	4 story commercial building (Village of Merrick Park)	“Commercial, Mid-Rise Intensity”	“C”, Commercial

Site plan analysis:

Type	Date Completed
Concurrency Impact Statement (CIS)	12.31.07
Preliminary Zoning Analysis	01.18.08
Traffic study review (Public Works Department)	01.18.08

Site plan information:

Type	Permitted	Proposed
Total site area	15,000 sq. ft. (0.34 acres)	15,000 sq. ft. (0.34 acres)
Floor area ratio (FAR)	3.2 FAR	3.08 FAR
FAR x total site area =	48,000 sq. ft.	---
Total square footage of buildings	---	46,150 sq. ft.
Building height	6 floors/ 70' or 7 floors/ 83'-6" with Level 1 Mediterranean bonuses	7 floors/ 83'-6" (Penthouse to 95'-6")
Residential units	43 units	4 live/work units
Office	---	36,183 sq. ft.
Restaurant	---	0 sq. ft.
Retail	---	7,564 sq. ft.

Setbacks:

Type	Required	Proposed
Setbacks*		
- Front	0 ft. for building 45 ft. in height and 10' above 45 ft.	0 ft.
- Side (side street)	15 ft.	15 ft.
- Side (interior)	0 ft.	0 ft.
- Rear (abutting alley)	0 ft.	0 ft.

* Setback requirements for MXD projects approved for Mediterranean style design bonuses.

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Uses	Required	Proposed
Retail	30 spaces	30 spaces
Restaurant	0 spaces	0 spaces
Office	121 spaces	121 spaces
Residential units	7 spaces	7 spaces
Total on site parking	158 spaces	182 spaces (including 83 mechanical lift, 3 tandem and 7 parking spaces along alleyway)
Additional parking (above minimum Code requirement)	---	24 spaces
On-street parking space(s)	2 metered spaces	2 metered spaces
On-street parking net gain/(loss)	---	0 metered spaces
Parking reduction granted via variance	---	N/A

Landscaping:

Location	Required	Provided
Landscape open space (on-site)	Min. 10% of site	Min. 10% of site to be confirmed at time building permit is issued
Landscape open space (rights-of-way)	Min. 7 street trees and 250 shrubs	7 street trees and 250 shrubs

Architectural bonuses:

Bonus	Permitted	Granted/Proposed
FAR (sq. ft.) – Level 1 bonus	0.2 FAR (3,000 sq. ft.)	0.1 FAR (1,150 sq. ft.)
Height of building – Level 1 bonus	7 floors/ 83'-6"	7 floors/ 83'-6"
Multi-family residential units	43 units	4 live/work units

Mixed-use:

Uses	Required	Proposed
Commercial retail	min. 8% / max. 40%	7,564 sq. ft. (16 %)
Office	min. 0% / max. 85%	36,183 sq. ft. (78 %)
Residential	min. 0% / max. 85%	4 live/work units (6 %)
Total	---	46,150 sq. ft. (100 %)

Planning Staff's Findings of Fact

This section evaluates the application for consistency with the Zoning Code and Comprehensive Land Use Plan (CLUP). This evaluation provides findings of fact and recommendations for compliance with the above.

Compliance with the Zoning Code

Section 3-406 of the Zoning Code requires that the Planning and Zoning Board “shall review the application for conditional use approval (site plan review) with a recommendation of staff. The Board shall conduct a quasi-judicial public hearing on the application and recommend to the City Commission whether they should grant the approval, grant the approval subject to specific conditions or deny the application. The Planning Department, Planning and Zoning Board and City Commission may recommend such conditions to the approval that are necessary to ensure compliance with the standards set out in Section 3-408.” Section 4-201 (D) through (M) of the Zoning Code provides the requirements and performance standards that proposed MXD projects must comply with.

Site Plan Review Criteria

The applicant’s plans have been compared to the site plan review criteria set out in Zoning Code Section 3-408 as follows:

- A. *The proposed conditional use is consistent with and furthers the goals, objectives and policies of the Comprehensive Land Use Plan and furthers the purposes of these regulations and other City ordinances and actions designed to implement the Plan.*

Staff Comments: As concluded in the following section of this report, this application is “consistent” with the CLUP’s Goals, Objectives and Policies with the recommended conditions of approval and site plan provisions incorporated by the applicant which address the City objectives for encouraging mixed use development in the Industrial Section.

- B. *The available use to which the property may be put is appropriate to the property that is subject to the proposed conditional use and compatible with existing and planned uses in the area.*

Staff Comments: The subject property is located within the MXD Industrial District which allows and is intended to encourage the development of this property as a mixed-use project. The proposed project would be primarily office use (78%), with ground floor retail (16%) and 4 live/work units, which are within the required CLUP thresholds.

- C. *The proposed conditional use does not conflict with the needs and character of the neighborhood and the City.*

Staff Comments: The subject property is surrounded on all sides by existing commercial uses. The redevelopment of this property as a MXD project fulfills the objective of the City to attach mixed-use developments to the Industrial District area. The adjacent City of Miami properties located to the east are zoned “I”, Industrial and “C-2”, Commercial, which allows for development with a maximum height of one hundred twenty (120’) feet or ten (10) stories, which ever is less. Areas adjoining this property within the City of Miami allow height in excess of 120 feet with some properties having no height restrictions.

- D. *The proposed conditional use will not adversely or unreasonably affect the use of other property in the area.*

Staff Comments: The existing surrounding commercial developments consist primarily of mid-rise commercial buildings which are consistent with the proposed application. Where adjacent properties remain low-rise commercial buildings (to the north), the recent reduction in required minimum MXD building site area allows for the future redevelopment of those

properties as mid-rise projects. The adjacent City of Miami properties located to the east are zoned “I”, Industrial and “C-2”, Commercial, which allows for development with a maximum height of one hundred twenty (120’) feet or ten (10) stories, whichever is less. See above comments for City of Miami allowable intensities.

- E. The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.*

Staff Comments: The planned redevelopment of this property as an MXD project is compatible and complies with the MXD Overlay District provisions and design criteria, and is consistent with the existing uses, scale and massing of the surrounding commercial buildings. The project has secured only Level 1 bonuses, and not the maximum height and FAR development bonuses that are available with Level bonuses.

- F. The parcel proposed for development is adequate in size and shape to accommodate all development features.*

Staff Comments: The subject property is larger than the minimum 10,000 square foot size for a MXD project within an approved MXD Overlay District, and pursuant to Building and Zoning Department Preliminary Zoning Analysis has been found to meet all Zoning Code requirements and design criteria for a proposed MXD project.

- G. The nature of the proposed development is not detrimental to the health, safety and general welfare of the community.*

Staff Comments: Commercial uses surround the subject property, and the proposed project is consistent with the stated goals and objectives for mixed-use redevelopment in the Industrial District area.

- H. The design of the proposed driveways, circulation patterns and parking is well defined to promote vehicular and pedestrian circulation.*

Staff Comments: All vehicular and service access to the project is from the public alleyway located along the rear of the project, and is physically separated from pedestrian circulation along the front (Ponce de Leon Boulevard) and side (San Lorenzo Avenue) of the project.

- I. The proposed conditional use satisfies the concurrency standards of Article 3, Division 13 and will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner.*

Staff Comments: The proposed project was reviewed by the Building and Zoning Department for concurrency, and it was found that there is adequate infrastructure available to support the project.

Compliance with MXD Requirements

The compliance of the applicant's plans with the MXD requirements and performance standards set out in Zoning Code Section 4-201 (D) through (M) has been evaluated and is provided in table format as Attachment D. That evaluation determined that the proposal satisfies the Code's requirements for an MXD project.

