

City of Coral Gables Planning and Zoning Staff Report

Property:	2551 Le Jeune Road
Applicant:	Mario Garcia-Serra, Esq. on behalf of Publix Super Markets, Inc.
Application:	 Conditional Use with Site Plan Planned Area Development Designation
Public Hearing:	Planning and Zoning Board
Date & Time:	November 8, 2023, 6:00 – 9:00 p.m.
Location:	City Commission Chambers, City Hall 405 Biltmore Way, Coral Gables, Florida, 33134

1. APPLICATION REQUEST

The application request is for approval for a Planned Area Development (PAD) designation and conditional use approval of a site plan for the construction of a new Publix grocery store and liquor store located at 2551 Le Jeune Road within the Central Business District (CBD) and Business Improvement Overlay District (BIOD), generally bounded by Le Jeune Rd to the west, Andalusia Ave to the north, Salzedo St to the east, and Valencia Ave to the south.

- 1. An Ordinance of the City Commission of Coral Gables, Florida approving a Planned Area Development (PAD) pursuant to Zoning Code Article 14, "Process," Section 14-206, "General Procedures for Planned Area Development" for a proposed Publix grocery store and liquor store on the property legally described as Lots 1 through 48, Block 8, Coral Gables Crafts Section (2551 Le Jeune Rd), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and an effective date.
- 2. A Resolution of the City Commission of Coral Gables, Florida approving Conditional Use Review of a Site Plan pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for a proposed Publix grocery store and liquor store on the property legally described as Lots 1 through 48, Block 8, Coral Gables Crafts Section (2551 Le Jeune Rd), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and an effective date.

The requests require three public hearings, including review and recommendation by the Planning and Zoning Board, and 1st and 2nd Reading before the City Commission.

2. APPLICATION SUMMARY

The subject property is approximately 132,514 square feet (3.04 acres), located directly east of Le Jeune Rd and south of Andalusia Ave, within the Crafts Section, the Central Business District (CBD), and Business Improvement Overlay District (BIOD). The property is zoned as Mixed-Use 3 (MX3) and has a future land use designation of Commercial High-Rise Intensity. It is surrounded by an array of uses, such as civic, religious, office, commercial, and parks and recreation.

There is an existing one-story Publix grocery store on site that was built in 1962. The property owner, Publix Super Markets, Inc., seeks to demolish the existing Publix and redevelop the site into a new 3-story "state of the art" Publix supermarket that is 36 feet high and includes a café, liquor store, retail spaces, a plaza and public park on the ground floor and 285 parking spaces on the second and third floor.

- Lot area is 132,509 square feet (3.04 acres)
- Building area is 88,132 square feet (66.51%)
 - Publix Supermarket with café style eatery is 58,302 square feet
 - Publix Liquor store is 2,500 square feet
 - Retail space is 4,800 square feet
- Building height is 36 feet to the roof
- FAR is 56,140 square feet
- 44,377 square feet (33.49%) of total open space
 - 12,526 square feet (9.45%) of landscaped area
 - 31,851 square feet (24.04%) of paved area
- 285 total parking spaces; two-level parking garage

Applications have been submitted by Mario Garcia-Serra, Esq. on behalf of Publix Super Markets, Inc. (the "Applicant") to the City of Coral Gables for a Planned Area Development (PAD) designation and conditional use review for a site plan. The application package submitted by the Applicant is provided as Attachment A.

First, the Applicant is requesting a Planned Area Development (PAD) designation for the unique character of the project. Per Section 2-500 of the Zoning Code, the construction of Planned Area Developments by provide greater opportunity for construction of quality development using flexible guidelines that allow the integration of a variety of land uses and densities in one development.

Second, the Applicant is requesting site plan approval. Per Section 2-200.D. of the Zoning Code, buildings and structure on building sites that are 20,000 square feet or greater, or with street frontages of 200 feet or more, require conditional use review and approval. Because the project's site area is more than 20,000 square feet, the proposed site plan must be reviewed before the Planning and Zoning Board and approved by City Commission.

Project Location. Context information exhibited below:

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Lot, Subdivision, and Plat Map

City of Coral Gables Planning and Zoning Division

Ariel Map



Site Data and Surrounding Uses

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

Existing Property Designations

Land Use Map designation	Commercial High-Rise Intensity
Zoning Map designation	Mixed Use 3 (MX3) District
Overlay District	Yes – Business Improvement Overlay District
	Central Business District
Site Specific	A-36 – Crafts Section
Mediterranean Architectural District	Yes - Mediterranean Architecture Style
Coral Gables Redevelopment Infill District	Yes

Surrounding Land Uses

Location	Existing Land Uses	FLUM Designations	Zoning Designations
North	Parking garage	Commercial High Rise Intensity	Mixed Use 3 (MX3) District
South	Office buildings	Commercial High Rise Intensity	Mixed Use 3 (MX2) District
East	Automotive Service Station	Commercial High Rise Intensity	Mixed Use 3 (MX3) District
West	Religious building	Commercial Low-Rise Intensity	Mixed Use 1 (MX1) District

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Existing Zoning Map



Future Land Use Map



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3. FINDINGS OF FACT

This section of the report presents City Staff's evaluation of the Application and Findings of Fact for the Planned Area Development (PAD) designation and the Site Plan as a Conditional Use. The City's responsibility is to review the Application for consistency with the City's Comprehensive Plan (CP) Goals, Objectives, and Policies, compliance with the Zoning Code, and compliance with other applicable portions of the City Code.

Planned Area Development (PAD) Designation

This section of the report presents City Staff's evaluation of the Application and Findings of Facts for a Planned Area Development (PAD) designation. The City's responsibility is to review the Application for consistency with the City's Comprehensive Plan Goals, Objectives and Policies and compliance with the Zoning Code and City Code.

