



**City of Coral Gables
CITY COMMISSION MEETING
July 13, 2010**

ITEM TITLE:

Resolution approving encroachments into the public right-of-way for a proposed new building located at 2222 Ponce de Leon Boulevard (Giralda Complex), subject to the requirements of the Public Works Department and all applicable code requirements.

RECOMMENDATION OF THE CITY MANAGER:

Approval.

BRIEF HISTORY:

The developer of Giralda Complex, LLC, is requesting approval for encroachments consisting of various architectural features, including moldings, lighting, and decorative features on the exterior of the building, encroaching from 1'- 0" up to a maximum of 2'- 6" over the abutting right-of-ways, a new streetscape with pedestrian-friendly features, including decorative pavers, lighting, benches, shade trees and other features adjacent to the Giralda Complex project at 2222 Ponce de Leon Boulevard, Coral Gables, Florida.

The request for encroachments was made by Jeffrey E. Lehrman, Esq., on behalf of Giralda Complex, LLC. The approval is subject to the following:

1. The proposed encroachments shall conform to the requirements of the Public Works Department, to the Florida Building Code and all other pertinent Codes.
2. The City of Coral Gables reserves the right to remove, add, maintain, or have the Applicant remove any of the improvements within the right-of-way at Applicant's expense.
3. The Applicant shall maintain the existing encroachments in good condition at all times and at Applicant's expense.
4. The Applicant shall meet with the City Attorney for the purpose of providing all the information necessary for that Office to prepare a Restrictive Covenant to be executed by the Applicant which runs with the title of the property, and which states, in addition to the above mentioned requirements, that the Applicant will provide Public Liability Insurance coverage for the encroachment in the minimum limits required by the City, and naming the City as an additional insured under the policy.
5. The copies of the Restrictive Covenant, when fully executed and filed, together with certification of required insurance, shall be presented to the Building and Zoning Department and to the Public Works Department and permits thereafter be obtained for the work from both of these

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Departments.

6. The Applicant shall replace, at the Applicant's expense, any portion of the encroachment affected, in the event the Public Works Department must issue a permit for a utility cut in the future in the area in which the encroachments are approved.

ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
March 24, 2005	Board of Architects	Approved for Phase I
November 29, 2007	Board of Architects	Approved for Phase II

APPROVED BY:

Department Director	City Attorney	City Manager

ATTACHMENT(S):

1. Draft Resolution
2. Letter of request from Jeffrey E. Lehrman, Esq.
3. Copy of plans with proposed improvements.