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Parking lifts are proposed to satisfy the required parking, as is permitted by the new Zoning Code. Zoning Code Section 5-1410, “Miscellaneous parking standards” allows for the use of mechanical parking systems and lifts towards required parking spaces according to the following provisions:

“A. Automated, mechanical parking systems, structures and parking lifts. Parking spaces in automated, mechanical parking systems, structures and parking lifts can be counted as required parking spaces, provided that all of the following are satisfied:

- 1. Residential systems may be self service for two-level systems only. The two-level lift shall only be available by one (1) residential dwelling unit;*
- 2. Systems have an average delivery rate of five (5) minutes;*
- 3. The use of automated parking does not increase the building mass, in that the building and mechanical access parking structure or parking lift is no greater in volume than the largest building and parking structure that could be constructed on the parcel proposed for development in strict compliance with the underlying zoning district regulations, with the same number of parking spaces configured exclusively as conventional structured parking;*
- 4. Located entirely within the confines of the building and are not visible from public view; and*
- 5. Building facades abutting the street shall be animated by windows, shutters, planters, columns, relief elements, and other architectural details to give character to the street. All windows shall be recessed at least four (4) inches.”*

The Preliminary Zoning Analysis prepared by the Building and Zoning Department indicates that 83 of the 182 on-site parking spaces are provided by mechanical lifts, and that 24 additional spaces are provided above the 158 total spaces required by Code (see Attachment C). The project has been reviewed by the City Architect, and was reviewed and received preliminary approval from the Board of Architects on 09.27.07.

The proposed project has a penthouse resulting in an overall height of 95'-6". The additional building height is permitted in Zoning Code Article 8, “Definitions”, which defines penthouses as follows:

“Penthouse is an enclosed roofed structure extending not more than twelve (12) feet above the roof of a building and having an area not exceeding more than twenty-five (25%) percent of the area of the floor immediately below. A penthouse shall not be construed as a story. Penthouses shall not be permitted in an SFR or MF1 district.”

The proposed project includes live/work units as permitted in Zoning Code Article 8, “Definitions”, which are defined as follows:

“Live/work means a residential dwelling unit that includes flex space which may be used for retail, sales and services or office.

Compliance with Comprehensive Land Use Plan Goals, Objectives and Policies

The Planning Department has reviewed the CLUP and finds the following CLUP Goals, Objectives and Policies are applicable and the following table provides determination/findings of fact to consistency and inconsistency thereof.

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Consistent CLUP Goals & Objectives and Policies are as follows:

Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency
1.	<i>OBJECTIVE 1-1.2: CONTROL BLIGHT AND PROMOTE REDEVELOPMENT. Efforts shall be made to control blighting influences, and redevelopment shall be encouraged in areas experiencing deterioration. This Objective shall be achieved through the implementation of the following policies.</i>	This proposed project will provide for the planned redevelopment of an underutilized property and continue the transformation of the Industrial District north of the Village of Merrick Park as a viable mixed use district and encourage future redevelopment of other underdeveloped parcels of land.
2.	<i>OBJECTIVE 1-1.3: ACHIEVING COMPLIANCE WITH FUTURE LAND USE MAP AND PLAN. By the year 2010 the City shall endeavor to reduce the number of inconsistencies between the Future Land Use Map and the actual land uses from 70 to 35.</i>	The property is currently used only for low-rise commercial office/retail. The redevelopment of this site as a mixed use project is consistent with the City's objective to promote the Industrial Design District Village that includes a mix of both commercial and residential components.
3.	<i>POLICY 1-1.3.2: APPLICATION OF BUFFERING TECHNIQUES. Uses designated in the plan which cause significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic, shall provide buffering when located adjacent to or across the street from incompatible uses such as residential uses.</i>	The property is currently underdeveloped and is adjacent to the previously approved mid-rise Village of Merrick Park (south and west), a mid-rise commercial office building (east) and the City of Miami high-rise zoning district located east of the Coral Gables City boundary. No residential development is adjacent to the project site.
4.	<i>POLICY 1-1.3.3: LIMITATIONS OF POTENTIALLY DISRUPTIVE USES. Normally disruptive uses may be permitted on sites within related districts only where proper design solutions are demonstrated and committed to in advance which will be used to integrate the uses so as to buffer any potentially incompatible elements.</i>	This proposal locates all service facilities internal to the building. Vehicle ramps to parking garages and service areas are accessed from the public alleyway along the rear of the property, which are physically separated from pedestrian circulation along the front (Ponce de Leon Boulevard) and side (San Lorenzo Avenue) of the project.
5.	<i>OBJECTIVE 1-1.7: DISCOURAGE URBAN SPRAWL. Discourage the proliferation of urban sprawl by amending the land development regulations to include a regulatory framework for encouraging future infill and redevelopment within existing developed areas. In drafting the infill/redevelopment program, the City shall coordinate public and private resources necessary to initiate needed improvements and/or redevelopment within these areas.</i>	This development encourages infill development and redevelopment while providing needed public realm improvements for the South Industrial District area in compliance with the City's Master Landscape Plan.
6.	<i>POLICY 1.1.7.1: DEVELOPMENT OF EMPLOYMENT CENTERS. Encourage effective and proper development of employment centers of high quality which offer potential for local employment in reasonably close proximity to protected residential neighborhoods.</i>	This mixed use development will further assist in developing this area as an employment center as it will provide for additional employment opportunities for the surrounding neighborhood.
7.	<i>POLICY 1-1.7.2: DEVELOPMENT OF UNDEVELOPED LAND. Encourage development of remaining undeveloped and vacant isolated parcels of developable property through identification and staff assistance in providing information as to appropriate uses permitted by Code and proper procedures to be undertaken to obtain the proper development orders.</i>	This site is currently developed with low-rise commercial uses. The proposed mixed use project would result in the planned redevelopment of the site to the property's development potential with a mid-rise commercial project with the incorporation of a residential component utilizing the available MXD provisions.
8.	<i>POLICY 1-1.7.5: REDEVELOPMENT OF THE INDUSTRIAL DESIGN CENTER. By January 2000, the City shall adopt land development regulations</i>	This project was designed in accordance with the MXD provisions and proposes a mixed use project including a residential component, which was an objective of the

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Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency
	<i>which encourage the development of the Industrial Design Center as a mixed use village (3243).</i>	“village” concept.
9.	<i>OBJECTIVE 1-1.9: INNOVATIVE DEVELOPMENT REGULATIONS. Encourage sound innovation in development regulations which provide a continuing process to respond to community needs</i>	This project utilizes the Code’s MXD provisions available for the development of a commercial mixed use project containing residential units that would otherwise not be permitted by the underlying land use and zoning designations.
10.	<i>POLICY 1-1.9.1: MIXED USE DOWNTOWN DEVELOPMENT. Encourage balanced mixed use developments in the downtown, which promote pedestrian activity and provide for specific commitments to design excellence and long term economic and cultural vitality.</i>	This project proposes a commercial mixed use project including retail, office and residential components, and the provision of public realm improvements in accordance with the City’s Master Landscape Plan.
11.	<i>POLICY 1-2.17 MIXED USE OVERLAY DISTRICT 3 (MXD3): The general intent of the MXD3 is to include a number of places to go and things to do within walking distance, including an assortment of uses including the following:</i> <i>• Residential;</i> <i>• Retail/Commercial;</i> <i>• Office;</i> <i>• Industrial; and</i> <i>• Public Open Spaces.</i> <i>Provide a strong emphasis on aesthetics and architectural design through the use of the regulations and the planned mixing of uses to establish identity, diversity and focus to promote a pedestrian environment.</i> <i>Utilization of a variety of architectural attributes and street level pedestrian amenities to create a sense of place, including the spatial relationship of buildings and the characteristics created to ensure attractive and functional pedestrian areas.</i> <i>Properties assigned the MXD3 overlay, have the option of developing their property in accordance with the underlying land use.</i> <i>No single use may comprise of more than 85% of the MXD3 floor area ratio.</i> <i>Land development regulations shall determine the MXD3 location and area; residential densities up to 125 units per acre; height up to a maximum of 125 feet, which includes up to a maximum of 100 feet of habitable space and up to 25 feet for rooftop architectural elements; floor area ratio up to 3.5 maximum; providing specific design criteria; and public realm improvements to promote street level pedestrian activity including, but not limited to public open space, landscaping, street lighting, right-of-way and streetscape improvements; pedestrian, transit, and bicycle access; and other regulations deemed necessary.</i> <i>Mix of Uses</i>	This project was designed in accordance with this policy.