The purpose of a PAD approval, per Section 2-500, *"is to provide greater opportunity for construction of quality development on tracts and/or parcels of land through the use of flexible guidelines which allow the integration of a variety of land uses and densities in on development."*

- a. Allow opportunities for more creative and imaginative development than generally possible under the strict applications of these regulations so that new development may provide substantial additional public benefit.
- b. Encourage enhancement and preservation of lands which are unique or of outstanding scenic, environmental, cultural and historical significance.
- c. Provide an alternative for more efficient use and, safer networks of streets, promoting greater opportunities for public and private open space, and recreation areas and enforce and maintain neighborhood and community identity.
- d. Encourage compatible and coordinated development of the site, through the use of a variety of architectural solutions to promote Mediterranean architectural attributes, promoting variations in bulk and massing, preservation of natural features, scenic areas, community facilities, reduce land utilization for roads and separate pedestrian and vehicular circulation systems and promote urban design amenities.
- e. Require the application of professional planning and design techniques to achieve overall coordinated development eliminating the negative impacts of unplanned and piecemeal developments likely to result from rigid adherence to the standards found elsewhere in these regulations.

The Applicant is proposing a PAD designation to allow flexibility in the following requirements of the underlying zoning district of Mixed-Use 2 (MX2):

- Pedestrian pass-through: Allow the pedestrian pass-through interiorly and longer spans than the 250 linear feet requirement
- Pedestrian access orientation: Expand portions of the building to not have doors and windows for longer than the 60' requirement.
- Building facing: Allow the building to only face Andalusia, Salzedo, and Le Jeune Road, and not Valencia which it abuts
- Transparency: Reduce the required 60% ground floor transparency requirement
- Curb cuts. Expand the allowed maximum curb cut width of 22 feet
- Pedestrian design features: Allow segments of blank walls without doors and windows
- Vehicular areas: Expand visibility from the street of vehicular areas of the building site and not minimized as required

A Planned Area Development (PAD) designation must comply with Zoning Code Section 14-206.1, "Required Findings" as follows:

	STANDARD	STAFF EVALUATION
Α.	In what respects the proposed plan is or is not consistent with the stated purpose and intent of the PAD regulations.	The proposed plan is consistent with the stated purpose and intent of the PAD regulations, which is to provide relief from Zoning Code requirements that would not make sense in the context of a large- scale grocery store on this site. In this case, the PAD approval would provide relief from many of the street-facing building requirements, such as multiple pedestrian access points, transparency, and pedestrian pass-through. With a PAD approval, the grocery store will be designed more efficiently as a patron from the inside.
В.	The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.	As aforementioned, the project does not meet Zoning Code Sections 2-201.B.6., 2-201.D.9.g., 2-201.D.7.e., and 2-201.D.9.f. of the Zoning Code. These requirements were intended for typical urban retail uses; not for a Publix supermarket that is on this larger site. Complying with these regulations may not be appropriate for a Publix supermarket. It may not be fitting for a Publix to have a minimum of 50% of the linear ground floor building frontage with the uses outlined since the majority of the area will be the grocery store. Second, the transparency/glazing requirement may not be suitable for a Publix grocery store. Grocery stores typically require large spaces for back-of-house operations that do not provide the active frontage for adjoining sidewalks. Third, a pedestrian pass-through or paseo is difficult in the context of this large scale retailer and the needed back-of-house spaces. Fourth, the front/main entrance of the proposed Publix will face north on Andalusia Avenue, with some access on Le Jeune Rd, and not provide access on Valencia and Salzedo.
C.	The extent to which the proposed plan meets the requirements and standards of the PAD regulations.	The proposed PAD meets the requirements and standards of the PAD regulations outlined in the Zoning Code's Section 2-500.B., such as the minimum site area, configuration of land, floor area ratio, landscaped open space, height, design, perimeter and transition, and off-street parking and off-street loading standards.
D.	The physical design of the proposed PAD and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, provide for and protect designated common open	The physical design of the proposed PAD delivers public services, provides adequate control over vehicular traffic, protects designated common open areas, and furthers the amenities of light, air, recreation, and visual enjoyment. The proposed PAD results in a publicly accessible ground floor open space that includes the Le Jeune Plaza at the west end and Salzedo Park on the east end – that are visible and fronted by varied uses. These public spaces are complemented by the tree canopy, streetscape improvements, and walkways on the north and south side that provide additional

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	STANDARD	STAFF EVALUATION
	areas, and further the amenities of light and air, recreation and visual enjoyment.	pedestrian amenities and enhance the redevelopment of this area. In addition, access to the garage and unloading/loading areas are not accessed through the major thoroughfare being Le Jeune Rd, which provides controls for vehicular traffic and promotes pedestrian safety in the PAD.
E.	The compatibility of the proposed PAD with the adjacent properties and neighborhood as well as the current neighborhood context including current uses.	The proposed PAD is compatible with the adjacent properties in the Central Business District area with regards to height and uses. Miracle Mile and Giralda Plaza are located to the north. The proposed project is 36 feet to the roof and is surrounded by existing buildings of approximately the same height, apart from the building to the south that is 13 floors, and uses that vary from civic, religious, office, commercial, and parks and recreation.
F.	The desirability of the proposed PAD to physical development of the entire community.	The redevelopment of this property fulfills the objective of the City to create more public open spaces in an urban environment, as well as provides a new, updated Publix that is an important store in the area.
G.	The conformity of the proposed PAD with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Plan.	The proposed PAD is "consistent" with the CP's Goals, Objectives and Policies with the recommended conditions of approval and site plan provisions which address the City's objectives for encouraging redevelopment in the Central Business District (CBD).

Staff's Findings: Based upon the Findings of Facts provided herein, Staff finds the Application <u>satisfies</u> the provisions of the Zoning Code for the Planned Area Development (PAD) designation. Staff review finds that the proposed plans and Staff's recommended conditions of approval incorporate measures to mitigate potentially negative impacts that could have adverse effects on neighboring properties.

