



**City of Coral Gables  
CITY COMMISSION MEETING  
May 21, 2024**

**ITEM TITLE:**

**Ordinances on Second Reading. Comprehensive Plan Map Amendment, Zoning Map Amendment, and Alley Vacation.**

1. An Ordinance of the City Commission of Coral Gables, Florida amending the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 14, "Process," Section 14-213, "Comprehensive Plan Text and Map Amendments," and Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "Commercial Low-Rise Intensity" to "Commercial High-Rise Intensity" for Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)
2. An Ordinance of the City Commission of Coral Gables, Florida making zoning district boundary changes pursuant to Zoning Code Article 14, "Process," Section 14-212, "Zoning Code Text and Map Amendments," for Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section from Mixed-Use 1 (MX1) District to Mixed-Use 3 (MX3) District (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga); providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)
3. An Ordinance of the City Commission of Coral Gables, Florida, approving the vacation of a public alleyway pursuant to Zoning Code Article 14, "Process," Section 14-211, "Abandonment and Vacations" and City Code Chapter 62, Article 8, "Vacation, Abandonment and Closure of Streets, Easements and Alleys by Private Owners and the City; Application Process," providing for the vacation of the twenty (20) foot wide alley which is approximately one hundred and fifty-five (155) feet in length lying between Lots 12 thru 18 and Lots 11 and 19 in Block 29, Crafts Section (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date.

**Resolutions. Receipt of Transfer of Development Rights (TDRs), Conditional Use Review for Mixed-Use and Encroachment, and Tentative Plat.**

4. A Resolution of the City Commission of Coral Gables, Florida approving receipt of Transfer of Development Rights (TDRs) pursuant to Zoning Code Article 14, "Process," Section 14-204.6, "Review and approval of use of TDRs on receiver sites," for the receipt and use of TDRs for a Mixed-Use project referred to as "Ponce Park Residences" on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion

of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29; (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)

5. A Resolution of the City Commission of Coral Gables, Florida approving Mixed-Use Site Plan and Encroachment review pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for a proposed Mixed-Use project referred to as "Ponce Park Residences" on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29; (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)
6. A Resolution of the City Commission of Coral Gables, Florida approving the Tentative Plat entitled "Ponce Park Residences" pursuant to Zoning Code Article 14, "Process," Section 14-210, "Platting/Subdivision," being a re-plat of 42,543 square feet (0.977 acres) into a single tract of land on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, together with a 1,318 square feet portion of University Drive that runs north of the Malaga Avenue right-of-way and west of the Ponce de Leon Boulevard right-of-way and dedication of 1,725 square feet; (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE)

**DEPARTMENT HEAD RECOMMENDATION:**

Approval with conditions.

**HISTORIC PRESERVATION BOARD RECOMMENDATION:**

At the January 24, 2024 meeting, the Historic Preservation Board recommended: 1) approval of the Historic City Plan amendment to revise the University Drive curve (vote: 5 - 0) and 2) denial of the Historic City Plan amendment to remove the alley (vote: 5 - 0).

At the February 21, 2024 meeting, the Board approved the receipt of TDRs and determined that the proposal does not adversely affect the historic, architectural, or aesthetic character of the historic property (vote: 8 - 0).

**PLANNING AND ZONING BOARD RECOMMENDATION:**

At the December 13, 2023 meeting, the Planning and Zoning Board recommended: 1) denial of the Comprehensive Plan Map Amendment (vote: 3-3); 2) no recommendation of the Zoning Map amendment (vote: 3-3); 3) approval of the alley vacation (vote: 4-2); 4) approval of the TDRs (vote: 4-2); 5) approval with conditions of the Mixed-Use Site Plan and Encroachment (vote: 4-2); and 6) approval of the tentative plat (vote: 4-2).

**BRIEF HISTORY:**

At First Reading on April 16, 2024, the City Commission discussed the recent proffer by the Applicant to construct Ponce Circle Park with their \$2 million contribution and the City’s budgeted funds, as well as fund any costs beyond the City’s available \$5.3 million.