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Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency															
	<i>The proportionate mix of uses of uses shall be reviewed per development application. The following table establishes minimum and maximum thresholds based upon the FAR of the building.</i> <table border="1"> <thead> <tr> <th>Type of Use</th><th>Minimum % of FAR</th><th>Maximum % of FAR</th></tr> </thead> <tbody> <tr> <td>Residential</td><td>0%</td><td>85%</td></tr> <tr> <td>Retail/Commercial</td><td>8%</td><td>40%</td></tr> <tr> <td>Office</td><td>0%</td><td>85%</td></tr> <tr> <td>Industrial</td><td>0%</td><td>5%</td></tr> </tbody> </table> <i>A MXD3 may be permitted in Commercial Low Intensity (CL), Commercial Medium Intensity (CM), Commercial High Intensity (CH) and Industrial (I) land use categories."</i>	Type of Use	Minimum % of FAR	Maximum % of FAR	Residential	0%	85%	Retail/Commercial	8%	40%	Office	0%	85%	Industrial	0%	5%	
Type of Use	Minimum % of FAR	Maximum % of FAR															
Residential	0%	85%															
Retail/Commercial	8%	40%															
Office	0%	85%															
Industrial	0%	5%															
12.	POLICY 2-1.7.3: CONTROLLING THROUGH TRAFFIC MOVEMENTS. <i>The City shall discourage through traffic in neighborhoods by use of traffic management techniques, including signage, landscape design and roadway design.</i>	The Public Works Department reviewed the Traffic Study prepared by the applicant's traffic consultant, and had no objections to the Study's findings and conclusions.															
13.	POLICY 2-1.8.1: PROVIDE ROADWAY LANDSCAPING. <i>The City shall provide landscaping along roadways to serve as visual and sound buffers and to maintain the quality of the environment within the City.</i>	The proposed development provides streetscape improvements and landscaping, including street trees, around the perimeter of the project in accordance with the City's Master Landscape Plan.															
14.	POLICY 3-1.2.6: COMPATIBILITY OF NEW DEVELOPMENT. <i>New development shall be compatible with adjacent established residential areas.</i>	The proposed project is not adjacent to any existing development that contains a residential component.															

Staff Comments: Staff's determination that this application is "consistent" with the CLUP's goals, objectives and policies that are identified is based upon compliance with conditions of approval recommended by Staff and site plan provisions incorporated by the applicant which address the City objectives for encouraging mixed use development in the Industrial Section, and the creation of an Industrial Design Center Village.

Traffic Study

The Public Works Department reviewed the Traffic Study prepared by the applicant's traffic consultant, and had no objections to the Study's findings and conclusions. The Traffic Study concluded that no traffic improvements are required resulting from this project. However, signal timing modifications for the pedestrian crossings at the Ponce de Leon / Bird Road intersection are recommended, and has been included as a condition of approval. The traffic study submitted by the applicant is on file at the Planning Department.

City Department Review

This proposal was reviewed by City Staff at a Development Review Committee (DRC) meeting on 07.27.07. All comments provided have subsequently been addressed by the applicant and the recommended conditions of approval provided with this Staff report.

Architectural Style Bonuses

The project is proposed to be constructed in the Mediterranean architectural style and requested Level 1 bonuses which allows a bonus up to 0.2 FAR and one (1) additional floor in height. The proposed project received preliminary approval from the Board of Architects on 09.27.07.

Concurrency Management

This project has been reviewed for compliance with the Building and Zoning Department's Concurrency Management program. The Concurrency Impact Statement (CIS) issued by the Building and Zoning Department for the project indicates that there is adequate infrastructure available to support the project.

Summary of Findings of Fact

The findings of fact that support the approval of the application include the following:

1. The proposed MXD project is “consistent” with the CLUP Goals, Policies and Objectives, as identified and presented in this report.
2. This project satisfies the site plan review criteria and the requirements and performance standards for a proposed MXD project as specified in the Zoning Code.
3. Public ROW/public realm improvements shall be provided on streets adjoining the property in compliance with the City's Master Landscape Plan.
4. This proposal adds a residential component to support the adjoining commercial uses, and promotes a “walkable” pedestrian environment.
5. No variances are required for this project.
6. 24 additional parking spaces have been provided above the amount required by Code.
7. The applicant has satisfactorily addressed all comments provided by City Departments via the DRC process.

Public Notification/Comments

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

Type	Explanation
Courtesy notification of all property owners within 1,500 feet of the MXD Industrial Section District	Completed 01.31.08
Newspaper ad published	Completed 01.31.08
Posted property	Completed 01.31.08
Posted agenda on City web page/City Hall	Completed 02.08.08
Posted staff report on City web page	Completed 02.08.08

1,123 public notices were mailed, including notices to all property owners within the Industrial District and within 1,500 feet of the entire MXD District. The listing of property owners who returned the notification/comment form, including the date received, property owner's name, address, object/no objection/no comment and verbatim comments is provided as Attachment E.

Respectfully submitted,

Eric Riel, Jr.
Planning Director

Attachments:

- A. Draft Resolution.
- B. Applicant's submittal package.
- C. Building and Zoning Department Preliminary Zoning Analysis.
- D. Planning Department MXD Compliance Table.
- E. Synopsis of comments received from property owners within 1,500 feet.

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CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES APPROVING A MIXED USE SITE PLAN FOR THE PROPOSED MIXED-USE PROJECT REFERRED TO AS “4311 PONCE”, LOCATED ON PROPERTY LEGALLY DESCRIBED AS LOTS 38-43, BLOCK 5, INDUSTRIAL SECTION (4311 PONCE DE LEON BOULEVARD), CORAL GABLES, FLORIDA; AS SET FORTH IN APPLICATION NO. 01-08-043-P; SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, Application No. 01-08-043-P was submitted for approval for a mixed use site plan review on Lots 38-43, Block 5, Industrial Section (4311 Ponce de Leon Boulevard), Coral Gables, Florida, to permit the construction of a mixed-use project known as “4311 Ponce”; and,

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within the North and South MXD Industrial Districts and within one thousand five hundred (1,500) foot radius from the Districts, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on February 13, 2008, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, at the February 13, 2008 Planning and Zoning Board meeting, the Board recommended approval of the proposed MXD project (vote: __-__) with conditions; and,

WHEREAS, pursuant to the MXD Zoning Regulations all proposed MXD Site Plan applications are subject to a public hearing for City Commission review and approval via Resolution; and,

WHEREAS, after notice of public hearing was duly published, a public hearing was held before the City Commission on March 13, 2008, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, the City Commission on March 25, 2008, approved the request (vote: __-__) subject to conditions; now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES THAT, in furtherance of the Comprehensive Land Use Plan Goals, Objectives and Policies, Zoning Code and other applicable City provisions the “4311 Ponce” MXD project shall be approved subject to all of the following conditions:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following:
 - a. Site plans, building elevations and building program prepared by Mateu Architecture Inc., dated 01.04.08.
 - b. Landscape plans prepared by Mariano Corral Landscape Architect, dated 01.04.08.