CONDITIONAL USE FOR SITE PLAN

This section of the report presents City Staff's evaluation of the Application and Findings of Facts for a site plan. The City's responsibility is to review the Application for consistency with the City's Comprehensive Plan Goals, Objectives and Policies and compliance with the Zoning Code and City Code.

The purpose of the (MX) Mixed Use Districts, per Section 2-201 of the Zoning Code, "is to accommodate various forms and densities of mixed uses, including commercial and residential, to serve the needs of a diverse community, while ensuring that there is a transition to single-family and duplex neighborhoods that protects the integrity of these neighborhoods.

The Mixed-Use Districts are intended to provide a continuous, pedestrian-friendly urban environment, bringing together the activities of daily living, and reducing dependence on vehicular mobility. The Mixed-Use District

regulations are intended to improve the public realm, and to produce functional and beautiful streets and public open spaces with:

- 1. street level amenities and design elements contributing to the pedestrian experience;
- 2. pedestrian connectivity augmented in cross block pedestrian passages; and
- 3. public open spaces that are welcoming, provide a sense of place, and accommodate a range of activities, from walking between destinations, to waiting for transportation, to accommodating social and cultural activities."

Site Plan Information:

Standard	Project Da	ata
Zoning	Mixed-Use 3	(MX3)
Land Use	Commercial High-R	ise Intensity
Land Area	132,509 sq. ft. (3	.04 acres)
	Required/Permitted	Proposed
Open Space (ground-level outdoor area, open to the sky)	MX3 (10% of land area): 13,251 sq. ft. PAD (20% of land area): 26,502 sq. ft.	44,377 sq. ft. (33.49%) total open space
FAR (land area x 3.0)	132,509 sq. ft. x 3.0 = 397,527 sq. ft. (maximum allowed)	65,894 sq. ft.
Setback up to 45 feet		
Principal front (Le Jeune Rd)	10 ft.	45.3 ft.
Side (Salzedo St)	0 ft.	64.3 ft.
Side (Valencia Ave)	0 ft.	6.3 ft.
Side (Andalusia Ave)	0 ft.	8.7 ft.
Building Height	Up to 150 ft. except for Lots 45-48 limited to 45 ft.	36 ft. to roof/parking level 52 ft. to top of elevator overrun
Parking		
Second Level		134 spaces
Roof Level		151 spaces
Total	180 spaces	285 spaces
Accessible Parking		14 spaces
EV Ready Spaces	44 spaces	44 spaces
Loading Spaces		2 spaces

Planning and Zoning Staff Report

Publix – 2551 Le Jeune Rd

Site Plan:



Buildings and structures on building sites of 20,000 square feet or more, or with street frontage of two hundred (200) feet or more, require conditional use review and approval per Section 2-201 of the Zoning Code.

As aforementioned, the purpose of a Conditional Use per Section 14-203 of the Zoning Code "is to recognize that there are uses which may have beneficial effects and serve important public interests, but which may, but not necessarily, have adverse effects on the environment, particularly residential areas, overburden public services, or change the desired character of an area. Individualized review of these uses is necessary due to the potential individual or cumulative impacts that they may have on the surrounding area or neighborhood. The review process allows the imposition of conditions to mitigate identified concerns or to deny the use if concerns cannot be resolved."

A Conditional Use review must comply with Zoning Code Section 14-203.8, "Standards for Review" as follows:

STANDARD	STAFF EVALUATION
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.	Yes. The proposed site plan is consistent with and further the goals, objectives, and policies of the Comprehensive Land Use Plan and purpose of the Zoning Code provisions. The proposed project will redevelop an existing Publix that is more than 60 years old and offer other amenities, including a café, liquor store, retail, and open spaces available to the public. Based on the site plan, the ground floor will contain a 13,551 square foot plaza directly east of Le Jeune Rd and a 10,876 square foot public park facing Salzedo St. These public open spaces will be enhanced by features like benches, picnic tables, shade

STANDARD	STAFF EVALUATION
	trees, colonnades, and plazas, as well as proposed pedestrian streetscape improvements. Residents, employees, and visitors will greatly benefit from the grocer's close proximity to trolley and bus stops, residential developments, and mix of uses in the Central Business District, with Miracle Mile only a block away. In essence, the project meets the Comprehensive Plan, contributes to Downtown Coral Gables' vibrancy, and promotes a pedestrian-friendly lifestyle.

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. **Yes.** The Central Business District was created with the purpose of continuing and enhancing the downtown area as a functional and symbolic center of the City, as well as fostering pedestrian activities. The site plan is appropriate and consistent with the surrounding mixed-use context of the Downtown area. Its design, scale, and use embellishes the fusion of existing and future retail, restaurant, office, civic, and residential uses of the area. The large plaza space and urban public park are types of sought-after open spaces. These open spaces will make this area of Downtown a more attractive outdoor space for residents, employees, and visitors to enjoy. This project plays a vital role in the development of Downtown's urban fabric and will support the social, economic, environmental, and physical well-being of Coral Gables.

- C. The proposed conditional use does Yes. The needs and character of the Central Business District will not not conflict with the needs and be compromised by the development of this project. The project character of the neighborhood and proposes a Publix grocery store with a liquor shop and café, public the City. open spaces, retail spaces, and a private loading area screened from the public. In addition, the proposed Publix and retail spaces will promote business openings and employment opportunities for young residents and professionals in search of retail, customer service, management, and food industry experience. At the same time, pedestrians and employees will continue benefiting from keeping a grocery store with products and services in the area. The project may also inspire residents, employees, and pedestrians to utilize alternative transportation modes beyond driving, such as walking, biking, and taking the Trolley, bus, or Metrorail. Therefore, the proposed project will meet the needs and improve the character of the neighborhood and City.
- D. The proposed conditional use will not adversely or unreasonably affect the use of other property in the area.
 Yes. The Applicant's proposal of a new Publix is consistent with the underlying Mixed-Use zoning designation. It will not adversely or unreasonably affect the use of other buildings on Le Jeune Road, Andalusia Avenue, Salzedo Street, or Valencia Avenue in the Central Business District. The proposed Publix is similar in scale, at 36 feet in height, and provides a generous amount of open space and pedestrian