Since First Reading, the specifics of constructing and contribution of Ponce Circle Park were incorporated into the draft Site Plan Resolution. As summarized below, the Applicant will:

- Develop the plans with coordination with the City for the park design
- Provide a cash bond of \$2 million to construct both the Ponce Circle Park and the immediate roadway
- Provide a Project Progress Schedule to be reviewed/approved by the City Manager
- Provide a Construction & Reimbursement Agreement that outlines the City reimbursement payments from the budget of \$5.3 million to be reviewed/approved by the City Attorney and City Commission
- Construct both the Ponce Circle Park and the immediate roadway (75% prior to issuance of Temporary Certificate of Occupancy (TCO) with a cash bond for the remaining and ability for the City to complete construction if not completed)

The draft Resolution was also revised to incorporate a publicly accessible easement for the proposed paseo and a requirement to obtain Miami-Dade County approval of the proposed tentative plat within 6 months.

The subject property is on the corner of University Drive and Ponce de Leon Boulevard, within walking distance of Ponce Circle Park. Javier E. Fernandez, Esq. submitted an Application on behalf of RC Acquisitions, LLC and P&J Enterprise Holdings, Inc. for the review of a proposed redevelopment with a mixed-use building to be located fronting Ponce de Leon Boulevard, Catalonia Avenue, University Drive, and Malaga Avenue.

The mixed-use project referred to as Ponce Park Residences is approximately 42,542 square feet (0.99 acres) in size, including the public alley that the Applicant is proposing to vacate. The project proposes 57 residential units, 20,142 square feet of ground floor and mezzanine level commercial uses, and 204 parking spaces below-grade.

The Applicant is proposing a Comprehensive Plan Map amendment, a Zoning Map amendment, alley vacation, Receipt of Transfer of Development Rights (TDRs), Conditional Use Site Plan and encroachment review, and Tentative Plat.

**Project Data:**

Standard	Current/Allowed/Required	Proposed
Existing Lot Area	39,948 sf	
Zoning	Mixed-Use 1	Mixed-Use 3
Land Use	Commercial Low-Rise Intensity	Commercial High-Rise Intensity
Alley Vacation		3,002 sf
ROW Vacation		1,318 sf
ROW Dedication		1,725 sf
Building Site Area	20,000 sf	42,542 sf (east and west parcels and alley)
TDRs	25% maximum increase	23,455 sf of TDRs
Total FAR	4.375 (3.5 + TDRs)	4.05 FAR (172,352 sq. ft.)

<b>Building height</b>	Existing land use: Commercial Low-Rise Intensity 50 ft / 77 ft (Med Bonus Level 2)  After change of Land Use to Commercial High-Rise Intensity: 16 floors/190.5 feet	Proposed land use: Commercial High-Rise Intensity 150 ft / 190.5 feet (Med Bonus Level 2)  Proposed height: 115'-8" to roof deck with 20' high pool cabana
<b>Proposed Uses:</b>		
<i>Residential</i>	Density: 125 units/acre 126 units (incl. alley vacation)	57 residential units
<i>Ground and Mezzanine Floor Commercial</i>	8%	20,142 sf
<b>Parking</b>		
<i>Residential Units (57 units)</i>		
<i>1BR, 4 units @ 1/units</i>	4 spaces	
<i>2BR, 24 units @ 1.75/units</i>	42 spaces	
<i>3BR, 21 units @ 2.25/units</i>	47.25 spaces	
<i>2-story MF, 8 units @ 0</i>	18 spaces	
<i>Total Residential</i>	111.3 spaces	
<i>Retail @ 1 space / 300 sf</i>	67.2 spaces	
<b>Total Parking</b>	<b>178.5</b>	<b>204</b>
<b>Open Space at ground level</b>	4,254 sf (10%) (including alley vacation)	On-site: 5,510 sf (14%) Park and right-of-way improvements: 7,644 sf

### **Historic Preservation Board**

At the January 24, 2024 meeting, the Historic Preservation Board discussed the two amendments to the City Plan and the receipt of Transfer of Development Rights (TDRs). The Board recommended approval of the proposed modification of the University Drive curve, but was not in favor of vacating the alley.