- c. Traffic impact study prepared by David Plummer & Associates, dated January 2008.
 - d. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated 01.04.08, and proffered by the applicant's representatives as a part of the review of the application at public hearings.
2. Restrictive Covenant. Within 30 days of approval of the adoption of the site plan, the property owner, its successors or assigns shall submit a restrictive covenant for City Attorney review and approval outlining all conditions of approval required 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.
3. Prior to the issuance of a building permit for the project, the property owner, its successors or assigns, shall satisfy the following conditions:
- a. Retail customer parking. Thirty (30) floor level parking spaces (non-mechanical lift) shall be designated and reserved on the second floor of the building for use by retail customers, and shall remain unrestricted by the mechanical lifts above for the use of retail parking patrons during all hours that retail businesses are open. Each space shall include signage indicating "Retail customer parking".
 - b. Parking garage gates. No vehicular gates or similar devices shall be installed that prohibit public access and use of required commercial office or retail parking spaces during all hours that commercial businesses are open.
 - c. Parking spaces. The sale or leasing of parking spaces to any person, business or entity that is not a tenant or resident of the building shall be prohibited.
 - d. Pedestrian crosswalk signal. The applicant shall prepare and provide to the Public Works Director a traffic signal timing analysis for the Ponce de Leon / Bird Road signal identifying modifications required for pedestrian crossing times as recommended by the Traffic Study.
 - e. Required landscaping. Minimum ten (10%) percent on-site landscaping shall be provided and confirmed by the Building and Zoning Department at the time the Final Zoning Analysis is prepared.
 - f. Gym facilities. The roof top gym facility and lap pool shall be for the exclusive use of building tenants, residents and guests, and shall not be made available for use by the general public.
5. Prior to the issuance of the final Certificate of Occupancy (CO), the property owner, its successors or assigns shall complete the following:
- a. Public realm improvements. Install all landscaping and public realm improvements and streetscape improvements on-site and within the public ROW adjacent to project site as shown on the Site Landscape Plan and Site Hardscape Plan (sheets LP-1 & LH-1), subject to review and approval by Directors of Public Works and Public Service Departments.

SECTION 2. That the applicant shall further be required to comply with all applicable zoning regulations and any changes to the application herein granted shall require a recommendation from the Planning and Zoning Board and approval by the City Commission.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2008.

APPROVED:

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

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CITY OF CORAL GABLES

2008 JAN 18 PM 3:21

City of Coral Gables
Building and Zoning Department
MXD Zoning Worksheet DRC Submittal
November 20, 2007
Revised 1-18-07

Project Name	To be determined <u>All mix use projects must obtain use review and approval</u> <u>See planning for review process</u>
Address	4311 Ponce
Project Architect	Mateu Architects 305-233-3304 / 305-233-3326
Legal Description	Lots 38-43, Blk. 5, Coral Gables Industrial Section
Zoning	"C" Plate 9 of 18
Comprehensive Land Use Plan	Commercial - Mid Rise Intensity 6 stories / 3.0 FAR
Area of Site	15,000 sq. ft.
Site specific standard do not apply if MXD is approved Section 4-201 A-7-e-3	Commercial 6 stories 72'-0" – all lots Blk - 5 Manufacturing 3 stories /45'-0" – lots 44-63 / Blk 5
Off Site Parking	Yes (within the MXD district)
Distance from Principle Site	N/A
Legal Description	N/A
Off Site Area	N/A
Off Site Zoning	N/A
Off Site Land Use	N/A
Total of Site Areas	15,000 sq. ft.
Overlay Districts	Mediterranean , MXD
Minimum MXD site area	Proposed: 15,000 sq. ft. in North and South MXD

20,000 sq. ft. MXD district or MXD buildings. Minimum site area for an MXD project/building with North and South Industrial MXD as defined in the zoning map 10,000 sq. ft.	district
Lot Coverage	No minimum / No maximum
Minimum mixed use 8% of building or entire ground floor which ever is greater. (<u>Required in overlay district only.</u>)	8% of building (FAR only) = 3,692 sq. ft. Ground floor = 7,822 sq. ft. Area of permitted ground floor uses = 7,822 sq. ft.
Mediterranean Architecture	Mandatory for overlay districts only
Bridges over right of way	Permitted if both side have same ownership. Only in an overlay district
Balcony and awning encroachment	Subject to applicable regulations
Permitted FAR	15,000 x 3.0 = 45,000 sq. ft.
Med. Bonus FAR Max .05 / table 1 –table 2 and table 3	15,000 x .02 = 3,000 sq. ft. Applying for table 1 and 3
Total Permitted FAR	48,000 sq. ft.
Proposed FAR	46,150 sq. ft.
Proposed area of ground floor uses.	Building 7,822 sq. ft. Retail
Permitted Height	Industrial up to 100'-0" CLD up to 75'-0" Manufacturing 45'-0" Commercial up to 100'-0"
Permitted No. of Floors	No minimum or maximum for MXD – CLUP governs

	stories (6 stories)
Land Use Height	70'-0" / 97'-0" with MED table 1 and 2 (70 + 13'-6") = 83'-6"
Land Use No. of Stories	6 stories or 7 stories with MED (table 1 only)
Proposed Height	Building - 83'-6" Top of building 95'-6"
Proposed No. of Stories	Building -7 stories + penthouse 6 stories + 1 story from table 1
Height of Arch Element Permitted	CLD up to 15'-0" - N/A Commercial and Industrial up to 25'-0" Manufacturing up to 10'-0" - N/A
Height of Arch. Element Proposed	N/A part of penthouse
Height adjoining residential (overlay districts only)	45'-0" for 100'-0" feet of the adjacent right of way line + 10'-0" for arch elements / N/A
Number of building per site	No minimum or maximum required
Facing Required	Ponce St.
Facing Proposed	Ponce St.
Retail street frontage Minimum 50% of frontage on front street	Required 150 x .50 = 75 ln. ft. (Ponce) Proposed = 75 ln. ft.
Retail or public street frontage Minimum 40% of frontage on side street	Required 100 x .40 = 40 ln. ft. (San Lorenzo) Proposed = 60'-8" ln. ft.
Retail frontage on alleys	None required
Density Permitted 125 units per acre	.34 acres x 125 = 43 units
Density proposed	4 live/work units

Setbacks	Required	Proposed
Front (Ponce)	0'-0" for a building 45'-0" in height above 45'-0" setback is 10'-0"	0'-0"
Side Street (San Lorenzo)	15'-0"	15'-0"
Interior side	0'-0"	0'-0"
Rear Alley	0'-0"	0'-0"
Setback relief requested	No	
Amount of building in required setback area	N/A	
Required open space (50%)	N/A / 2869 arcade sq. ft provided	
Minimum required area	500 sq. ft	
Setback relief / Vertical Building Stepback Required	N/A	
Vertical Building Stepback Provided	NA	
Hard and soft scape provided?	Yes	
Minimum Vertical Volume Required. (for Arcade)	13'0"	
Minimum Vertical Volume Provided (for Arcade)	16'-0" to 2 nd floor finish floor	
Street frontage	No minimum or maximum in the overlay district / 100' for industrial north-south 150'-0" provided	
Maximum linear length of arcade or loggia	80% of the length of the building or as per approved site plan (building = 150 lf x 80% = 120	