STANDARD	STAFF EVALUATION
	streetscape improvements. The project encourages residents employees, and visitors to utilize amenities and public transit service from other uses in Miracle Mile and Downtown Coral Gables within the Central Business District.
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.	Yes. The proposed project is compatible with the mixed uses in the Central Business District. The project demolishes an old, outdated Publix with a new "state of the art" Publix supermarket that provide full availability of food products and services, as well as retail, that i compatible with the area. The project creates more open space with high-quality landscape design and pedestrian streetscape improvements that will improve this area of Downtown Coral Gables. The proposed plaza and park that are part of the site plan invite residents and pedestrians to engage with each other and activate the streetscape further. Overall, the extra shade, plants, seating areas and other landscape improvements will enrich the aesthetics of the area.
	Furthermore, a Board of Adjustment meeting was held on June 5 th 2023. The request was for distance approval to allow alcoholic beverage and liquor sales closer than 500 feet from a religiour institution. Publix is located directly east of the First Church of Christ Scientist, which is a religious institution. Section 3-502(A) of th Zoning Code states "no alcoholic beverage sales (package) shall b permitted upon premises closer than five hundred (500) feet from an religious institution or school without approval by the Board of Adjustment." Following Staff's recommendation, the Board of Adjustment approved the request at the meeting.
	Moreover, the open spaces may attract pedestrians to purchas products at the Publix, retail spaces, and other uses in the area that further promotes economic activity. Thus, the proposed uses ar compatible with the nature, condition, and development of adjacer uses, buildings, and structure, and will not adversely affect th adjacent uses, buildings, or structures.

development is adequate in size and shape to accommodate all development features.

Yes. The project site comprises of Lots 1 through 48, Block 8, Crafts Section, and is approximately 132,514 square feet (3.04 acres) in size which accommodates all the proposed development features. Furthermore, the project accommodates 33.49% open space improvements, when the minimum requirement is 10%.

G. The nature of the proposed Y development is not detrimental to is

Yes. The proposed development and request for a site plan approval is not detrimental to the health, safety, and general welfare of the

	STANDARD	STAFF EVALUATION
	the health, safety and general welfare of the community.	community. The project provides ground floor commercial spaces and 33.49% open space, which promotes a pedestrian friendly setting. The open spaces will include shade trees, lighting, landscaping, and seating areas that elevate the beauty and walkability of this urban area. Landscaping and lighting improvements foster a sense of safety.
		The proposed Publix replaces the old Publix, which will improve customer experience, refresh the retail merchandise, and allow customers to better connect with their products and services. As the proposed Publix substitutes the old Publix, surrounding residents, employees, and visitors will have the same, continued access to groceries and products as before. The project will continue enriching and supporting the surrounding uses of the area, especially civic, office, and retail centers. As a result, the project will strengthen the health, safety, and general welfare of the community.
H.	The design of the proposed driveways, circulation patterns and parking is well defined to promote vehicular and pedestrian circulation.	Yes. The design includes one vehicular ingress and egress that is two- way, right-in-right-out, on the ground floor of Andalusia Avenue, towards the northeast portion of the site. The loading and service area is at grade and accessed by a one-way ingress from Valencia Avenue and one-way egress to Andalusia Avenue. The proposed Staff recommendation prioritizes pedestrians with an even and leveled sidewalk through the driveway to prevent conflicts with traffic and pedestrian circulation.
I.	The proposed conditional use satisfies the concurrency standards of Section 14-218 and will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an	Yes. The property is located within the Gables Redevelopment Infill District (GRID) which allows development to move forward regardless of a roadway's level of service (LOS). Additionally, a traffic impact study was prepared by CHA. According to the analysis, CHA concluded that the project should not impact or negatively affect the surrounding roadway network and intersections.

Staff's Findings: Based upon the Findings of Facts provided herein, Staff finds the Application <u>satisfies</u> the provisions of the Zoning Code for the Conditional Use Site Plan Review. Staff review finds that the proposed plans and Staff's recommended conditions of approval incorporate measures to mitigate potentially negative impacts that could have adverse effects on neighboring properties.

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

This section provides those CP Goals, Objectives and Policies applicable to the Application and the determination of consistency:

unreasonable or disproportionate

manner.

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
1	Objective MOB-1.1. Provide solutions to mitigate and reduce the impacts of vehicular traffic on the environment, and residential streets in particular with emphasis on alternatives to the automobile including walking, bicycling, public transit and vehicle pooling.	Complies
2	Policy MOB-1.1.2. Encourage land use decisions that encourage infill, redevelopment, and reuse of vacant or underutilized parcels that support walking, bicycling, and public transit use.	Complies
3	Policy MOB-1.1.5. Improve amenities within public spaces, streets, alleys and parks to include the following improvements: seating; art; architectural elements (at street level); lighting; bicycle parking; street trees; improved pedestrian crossing with bulb-outs, small curb radii, on-street parking along sidewalks, pedestrian paths and bicycle paths to encourage walking and cycling with the intent of enhancing the feeling of safety.	Complies
4	 Objective MOB-2.2.5. As a vibrant mature City located in rapidly growing Miami-Dade County, the City shall continue to pursue and promote infill and redevelopment in appropriate parts of the City, especially within the City's GRID. The City shall research the following: The possible expansion and upgrade of the current trolley system to other destinations within the City which may include a northern extension beyond 8th Street and connection to the University of Miami campus. Potential development incentives and/or economic incentives to promote trolley ridership. Maintain the existing Coral Gables Mediterranean Style Design Standards, which awards density and height bonuses for developments which provide pedestrian amenities thereby encouraging walkability. 	Complies
5	Goal FLU-1. Protect, strengthen, and enhance the City of Coral Gables as a vibrant community ensuring that its neighborhoods, business opportunities, shopping, employment centers, cultural activities, historic value, desirable housing, open spaces, and natural resources make the City a very desirable place to work, live, and play.	Complies
6	Objective FLU-1.1. Preserve Coral Gables as a "placemaker" where the balance of existing and future uses is maintained to achieve a high quality living environment by encouraging compatible land uses, restoring and protecting the natural environment, and providing facilities and services which meet or exceed the minimum Level of Service (LOS) standards and meet the social and economic needs of the community through the Comprehensive Plan and Future Land Use Classifications and Map (see FLU-1: Future Land Use Map).	Complies
7	Objective FLU-1.2. Efforts shall continue to be made to control blighting influences, and redevelopment shall continue to be encouraged in areas experiencing deterioration.	Complies
8	Policy FLU-1.7.1. Encourage effective and proper high-quality development of the Central Business District, the Industrial District and the University of Miami employment centers which offer potential for local employment in proximity to protected residential neighborhoods.	Complies
9	Policy FLU-1.11.1. Maintain and enforce effective development and maintenance regulations through site plan review, code enforcement, and design review boards and committees.	Complies
10	Goal DES-1. Maintain the City as a livable city, attractive in its setting and dynamic in its	Complies