The request for the receipt of Transfer of Development Rights and determination of whether the proposal adversely affects historic properties - the “white way” street light - was a central topic of discussion. The Applicant explained to the Board that the existing location of the “white way” street light would be up against the building and near a service provider. A motion was made to deny the request as several Board members believed that the proposal does adversely affect the historic property. The motion failed to achieve majority vote (3 – 2), carrying the request over to the February 21<sup>st</sup> meeting.

Prior to the February 21, 2024, HPB meeting, the Applicant studied their proposal and found that the current location of the “white way” street light does not conflict with the design of their building. Therefore, the proposed design maintains the location of the light. At the HPB meeting, Board members were content with the updated submittal and agreed that the distance between the building and “white way” street light showcases the historic structure. The item received unanimous approval (vote: 8-0).

### **Planning & Zoning Board**

At the December 13, 2023 meeting, the Planning and Zoning Board discussed several aspects of the proposed project, such as the scale, traffic, and public realm improvements. The height of the building and traffic were predominant topics of discussion, as the alley vacation, receipt of TDRs, and plat requests were generally well received. Some Board members raised the concern that the requested high-rise designation would set the precedent for taller buildings in the south portion of downtown and

discussed the building height gap between mid-rise and high-rise designations. Several Board members were concerned about the removal of the slip lane.

The Applicant voluntarily proffered a covenant to restrict the height of the building and any future development to be part of the Comprehensive Plan. After a lengthy discussion, a motion was made to approve the requests for the Comprehensive Plan map and Zoning Code map amendments. The 3-3 vote was deemed a denial for the Comprehensive Plan map amendment as 4 votes are required, and no recommendation for the Zoning Code map amendment as 4 affirmative votes are required for a recommendation. The Board recommended approval of the mixed-use site plan and encroachment request, receipt of TDRs, and the tentative plat with the condition to retain the slip lane as is (vote: 4-2).

**PUBLIC NOTIFICATION(S):**

<b>Date</b>	<b>Form of Notification</b>
06.20.23	Sign posting for Development Review Committee (DRC) meeting.
08.07.23	Board of Architects
12.01.23	Legal advertisement for Planning & Zoning Board.
12.01.23	Mailed notice for PZB meeting.
12.01.23	Sign posting of property for PZB meeting.
12.08.23	Planning and Zoning Board meeting agenda and staff report on City web page/City Hall.
01.19.24	Historic Preservation Board meeting agenda and staff report on City web page/City Hall.
02.16.24	Historic Preservation Board meeting agenda and staff report on City web page/City Hall.
02.27.24	Mailed notice for City Commission First Reading.
03.05.24	City Commission meeting agenda posted on City webpage.
04.02.24	Mailed notice for City Commission First Reading.
04.09.24	City Commission meeting agenda posted on City webpage.
05.06.24	Legal advertisement for Second Reading.
05.08.24	Mailed notice for City Commission Second Reading.
05.14.24	City Commission meeting agenda posted on City webpage.

**EXHIBIT(S):**

- A. Draft Ordinance - Comprehensive Plan Map Amendment.
- B. Draft Ordinance – Zoning Map Amendment.
- C. Draft Ordinance - Alley Vacation.
- D. Draft Resolution – Receipt of Transfer of Development Rights (TDRs).
- E. Draft Resolution – Mixed-Use Site Plan (Conditional Use).
- F. Draft Resolution – Tentative Plat.

**FINANCIAL INFORMATION:**

<b>No.</b>	<b>Amount</b>	<b>Account No.</b>	<b>Source of Funds</b>
1.	\$0		
2.	\$0		
Total:	\$0		

**Fiscal Impact:** The approval of the TDRs and Site Plan would not result in any fiscal impact to the City, as the property owner purchased the TDRs privately. However, the proposed mixed-use building with

commercial may result in additional tax revenue generated from the additional commercial square footage in the downtown area.