<u><i>(required for overlay district only)</i></u>		
Proposed length of arcade or loggia	125'-11" If on Ponce	
Architectural Relief Elements on all sides of the Building	To be determined by BOA	
All support services located within the building	Yes	
Facade breaks at 100 foot intervals	To be determined by BOA	
Decorative street lighting provided (max 35'-0" in height)	Show on plans <u><i>(to be approved by public works)</i></u>	
Building lighting	Requires Planning, Planning and zoning board and Commission approval	
Landscape lighting	Is encouraged	
Storage	Prohibited outside the building / ok	
Overhead doors	Shall not face residential / ok	
Paver treatment included at driveway entrances, crosswalks and sidewalks for a minimum of 25 % of the paved area	To be determined by public works and public services	100% of arcade area 25% in sidewalk and driveways and crosswalks <u><i>Must be approved by Public Works</i></u>
Parking Garage	Shall include exterior architectural treatment compatible with building	To be determined by BOA
Pedestrian access orientation	Main entrance oriented towards front property line	ok
Required pedestrian amenities (All elements must be provided)	Benches	2 shown
	Information Kiosks	1 shown

	Lighting	3 shown
	Bike racks	1 shown
	Refuse Containers	2 shown
	Sidewalk pavement treatment	shown
	Statuary	1 shown
	Street crosswalk paver treatment	<u>To be coordinated with public works</u>
	Wall mounted fountains	3 shown
	Water fountains / water features	1 shown
Pedestrian design features provided	Yes	
Pedestrian pass through for each 250 feet of building frontage. 10'0" minimum 20'0" combined	1 (10'-0")	
Porte cochere on front property line (prohibited)	N/A	
Roof top screening	Yes	
Landscape improvements in right of way as per Article 5 Division 11 , sec 5-1104 and sec 5-1105 A and C	C districts – 10% min 10'-0" wide 75% may be paved with pervious material 28 large shade trees per acre and 224 shrubs per acre 1 palm or medium shade tree in the alley for every 35'-0" (25% may be palms) and 1 shrub per every 3 linear feet of alley <u>Must be approved by Public Works</u>	
Right of way planting requirements if no City Streetscape Master Plan	One tree per 35 feet of right of way frontage. (250)/35 = 7 1 shrub per 1 lf of right of way frontage = 250	25% may be palm trees. 7 provided 2 shade (Oaks) 5 palms (royals existing) 250 shrubs <u>Must be approved by Public Works</u>
Median planting must comply with 5-1105-A-4	Is a median possible? No Median. <u>Must be approved by Public Works</u>	

General Landscaping requirements to comply with Section 5-1104 A 1 thru 11	To comply at permit Must approved by public works and public services
Bicycle storage 1 ten foot rack per 250 parking spaces	1 shown
A 6" curbing required on all streets abutting the project?	To comply at permit / shown
Loading spaces As per Article 5 Division 14 10 x 25 x 14 high	Not required
Parking	
1/300 sq. ft. Office <u>250 is only for overlay district</u>	36,183 office / 300 sq. ft. = 120.6 spaces
1/250 sq. ft. retail	4,225 retail + 1,194 BOH + 2,145 gym = 7,564 / 250 = 30.2
1/100 sq. ft. restaurant - 1 / 100 sq. ft	N/A
Live/work units	4 x 1 per unit and 1 per 350 sq. ft. of work area = 4 + 1200/350 (3.4) = 7.4
Total Required Parking	151 + 7 = 158
Total Parking provided	89 spaces 7 space in the alley (need public works approval) 3 tandem 83 lifts TOTAL 182 spaces.
<u>Surplus</u> / Deficit	24 spaces
Valet parking (required for overlay district only)	Valet drop off must be on site. In overlay districts tandem and stacking prohibited

Trash room location A/C Fully enclosed and lockable	In the building on the alley side (1)
Signs As per Article 5 Division 19	Under separate permit
Parking garages Parking facing a primary street is prohibited	Retail & live-work faces street
Driveways – Access must be from a side street or alley	Access from alley
Sidewalks Min. 4'-0" Connect to one another/ separated from vehicular traffic	7'-6" existing
Public Realm improvements Only required in an overlay district (required for overlay district only)	Requirement to be determined by Planning
Notes	•
	1. Commercial requirements 4-302 • FAR 3.0 • Minimum parcel less than 45'-0" high 2500 sq. ft • Minimum parcel over 45'-0" high 200 street frontage and 20,000 sq. ft. • Minimum parcel dimension 25w x 100d • Setback • Front 15'-0" or less 0'-0" above 15'-0" 10'-0" at cornice line/parking pedestal or 40'-0" • Interior Side 45'-0" or less 0'-0" above 45'-0" – 15'-0" + 1' for each 3' above 45'-0" • Side street -15'-0" • Rear – alley 0'-0" no alley 10'-0" • Canal 35'-0"

	• Height – as per comp land use plan or site specific • Height within 100'-0" of SFR or MF1 3 stories 45'-0" • Mix use – 8% commercial • Parking - office 1/ 300 – retail 1/250 /
	1. Further review required
	2. MED bonus to determined by City Architect and Board of Architects - MXD must satisfy all of table 1 and 8 out of 12 on table 2/ C must satisfy all of table 1 and 8 out of 12 on table 2.
	3. Provide right street name on survey 4. Parking on 4 th floor must be screened from view
	5. Provide materials on elevations
Reviewed By: Dulce Conde	6.
Date 11-27-07 / 1-14-07 1-18-07	

Mandatory for re-review: Provide written responses to all comments. Avoid generic responses such as "see plan". If project is over in FAR areas being reduced are to be highlighted or hatch to indicated amount and area of reduction. Provide new reduced set and new disk for recalculation of FAR..

SEE ATTACHED SHEETS FOR ADDITIONAL MARK UPS. PLEASE RETURN MARKED UP DRAWING WITH NEW CORRECTIONS, OR PROJECT WILL NEED TO BE REVIEWED AS A NEW PROJECT. PLEASE RETURN ONLY IF YOU HAVE ALL ITEMS ABOVE.

Picked up by: _____

Date: _____

Phone: _____

Planning Department MXD Compliance Table
Zoning Code Section 4-201 D Thru M
Application No. 01-08-043-P, “4311 Ponce”

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
D. Performance standards.						
1.		✓	Minimum site area for an MXD District.	Twenty-thousand (20,000) square feet.	N/A	Designation of an MXD District is not proposed.
2.	✓		Minimum site area for an MXD project/building.	Twenty-thousand (20,000) square feet.	N/A	Requirement only applies to projects that are not located in a designated MXD District.
3.	✓		Minimum site area for an MXD project/building within North and South Industrial MXDs as defined on the Official Zoning Map.	Greater than forty-five (45) feet in height shall provide a minimum of one-hundred (100) feet of primary street frontage and a minimum site area of ten-thousand (10,000) square feet.	Complies	Project is located in North Industrial MXD, and has street frontage of 150 feet and a site area of 15,000 square feet.
4.	✓	✓	Lot coverage.	No minimum or maximum.	Complies	
5.	✓	✓	Mixed use percentages.	Provide a minimum of eight (8%) percent of the total square footage of the building square footage (not including parking garage square footage) or the entire ground floor, whichever is greater, of permitted ground floor uses. Remaining portions of the building may be uses permitted in the underlying zoning designations as modified by these regulations.	Complies	Entire ground floor, representing 16% of entire project is provided.
6.		✓	Mediterranean architecture.	Mandatory for MXD overlay districts only.	Complies	Approved by Board of Architects on 09.27.07.
E. Building regulations.						