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
	urban character.	
11	Objective DES-1.1. Preserve and promote high quality, creative design and site planning that is compatible with the City's architectural heritage, surrounding development, public spaces and open spaces.	Complies

Staff Comments: The above evaluation indicates that this Application for conditional use review of a site plan and review of a Planned Area Development (PAD) designation for the proposed Publix at 2551 Le Jeune Rd is "consistent" with the Comprehensive Plan's goals, objectives, and policies as determined by Staff.

The proposed project meets Policy MOB-1.1., Objective MOB-1.1.2., Policy Mob-1.1.5., and Objective MOB-2.2.5. The proposed project provides access to the two-level garage on Andalusia Avenue as opposed to Le Jeune Road, a major thoroughfare, and therefore, mitigates the impacts of vehicular traffic and promotes pedestrian safety. In addition, the existing site has a one-story Publix that was built in 1962 and is outdated. The redevelopment of the site into a new Publix that contains a cafe, liquor store, and a plaza and public park, encourages waking, biking, and utilizing public transit systems like the bus, trolley, and Metrorail Station. Moreover, the Le Jeune Plaza to the west and Salzedo Park to the east, along with the walkways on the north and south of the site, provide architectural elements at the street level, seating, lighting, bicycle parking, street trees, small curb radii, on-street parking along sidewalks, pedestrian and bicycle paths to encourage walking and cycling with the intent of enhancing the feeling of safety.

The proposed project complies with the Future Land Use Element and Design goals, objectives and policies listed above. The proposed Publix will protect, strengthen, and enhance the City of Coral Gables and most evidently, the Central Business District, as a vibrant community. The surrounding businesses, employment centers, and neighborhoods will benefit from the construction of a new "state of the art" Publix that offers customers food products and services, retail, and open space at the plaza, public park, and walkways. The proposed project also complements and augments the area's retail, employment, transit centers, and residential uses in return. This Publix will make this area of Downtown, located directly south of Miracle Mile, a more attractive place for residents to walk and cycle through.

Therefore, Staff's determination is that this application is "consistent" with the CP Goals, Objectives and Policies that are identified above is based upon compliance with conditions of approval recommended by Staff and proffered by the Applicant.

4. REVIEW TIMELINE AND PUBLIC NOTIFICATION

City Review Timeline. The submitted applications have undergone the following City reviews:

REVIEW COMMITTEES AND BOARDS	DATE
Development Review Committee	11.18.22
Board of Architects	02.09.23
	03.16.23
	04.20.23
	04.27.23
Board of Adjustment	06.05.23
Planning and Zoning Board	11.08.23
City Commission	TBD

Department	DRC 11.18.23	Board of Architects	Comments Provided
Historical Resources and	Х		Y
Cultural Arts			
Art in Public Places	Х		Y
Parking	Х		Y
Police	Х		N
Fire	Х		Y
Public Works (Traffic)	Х		Y
Public Works (Engineering)	Х		Y
Public Works (Utilities)	Х		N
Zoning	Х		Y
Planning	Х		Y
City Architect	Х	Х	Y
Building	Х		N
Greenspace Management	Х		N

Public Notification and Comments

The Applicant held the mandatory neighborhood meeting on June 22nd, 2023 with notification to all property owners within 1,000 feet of the property. A copy of the meeting invitation and attendance list is on file with the Planning Division. A summary of the meeting is provided under Attachment A.

Article 15, "Notices," Section 15-100 of the Zoning Code requires notification be provided to all property owners within 1,000 feet of the property. The notification was sent on June 8th, 2023. The notice indicates the following: applications filed; public hearing dates/time/location; where the application files can be reviewed; and provides for an opportunity to submit comments. There were 719 notices, including 1 international, mailed. A copy of the legal advertisement and notice are provided as Attachment C. A map of the notice radius is provided below.

November 8, 2023



Notification Radius Map

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

PUBLIC NOTICE	DATE
Mailed notification for neighborhood meeting	06.08.23
Applicant neighborhood meeting	06.22.23
Mailed Notification for PZB meeting	10.24.23
Sign posting of property	10.24.23
Legal advertisement	10.27.23
Posted Staff report on City web page	11.03.23

5. STAFF RECOMMENDATION AND CONDITIONS OF APPROVAL

1. An Ordinance of the City Commission of Coral Gables, Florida approving a Planned Area Development (PAD) pursuant to Zoning Code Article 14, "Process," Section 14-206, "General Procedures for Planned Area Development" for a proposed Publix grocery store and liquor store on the property legally described as Lots 1 through 48, Block 8, Coral Gables Crafts Section (2551 Le Jeune Rd), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and an effective date.

Staff recommends Approval, with conditions.

