



**City of Coral Gables
CITY COMMISSION MEETING
APRIL 28, 2009**

ITEM TITLE:

Appearance of Mr. Jeff Isom, The Architects Group, on behalf of Marshall D. Kaplan, Owner of new Angelique Euro Café, for permission to encroach into the right-of-way with a 1200 gallon grease trap in the alley behind 111 Miracle Mile, Coral Gables, Florida.

CITY MANAGER'S RECOMMENDATION:

That the attached Resolution be approved with stipulated conditions.

BRIEF HISTORY:

The Applicant, on behalf of the Owner of new Angelique Euro Café, requests approval for encroachments into the right-of-way consisting of a 1200 gallon grease trap in the alley behind 111 Miracle Mile, Coral Gables, Florida, legally described as Lot 30, Block 38 of Coral Gables Section "L", according to the plat thereof, as recorded in Plat Book 8 at Page 85 of the Public Records of Miami-Dade County, Florida.

There is no setback area in which to place the grease trap within the lot due to the location of the existing building.

The recommendation is subject to the following requirements of the Public Works Department:

- a) The installation of the grease trap will take place only on the south side of the alley, and only if there is no conflict with existing utilities in the alley.
- b) The City of Coral Gables reserves the right to remove, add, maintain, or have the Owner remove any of the improvements within the right-of-way, and at Owner's expense.
- c) That the Owner maintain the proposed encroachments in good condition at all times, and at Owner's expense.
- d) That the Owner meet with the City Attorney's office for the purpose of providing all the information necessary for that office to prepare a Restrictive Covenant to be executed by the Owner which runs with the title of the property, and which states, in addition to the above mentioned, that the Owner of the property will provide Public Liability Insurance coverage for the encroachments in the minimum limits required by the City, and naming the City as an additional insured under the policy.
- e) That copies of the Restrictive Covenant, when fully executed and filed, together with certification of required insurance, shall be presented to the Building Department and to the Public Works Department and permits thereafter be obtained for the work from both of these Departments.
- f) That the Owner shall replace, at the Owner's expense, any portion of the encroachments affected, in the event the Public Works Department must issue a permit for a utility cut in the proposed


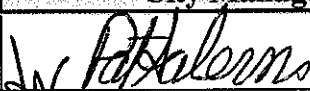
area.

- g) That the proposed encroachment be constructed in accordance with the Florida Building Code and all other pertinent Codes.
- h) That all required utilities be located prior to commencement of construction to avoid any service disruptions.

ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

| Date | Board/Committee | Comments (if any) |
|----------|---------------------|-------------------|
| 04-09-09 | Board of Architects | Approved project. |

APPROVED BY:

| Department Director | City Attorney (If Applicable) | City Manager |
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ATTACHMENT(S):

1. Cover Form
2. Draft Resolution
3. Letter from the architect