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
1.		✓	Encroachments of bridges over rights-of way.	Bridges traversing a public right-of-way are permitted, however, only if properties on both sides are under same ownership.	N/A	No bridges proposed.
2.	✓	✓	Encroachments for balconies, awnings, etc.	Subject to applicable regulations.	Complies	Shall be subject to all required regulations.
3.		✓	Floor area ratio.	Up to 3.5 with Mediterranean architecture.	Complies	3.1 FAR proposed.
4.	✓	✓	Floors.	No minimum or maximum required.	Complies	
5.	✓	✓	Floor-to-floor height.	The minimum floor-to-floor height shall be permitted as regulated per the Building Code.	Complies	Shall be required to comply at time of final zoning analysis.
6.		✓	Height.	The permitted heights for habitable space for the following underlying zoning designations shall be as follows: • Up to a maximum of one hundred (100) feet in an Industrial District. • Underlying Commercial Limited District. Up to a maximum of seventy five (75) feet. • Manufacturing uses shall be limited to forty-five (45) feet. Commercial District up to a maximum of one hundred (100) feet.	Complies	Proposed height of 83'-6" (95'-6" with penthouse structure) within Commercial District.
7.	✓	✓	Heights of architectural elements, etc.	The permitted height of architectural elements, spires, bell towers, elevator housings or similar non-habitable structures for the following underlying zoning designations shall be as follows: • Commercial Limited District: up to a maximum of fifteen (15) feet. • Industrial and Commercial Districts: up to a maximum of twenty-five (25) feet. Manufacturing uses shall be limited to ten (10) feet.	Complies	No additional architectural features above top of roof.
8.		✓	Height adjoining residential uses.	Properties which are adjacent to residential district designations shall be limited to a maximum height	N/A	Property is not adjacent to residential zoning district.

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
				(habitable space) of forty-five (45) feet within one hundred (100) feet of the adjacent right-of-way line. Ten (10) additional feet are permitted for roof top architectural elements, etc. above the habitable height.		
9.	✓	✓	Number of buildings per site.	No minimum or maximum required.	Complies	
10.	✓	✓	Retail frontage on streets.	Minimum of fifty (50%) percent of the linear street frontage shall include retail use frontage.	Complies	
11	✓	✓	Retail frontage on side streets.	Minimum of forty (40%) percent of the linear street frontage shall include retail use frontage or public realm land area (i.e. plazas, courtyards open space, etc.).	Complies	
12	✓	✓	Retail frontage on alleys.	No minimum or maximum required.	Complies	
13.		✓	Residential density.	Up to a maximum of one hundred and twenty-five (125) units per acre.	Complies	4 live/work units proposed, which is 12 units per acre.
14.	✓	✓	Setbacks (buildings).	Front: Up to forty-five (45) feet in height: None. If over forty-five (45) feet in height: Ten (10) feet Side: Interior side: None. Side street: Fifteen (15) feet. Rear: Abutting a dedicated alley or street: None. No abutting dedicated alley or street: Ten (10) feet. Balconies: Cantilevered open balconies may project into the required setback areas a maximum of six (6) feet. Applicants and property owners desiring to develop pursuant to these regulations may not seek a variance for relief or reduction in building setbacks. Reductions are only permitted subject to the below listed regulations.	Complies	See Preliminary Zoning Analysis.
15.	✓	✓	Setback reductions.	Reduction in setbacks. Setbacks may be reduced subject to the following standards:	N/A	Reductions not being requested.

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
				Minimum percentage of open space. A minimum of fifty (50%) percent of the total ground floor square footage received from the setback reduction is provided as publicly accessible street level open space and landscape area on the private property. The open space is subject to the following: • Types of open space. Types of open space shall be in the form of courtyards, plazas, arcades/loggias, pedestrian pass-throughs and open atriums adjacent/contiguous to the adjacent rights-of-way. • Minimum area. Minimum square footage of allowable open space (i.e., plazas) shall be five hundred (500) square feet. • Include both hard and softscape landscape improvements and pedestrian amenities. • Vertical volume. As a minimum include a vertical volume of space equal from street level to the first floor height or a minimum of thirteen (13) feet. Additional height may be recommended. • Restaurant seating. This area may be used for outdoor restaurant seating subject to approval as provided for in these regulations. Vertical building stepbacks. A vertical stepback of a minimum of ten (10) feet shall be provided above the height of three (3) floors or forty-five (45) feet (whichever is less) on all façades. Additional stepbacks may be requested to further reduce the potential impacts of the building bulk and mass.		
16.		✓	Setbacks adjoining residential uses.	Residential districts. All property lines abutting a residential land use or district shall be a minimum of	N/A	Property does not abut a residential zoning district.

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
				fifteen (15) feet. No reductions in setbacks may be requested or granted.		
17.		✓	Street/lot frontage.	No minimum or maximum.	N/A	Not applying for MXD District.
F. Design regulations.						
1.		✓	Arcades and/or loggias.	Arcades, loggias or covered areas may accommodate up to eighty (80%) percent of the entire linear length of the building based upon the site plan review criteria listed herein. Encroachment of the entire length or one hundred (100%) percent may be requested subject to review and approval at the time of site plan consideration. Limitations of encroachments on corners of buildings may be required to control view corridors and ground floor building bulk and massing.	Complies	Building's covered areas are not proposed to encroach.
2.	✓	✓	Architectural relief and elements.	Architectural relief and elements (i.e., windows, cornice lines, etc.) shall be provided on all sides of buildings and include similar architectural features as to those provided on the front façade. No blank walls shall be permitted unless required pursuant to applicable Fire and Life Safety Code requirements.	Complies	Proposal was reviewed by the City Architect and preliminarily approved by the Board of Architects on 09.27.08.
3.	✓	✓	Building support services.	All mechanical, electrical and other associated support service areas shall be located entirely within the structure.	Complies	
4.	✓	✓	Facades.	Facades in excess of one hundred and fifty (150) feet in length, shall incorporate design features with the use of, but not limited to the following items: (a) Breaks, setbacks or variations in bulk/massing at a minimum of one hundred (100) foot intervals. (b) Use of architectural relief and elements.	N/A	No façade exceeds 150 feet in length.
5.	✓	✓	Lighting (street).	Decorative street lighting shall be provided and located on all streets/rights-of-way subject to the	Complies	

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
				following: • Light fixtures/poles up to thirty-five (35) feet in height. • Subject to all other applicable City code provisions.		
6.	✓	✓	Lighting (building).	External illumination and lighting of buildings shall require Planning Department and Planning and Zoning Board review and recommendation with approval of the City Commission.	Complies	Proposed lighting standards shown on site plans.
7.	✓	✓	Lighting (landscaping).	Lighting in the form of uplighting of landscaping is encouraged.	Complies	Provision is not a requirement.
8.	✓	✓	Outdoor storage.	The storage of materials, goods, merchandise, and equipment for the purpose of display and/or sales outside the confines of any buildings or structures is prohibited.	Complies	Shall be required to comply with this provision through Code Enforcement.
9.	✓	✓	Overhead doors.	Overhead doors shall not face or be directed towards residential properties and/or adjacent rights-of-way abutting residentially zoned properties.	N/A	Property is not abutting any residential zoning district.
10.	✓	✓	Paver treatments.	Paver treatments shall be included in the following locations: • Driveway entrances. • Crosswalks. • Sidewalks. Minimum of twenty-five (25%) percent of paving surface.	Complies	See Preliminary Zoning Analysis.
11.	✓	✓	Parking garages.	Parking garages shall include exterior architectural treatments compatible with buildings or structures which occupy the same development and/or street.	Complies	Proposal was reviewed by the City Architect and preliminarily approved by the Board of Architects on 09.27.08.
12.	✓	✓	Pedestrian access orientation.	All buildings, except accessory buildings, shall have their main pedestrian entrance or entrances oriented towards the front property line.	Complies	Shown on proposed site plans.
13.	✓	✓	Pedestrian amenities.	Pedestrian amenities shall be provided on both private property and/or public open spaces including but not limited to the following: • Benches.	Complies	See Preliminary Zoning Analysis.