2. A Resolution of the City Commission of Coral Gables, Florida approving Conditional Use Review of a Site Plan pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for a proposed Publix

grocery store and liquor store on the property legally described as Lots 1 through 48, Block 8, Coral Gables Crafts Section (2551 Le Jeune Rd), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and an effective date.

Staff recommends Approval, with conditions.

Conditions of Approval

In furtherance of the Comprehensive Plan's Goals, Objectives and Policies, and all other applicable Zoning Code and City Code provisions, the recommendation for approval of the proposed project is subject to all of the following conditions of approval. Additional conditions of approval may be added to this list prior to Commission review.

1. To be completed prior to City Commission **1**st Reading:

- a. The site plan shall be updated to include the following:
 - i. Revised ingress and egress driveways at the loading area on Andalucia and Valencia and any other potential changes to the building envelope as a result of the expansion for allowing proper maneuverability for loading and unloading of WB-67 delivery truck. The driveways shall be designed to ensure safe and efficient access and follow engineering standards. Coordinate with Public Works to be consistent with the findings of the Traffic Impact Study and include revised TIS acceptance memo in updated submittal.
 - ii. Increased proposed park on Salzedo to approximately 19,000 square feet.
 - iii. Reduction of proposed retail depth or another active use on Salzedo and relocation of building further west.
 - iv. Coordination with the Public Works Greenspace Management and revision of the Salzedo public park design.
- b. The public rights-of-way shall be updated to include the following:
 - i. Two-way cycle tracks on the south side of Andalusia and the west side of Salzedo, between Miracle Mile and Almeria.
 - ii. Use of Coral Gables Beige concrete on the public sidewalks on Andalusia and Valencia. Revised paver design may be required within the private property.
 - iii. Removal of sidewalk ramps and replacement of continuous and level sidewalk through all three proposed curbcuts/driveways to prioritize pedestrian movements.
 - iv. Pedestrian crossing on the south leg of the intersection of Le Jeune Road at Valencia. Final approval and installation will be subject to Miami-Dade County and Florida Department of Transportation (FDOT).
- 2. Application/Supporting Documentation. Construction of the proposed project shall be in substantial conformance with all of the following:
 - a. The Applicant's submittal package to PZB prepared by GRAEF to include:
 - i. Maximum building height shall not exceed 36 ft. to roof (3 stories)
 - ii. 3.0 FAR (total floor area: 56,140 sq. ft.)
 - iii. 44,377 sq. ft. (33.49%) of total open space
 - iv. 285 parking spaces at the second and third level
 - b. Traffic Impact Study, dated October 6, 2023, prepared by CHA.

- c. All representations preferred by the Applicant's representatives as a part of the review of the Application at public hearings.
- 3. **Restrictive covenant.** Within thirty (30) days of City Commission approval of the Application, the Applicant, property owner(s), its successors or assigns shall submit a restrictive covenant for City Attorney review and approval outlining all conditions of approval as approved 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. It is recognized that the requirements contained in the restrictive covenant constitute regulatory conditions of approval and shall survive as regulatory conditions of approval even if the restrictive covenant is later found to be void or unenforceable.

4. Prior to issuance of the first Building Permit:

- a. **Impact Fees.** The Applicant shall include the payment of all applicable City of Coral Gables impact fees, sewer capacity fees and service charges prior to the issuance of a building permit. No impact fee shall be waived.
- b. Art in Public Places. The Applicant shall provide a complete and notarized copy of the Project Value Application to the City. Prior to the issuance of the first Building Permit, applicant must make the required contribution to the appropriate Art in Public Places fund or receive approval for a waiver in accordance with the requirements of Article 9-103(B).
- c. **Ground Floor Design.** The ground floor of all sides of all buildings including the loading and service areas shall continue to be designed to optimize pedestrian activity and access. All arcades shall be flush with the sidewalk grade.
- d. Public Realm Improvements. Prior to issuance of the first City permit for vertical construction:
 - i. All proposed traffic flow modifications, including street design, crosswalk on south leg of Andalusia Avenue and Le Jeune Road, any required signal adjustment on Salzedo at Miracle Mile for southbound lane repurposing, landscaped bumpouts and shade trees on Salzedo Street, Andalusia Avenue, and Valencia Avenue shall require a "Dry-Run" approval of Miami-Dade County and the City. If any components of the proposed modifications are not approved, the traffic study shall be revised and additional community involvement may be required.
 - ii. The Applicant shall coordinate with Public Works on the final street design of Andalusia Avenue with current visioning project that implements a bike route on Andalusia Avenue between Biltmore Way and the future Mobility Hub, and Salzedo cycle track.
- e. **Encroachment Plan.** Obtain Commission approval by resolution of an Encroachment Plan addressing special treatment sidewalks, decorative pavers, landscaping, irrigation, street lighting, landscaping lighting and any other encroachments into, onto, under and over the right of way as shown in the site plan. The above encroachments must be approved by City resolution and a Hold Harmless agreement must be executed approving the encroachments.
- f. **Encroachment Agreement and Covenant.** Execute and record a restrictive covenant regarding encroachments and utilities in, below and above the public rights-of-way, in a form acceptable to the Public Works Director, the Risk Management Division, and the City Attorney, which shall include the precise locations and dimensions of the proposed areas of all encroachments. It is recognized that the requirements contained in the restrictive covenant constitute regulatory conditions of approval and shall survive as regulatory conditions of approval even if the restrictive covenant is later found to be void or unenforceable.