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
				• Information kiosks. • Lighting. • Bike racks. • Refuse containers. • Sidewalk pavement treatments. • Statuary. • Street crosswalk paver treatments. • Wall mounted fountains. • Water fountains and other similar water features. All pedestrian amenities shall be permanently secured to the ground surface. Above amenities shall be consistent in design and form with the applicable City Public Realm Design Manual.		
14.	✓	✓	Pedestrian design features for building frontages (street level only).	On any front property line or primary street, where an adjoining pedestrian sidewalk is located, the following design features shall be included: • Display windows or retail display area; • Landscaping; and/or, • Architectural building design features. The intent is to create pedestrian and shopper interest, preclude inappropriate or inharmonious design, preclude blank walls of building faces, and prohibit windows from being permanently obstructed.	Complies	Shown on proposed site plans.
15.	✓	✓	Pedestrian pass-throughs/ paseo.	Pedestrian pass-throughs shall be provided for each two hundred and fifty (250) linear feet or fraction thereof of building frontage provided on the primary street. The pass through shall be subject to the following: • Minimum of ten (10) feet in width. • Include pedestrian amenities as defined herein.	N/A	Proposed building is less than 250 linear feet in length.

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
				In lieu of providing one (1) pass through of ten (10) feet every two hundred and fifty (250) feet of building frontage, two (2) pass-throughs can be combined to provide one (1), twenty (20) foot wide pass-through.		
16.	✓	✓	Porte-cocheres.	Porte-cocheres are prohibited on front property line or primary street.	Complies	None proposed.
17.	✓	✓	Rooftop screening.	All mechanical, electrical, cellular antennas and other similar roof top building support services shall be entirely screened from public view subject to applicable requirements of these regulations.	Complies	Shown on proposed site plans.
G. Landscaping.						
1.	✓	✓	Landscape open space.	Landscape open space requirements are satisfied pursuant to the rights-of-way planting requirements listed in Article 5, Division 11.	Complies	Shall be required to comply at time of final zoning analysis.
H. Parking/vehicle storage.						
1.	✓	✓	Bicycle storage.	To encourage the use of bicycles, etc., a minimum of one (1) ten (10) foot bicycle rack for each two hundred and fifty (250) parking spaces or fraction thereof shall be provided. The location shall be convenient to users and shall be subject to review as a part of the site plan review.	Complies	See Preliminary Zoning Analysis.
2.	✓	✓	Boats, trailers, etc.	Boats and recreational vehicles, or similar accessory vehicles. These vehicles shall be parked and/or stored within an enclosed garage, area or structure.	N/A	None proposed.
3.	✓	✓	Curbing.	Raised curbing. Six (6) inch raised curbing shall be provided on all streets abutting this use. Curb cuts and ramps for handicapped access shall also be provided at all street intersections and points of pedestrian	Complies	Shown on proposed site plans.

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
				crossing.		
4.	✓	✓	Loading/unloading areas.	Off-street loading standards and requirements shall conform to the requirements as set forth in Article 5, Division 14. All loading/unloading areas and/or facilities shall be within fully enclosed areas with overhead doors. Overhead doors shall remain closed when not in use and after hours.		
5.		✓	Nonresidential uses.	Off-street parking requirements shall be calculated utilizing a blended parking of one (1) space per two hundred and fifty (250) gross square feet. Restaurants shall require one (1) space per one hundred (100) gross square feet.	Complies	See Preliminary Zoning Analysis.
6.	✓	✓	On-street parking.	On-street parking must be provided on both sides of the street on all primary streets, unless encroachments for arcades/loggias are requested. Evaluation as to the amount of on-street parking provided shall be evaluated on a case-by-case basis. On-street parking shall not be included as satisfying the required parking requirements. On-street parking is encouraged on alleys. Removal of on-street parking shall be subject to compensation to the City based upon established City provisions.	Complies	All existing adjoining on-street parking spaces shall be retained. Alley parking is proposed.
7.	✓	✓	Parking garages.	Ground floor parking that is located and fronting on a primary street is prohibited. Ground floor parking is permitted on secondary streets and shall be fully enclosed within the structure and shall be surrounded by retail uses. Ground floor parking is permitted on	N/A	No ground floor parking is proposed.

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
				alley frontages. Parking facilities shall accommodate pedestrian access to all adjacent street(s) and alleys.		
8.	✓	✓	Parking space limitations.	Restricting and/or assignment of off-street parking spaces for individual tenant or users with the use of signage, pavement markings, etc., are permitted.	Complies	Restriction of 30 floor level spaces on building's second floor is recommended for retail customers.
9.	✓	✓	Residential uses.	Off-street parking requirements shall conform to the requirements as set forth in Article 5, Division 14.	Complies	
10.	✓	✓	Surface parking areas.	Surface parking lots and/or similar vehicle use areas are prohibited to front on primary streets.	N/A	None proposed.
11.		✓	Valet parking areas.	If valet parking is desired, the valet parking drop-off areas shall be provided on private property. Tandem and/or stacking of parking are prohibited.	Complies	3 tandem parking spaces are proposed, but are not required parking spaces.
I. Sanitation and service areas.						
1.	✓	✓	General.	In accordance with Article 5, Division 17	Complies	Shall be required to comply.
J. Signs.						
1.	✓	✓	General.	In accordance with Article 5, Division 19.	Complies	Shall be required to comply.
K. Streets and alleys.						
1.	✓	✓	Streets and alleys.	Property owner(s) may request the vacation and/or abandonment of a public right-of-way subject to the criteria and procedure in Article 3, Division 12.	N/A	None proposed.
2.	✓	✓	Driveways.	Vehicular access to parking garages shall be from a side street or alley. Vehicular egress/ingress, including but not limited to driveways, service drives, drive-throughs, etc., may be permitted from a primary street	Complies	All vehicular access to building is from rear public alleyway.

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
				and shall be evaluated as part of site plan review based upon the project design in relation to existing surrounding circulation. Valet access points are exempt from these provisions. Vehicular entrances for drive-through facilities, garage entrances, service bays and loading/unloading facilities should be consolidated into one (1) curb cut to reduce the amount of vehicular penetration into pedestrian sidewalks and adjoining rights-of-way.		
3.	✓	✓	Sidewalks.	Pedestrian pathways and/or sidewalks shall connect to one another to form a continuous pedestrian network from parking garage entrances, parking areas, primary and secondary pedestrian entrances, etc. Wherever possible pathways shall be separated from vehicular traffic. Sidewalks shall be located on both sides of all streets with a minimum of four (4) foot unobstructed clear area. The clear area shall be unobstructed by utility poles, fire hydrants, benches, trash receptacles, newspaper stands, light poles, planter boxes, telephone booths or other similar temporary or permanent structures (traffic signage shall be exempt from the above regulations). Sidewalks at points of street intersections or pedestrian crossing shall be sloped in such a manner as to accommodate handicapped access with the use of two (2) curb cuts and/or ramps at each street intersection.	Complies	Shown on proposed site plans.