- g. **Bond to Restore Project Property**. Provide to the City a surety bond, or other form of security deemed acceptable by the City, covering the estimated maximum cost of the full restoration of the Property, including installation of sod and landscaping to City Code standards, and removal of all construction fencing.
- h. **Bond for Offsite Improvements.** Provide to the City a surety bond, or other form of security deemed acceptable by the City, in the amount of 100% of the estimated total hard and soft cost of all Offsite Improvements as determined by the Public Works Director.
- i. **Construction Notices.** Provide written notice to all properties within one thousand (1,000) feet of the project boundaries providing a specific liaison/contact person for the project including the contact name, contact telephone number and email, to allow communication between adjacent neighbors or interested parties of construction activities, project status, potential concerns, etc.
- j. **Construction staging.** Submit a construction staging plan to the Building Division. A checklist of requirements shall be provided upon request. Construction phasing/staging shall maintain pedestrian access and circulation along Le Jeune Rd, Valencia Avenue, Andalusia Avenue, and Salzedo Street. No equipment, outriggers, tracks, tires, RTU or vehicles permitted within the City's ROW/sidewalk area at any time.
- k. **Underground overhead utilities.** Applicant shall provide all necessary plans and documents to underground all utilities along Andalusia and on Salzedo between Miracle Mile and south side of Almeria, subject to review and approval by the Directors of Public Works, Landscape Services and Planning and Zoning.
- I. Loss of On-street parking. Payment shall be provided by Applicant, its successors or assigns according to established City requirements for the loss of on-street parking spaces on Valencia as a result of the project. Payment for loss of on-street parking as a result of the proposed cycle tracks on Andalusia and Salzedo will not be required.
- 5. Prior to issuance of the first Certificate of Occupancy or Temporary Certificate of Occupancy:
 - a. **Sustainability Certification.** The developer/owner/contractor shall provide the City with a performance bond, cash or irrevocable letter of credit payment (Green Building Bond) in the amount of three (3%) percent of the master building permit construction cost value.
 - b. **Underground utilities.** Complete the undergrounding of all new utilities along Salzedo Avenue between Miracle Mile and south side of Almeria, and Andalusia Avenue subject to review and approval by the Directors of Public Works, Landscape Services, and Planning and Zoning.
 - c. **Utility Upgrades.** Water and Sewer system upgrades, fees, and all associated right-of-way improvements may be required at the Applicant's expense.
 - d. Art in Public Places. The Applicant shall comply with all City requirements for Art in Public Places.
 - e. Public Realm improvements.
 - i. **Public Maintenance.** The Applicant or property owner and its successors shall submit a Public Maintenance Agreement for City Attorney review and approval, which provides for the Applicant's payment of the costs of maintaining all public realm improvements surrounding the building and within the City's right-of-way. The agreement shall also state that should the property owner, its successors or assigns fail to meet the terms of the agreement, the City shall complete necessary maintenance and/or access improvements, which costs shall be reimbursed to the City by the property owner. The agreement shall be recorded in the public records for Miami-Dade County, Florida, in the form of a restrictive covenant.
 - ii. **Streetscape Design.** Install all right-of-way improvements and all landscaping, public realm, and streetscape improvements identified on the Applicant's approved plans, including street design with cycle tracks, crosswalk on south leg of Andalusia Avenue and Le Jeune Road, any required signal adjustment at Miracle Mile for lane repurposing on Salzedo, and

landscaped bumpouts and shade trees. Address all issues highlighted in the Traffic Impact Study, including repair non-functioning pedestrian signal (WALK display) on the south-east corner of Miracle Mile and Salzedo; restripe existing crosswalks on Le Jeune Road and Valencia; and install missing piece of the existing portion of curb ramp on north-east corner. Any changes to and departures from the right-of-way and public realm improvements identified on the Applicant's approved plans and associated detail plans and specifications via the permitting process shall be subject to review and approval by Directors of Public Works, Landscape Services, and Planning and Zoning.

f. **Conveyance of Salzedo Park.** The Applicant proffers to convey completed park on Salzedo to the City of Coral Gables in fee simple, subject to a separate agreement.

6. Following issuance of the first Certificate of Occupancy:

- a. Sustainability Certification. Within two years of the issuance of a Final Certificate of Occupancy, the building must achieve LEED Silver, 3 Green Globes certification level, or equivalent certification. If the applicant chooses to pursue NGBS Silver Certification, an Energy Star Label will also be required within two years of the Final Certificate of Occupancy.
 - i. The City will hold the Green Building Bond for the time necessary for the green certification, or equivalent, to be issued for twenty-four (24) months after issuance of the Certificate of Occupancy or Completion; whichever occurs first. Upon receiving final documentation of certification from the developer/owner/contractor, the City shall release the full amount of the bond within thirty (30) days.
 - ii. If the developer/owner/contractor is unable to provide proof of green certification, or equivalent, within twenty-four (24) months after issuance of the Certificate of Occupancy or Completion, the full amount of the Green Building Bond shall be forfeited to the City. Any proceeds from the forfeiture of the bond under this section shall be allocated toward funding Sustainability Master Plan initiatives.

6. ATTACHMENTS

- A. Applicant's submittal package.
- B. Notice mailed to all property owners within 1,000 feet of the property and legal ad.
- C. PowerPoint Presentation.

Please visit the City's webpage at <u>www.coralgables.com</u> to view all Application materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134.

Respectfully submitted,

Jernifer Garcia, AICP, CNU-A City Planner City of Coral Gables, Florida

MIAMI-DADE

STATE OF FLORIDA COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF CORAL GABLES - PUBLIC HEARING - LOCAL PLANNING AGENCY / PLANNING AND ZONING BOARD - NOV . 8, 2023

in the XXXX Court,

was published in a newspaper by print in the issues of Miami Daily Business Review f/k/a Miami Review on

10/27/2023

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Sworn to and subscribed before me this 27 day of OCTOBER, A.D. 2023

(SEAL) GUILLERMO GARCIA personally known to me





City of coral Gabes.

5. An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code pursuant to Zoning Code Article 14, "Process," Section 14-212, "Zoning Code Text and Map Amendments," to create an open space incentive program within the Central Business District (CBD) to incentivize additional landscaped open space by allowing a maximum building height of one hundred and twenty-four feet, providing for repealer provision, severability clause, codification, and providing for an effective date.

Presentation by Staff of Live Local Act.

6. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code (Zoning Code), amending Article 10, "Parking and Access," Section 10-112 "Miscellaneous Parking Standards," creating provisions for considering reduction of parking requirements for affordable housing located near a major transit stop as required by the Live Local Act, Ch. 2023-17, Laws of Florida; providing for repealer provision, severability clause, codification, and providing for an effective date.

The Planning and Zoning Board will be holding its board meeting on Wednesday, November 8, 2023, commencing at 6:00 p.m. Pursuant to Resolution No. 2021-118, the City of Coral Gables has returned to traditional in-person meetings. However, the City Commission has established the ability for the public to virtually provide sworn testimony or public comments (non-sworn and without evidentiary value). Any individual who wishes to provide sworn testimony virtually must have their video on and must be sworn in.

Members of the public may join the meeting via Zoom at (https://zoom.us/i/83788709513). In addition, a dedicated phone line will be available so that any individual who does not wish (or is unable) to use Zoom may listen to and participate in the meeting by dialing: (305) 461-6769 Meeting ID: 837 8870 9513. The public may comment on an item using the City's E-Comment function which may be found on the City's website at: (https://coralgables.granicusideas.com/meetings) once the meeting's agenda is published, or by sending an email to planning@coralgables.com orior to the meeting.

The meeting will also be broadcasted live for members of the public to view on the City's website (www.coralgables.com/cotv) as well as Channel 77 on Comcast.

Sincerely, City of Coral Gables, Florida 10/27

23-65/0000691280M

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AT AT A	of Coral Gables c Hearing Notice		
Applicant:	Publix Super Markets, Inc.		
Application:	 Conditional Use with Site Plan Planned Area Development Designation 		
Property:	2551 Le Jeune Road		
Public Hearing - Date/Time/ Location:	PLANNING & ZONING BOARD Wednesday, November 8, 2023, 6:00 p.m. City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134 e-comments: www.CoralGables.GranicusIdeas.com/meetings		

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, the Planning and Zoning Board will conduct a Public Hearing on **Wednesday, November 8, 2023** on the following applications at the Coral Gables City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida:

- 1. A Resolution of the City Commission of Coral Gables, Florida approving Conditional Use Review of a Site Plan pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for a proposed Publix grocery store and liquor store on the property legally described as Lots 1 through 48, Block 8, Coral Gables Crafts Section (2551 Le Jeune Rd), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and an effective date.
- 2. An Ordinance of the City Commission of Coral Gables, Florida approving a Planned Area Development (PAD) pursuant to Zoning Code Article 14, "Process," Section 14-206, "General Procedures for Planned Area Development" for a proposed Publix grocery store and liquor store on the property legally described as Lots 1 through 48, Block 8, Coral Gables Crafts Section (2551 Le Jeune Rd), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and an effective date.

Applications have been submitted by Mr. Mario Garcia-Serra, Esq. on behalf of Publix Super Markets, Inc. (the "Applicant") to the City of Coral Gables for conditional use approval of a site plan and approval for a Planned Area Development (PAD) designation. The Applicant seeks to demolish the existing one-story Publix grocery store and construct a new 3-story Publix grocery store at 2551 Le Jeune Road within the Central Business District (CBD). The project is 36 feet high and includes a café, liquor store, retail spaces, a plaza and public park on the ground floor, and 285 parking spaces on the second and third floor. The application requests require review and recommendation by the Planning and Zoning Board at one (1) public hearing, and consideration by the City Commission at two (2) public hearings (Ordinance format).

Additional information may be found at <u>www.coralgables.com</u>. Please forward to other interested parties.

The meeting will also be via Zoom at <u>www.zoom.us/j/83788709513</u>. A dedicated phone line will also be available by dialing: (305) 461-6769, Meeting ID: 837 8870 9513.

The public may also provide any comments by sending an email to <u>planning@coralgables.com</u> prior to the meeting.

Sincerely,

City of Coral Gables, Florida

Attachment C











REQUESTS:

- 1. PLANNED AREA DEVELOPMENT (PAD)
- 2. CONDITIONAL USE SITE PLAN REVIEW





"PU	BLIX SUPER MA	RKET"
Standard	Project Da	ata
Zoning	Mixed-Use 3	(MX3)
Land Use	Commercial High-R	ise Intensity
Land Area	132,509 sq. ft. (3	.04 acres)
	Required/Permitted	Proposed
Open Space (ground-level outdoor area, open to the sky)	MX3 (10% of land area): 13,251 sq. ft. PAD (20% of land area): 26,502 sq. ft.	44,377 sq. ft. (33.49%) total open space
FAR (land area x 3.0)	132,509 sq. ft. x 3.0 = 397,527 sq. ft. (maximum allowed)	65,894 sq. ft.
Setback up to 45 feet		
Principal front (Le Jeune Rd)	10 ft.	45.3 ft.
Side (Salzedo St)	0 ft.	64.3 ft.
Side (Valencia Ave)	0 ft.	6.3 ft.
Side (Andalusia Ave)	0 ft.	8.7 ft.
Building Height	Up to 150 ft. except for Lots 45-48 limited to 45 ft.	36 ft. to roof/parking level 52 ft. to top of elevator overrur
Parking		
Second Level		134 spaces
Roof Level		151 spaces
Total	180 spaces	285 spaces
Accessible Parking		14 spaces
EV Ready Spaces	44 spaces	44 spaces
Loading Spaces		2 spaces













PUBLIC NOTIFICATION		
2 TIMES	LETTERS TO PROPERTY OWNERS Neighborhood Meeting, PZB	
2 TIMES	PROPERTY POSTING drc, pzb	
2 TIMES	WEBSITE POSTING drc, pzb	
1 TIME	NEWSPAPER ADVERTISEMENT PZB 16	



STAFF RECOMMENDATIONS STAFF RECOMMENDATION: STAFF RECOMMENDS **APPROVAL WITH CONDITIONS**. THE APPLICATION **COMPLIES** WITH THE FINDINGS OF FACT. THE STANDARDS FOR APPROVAL ARE **SATISFIED**, SUBJECT TO CONDITIONS OF APPROVAL.