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
L. Utilities.						
1.	✓	✓	Underground utilities.	All utilities shall be installed underground in accordance with the provisions of Article 5, Division 22.		
2.	✓	✓	Above ground utilities.	Above ground, façade, roof, mechanical and electrical facilities shall be appropriately screened to entirely hide the facility in accordance with the provisions of Article 5, Divisions 11 and 18. Screening materials may include landscaping, walls, fencing, etc., to achieve one hundred (100%) percent opacity. Approval of type of screening shall be determined at time of site plan review.	Complies	All contained within proposed building.
M. Miscellaneous						
1.	✓	✓	Configuration of land.	The parcel proposed for development shall be a contiguous unified parcel with sufficient width and depth to accommodate the proposed uses. Public rights-of-way or other public lands shall not be considered as a separation.	Complies	Entire property is contiguous (150' x 100').
2.	✓	✓	Easements.	The City may, as a condition of approval, require that suitable areas for easements be set aside, dedicated and/or improved for the installation of public utilities and purposes which include, but shall not be limited to water, gas, telephone, electric power, sewer, drainage, public access, ingress, egress, open space, recreation and other public purposes which may be deemed necessary by the City Commission.	N/A	None requested.
3.	✓	✓	Encroachments into public rights-of-way.	Any encroachments, construction and penetration into the rights-of-way shall be subject to the following: The property owners shall be responsible for all maintenance of all encroachments and/or property	N/A	None proposed.

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
				of all surrounding public rights-of-way, including but not limited to the following: landscaping (hard and softscape); benches; trash receptacles; irrigation; kiosks; plazas; open spaces; recreational facilities; private streets, etc. subject to all the provisions for which the development was approved as may be amended. The property owners shall be responsible for liability insurance, local taxes, and the maintenance of the encroachment and/or property.		
4.	✓	✓	Live work units.	- Live work units shall satisfy all applicable building code and fire and life safety code requirements at time of completion. - Each live work unit, including the garage (if applicable), shall be separated by walls from other live work units or other uses in the building, and shall have the ability to construct separate entrances to each use in the future. - The nonresidential space of a live work unit may be expanded to include the nonresidential space of an abutting live work unit if the applicant meets all applicable building codes. - Changes in use to allow for nonresidential uses shall be required to pay impact and water fees, meet the applicable building codes, and the parking requirements. - Operation of live work unit. - Prior to the issuance of an Occupational License for a nonresidential use, the applicant shall apply for a change in use permit if the unit was previously designated as a live work unit as part of a development approval.	Complies	Shall be required to comply with requirements, subject to Code Enforcement.

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
				- o Deliveries for nonresidential uses in the live work unit shall be limited to the hours of 8:00 AM to 8:00 PM. - o Live work units shall not be used for storage of flammable liquids, or toxic hazardous materials which means any and all materials, substances, waste or chemicals classified under applicable governmental laws, rules or regulations as hazardous or toxic substances, materials, waste or chemicals.		
5.		✓	Public realm improvements.	Responsibility. All property owner(s) that desire to develop pursuant to these regulations shall be required to fund, install, and maintain all public realm improvements required herein on private property as well as those required from the property boundary to the centerline of all contiguous public rights-of-way. A property owner may also provide public realm improvements up to the property line on the far side of rights-of-way abutting his/her property. These improvements as identified in the "Master Streetscape Plan" and "Underground Facilities Master Plan" include, but are not limited, to the following: landscaping; paving; signage; street furniture; public right-of-way improvements; and undergrounding of all utilities. Any other abutting property owner who subsequently develops property abutting an improved public realm area pursuant to these provisions shall reimburse the property owner who funded the improvements the pro rata share attributable to his property based on street or alley frontage along with the amount of interest permitted by this provision. Per annum simple interest	Complies	Applicant proffers to provide public realm improvements as required as shown on proposed site plans.

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
				as established and authorized by Section 687.01, Florida Statutes will accrue from the date of full payment for all improvements. Property owners who develop property abutting already improved public realm areas shall restore the public realm areas to their condition prior to the commencement of construction. The costs of such restoration shall not affect the total amount of reimbursement which another abutting property owner may be entitled to under this section. Administration of improvements. Prior to issuance of a building permit for construction, the property owner(s) shall provide surety equating to one hundred (100%) percent of the costs for completion of all improvements. The monies shall be deposited into a "Mixed Use District Public Realm Improvements Fund" (hereinafter referred to as the "Fund") and disbursed by the City according to this section. The pro rata share of each property owner's contribution to the fund shall be based on its street frontage measured in linear feet or other means of equitable distribution. Per annum simple interest as established and authorized by Section 687.01, Florida Statutes will accrue from the date of full payment for all improvements. The City shall also collect an administrative fee as authorized by Florida Statutes for the administration and implementation of the Fund. Invoices submitted by the developer to the City in connection with the public realm improvements shall be paid by the City from the Fund. The City's Public Works Department shall monitor construction and disperse the monies from the Fund based upon completion of work and in compliance with the Master Streetscape Plan and		

Table 1.

Reference	Individual building(s)	Overlay District	Type	Requirements	Compliance Determination	Comments
				Underground Facilities Master Plan. Underground utility provisions. Underground utilities shall be installed pursuant to an Underground Facilities Master Plan which will be prepared by the Public Works Department in cooperation with the Planning Department. The necessary support facilities for the installation of all underground utility facilities, including but not limited to utility vaults and transformers shall be located on private property. Property owners will receive an FAR credit equivalent to the amount of space occupied by the necessary utility facility. Easements. The property owners shall provide easements to all applicable utility companies for the installation and maintenance of underground utilities. Alternative funding mechanism. A Special Taxing District or Special Assessment District may be created pursuant to Florida Statutes to fund the installation and maintenance of underground utilities and all public realm improvements.		
6.	✓	✓	Transfer of density and floor area ratio within the site plan.	The density and floor area ratio may be transferred throughout the contiguous unified parcel.	Complies	

February 8, 2008
City of Coral Gables - Planning Department
Letters Received from Property Owners
Application No. 01-08-043-P- Mixed-Use (MXD) Site Plan Review

Attachment **E**

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
1.	02/07/08	Robert Stanoch 226 Cadima Ave Coral Gables, FI 33134		X	X	
2.	02/07/08	John & Jane Fisher 329 Viscaya Ave Coral Gables, FI 33134	X			<u>Enough ALREADY!!</u> You collectively- The Planning Department and The City Commission are <u>allowing</u> The Gables to be <u>OVERBUILT</u> . You have totally changed the look and feel of the formerly "City Beautiful". We <u>need</u> a <u>3-5 year moratorium</u> . PLEASE STOP!!
3.	02/06/08	Andres & Aimee Pou 4921 Ponce de Leon Blvd. Coral Gables, FI 33134		X	X	
4.	02/06/08	Andres & Aimee Pou 3605 Ponce de Leon Blvd. Coral Gables, FI 33134		X	X	
5.	02/06/08	Professional Management & Invest Corp. Andres & Aimee Pou 425 Almeria Ave Coral Gables, FI 33134		X	X	
6.	02/06/08	Andres & Aimee Pou 333 Fluvia Ave Coral Gables, FI 33134		X	X	
7.						
8.						
9.						
10.						