

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA REQUESTING MIXED USE SITE PLAN REVIEW PURSUANT TO ZONING CODE ARTICLE 4, "ZONING DISTRICTS", DIVISION 2, "OVERLAY AND SPECIAL PURPOSE DISTRICTS", SECTION 4-201, "MIXED USE DISTRICT (MXD)," FOR THE MIXED USE PROJECT REFERRED TO AS "ONE MERRICK PARK" ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 8-11, BLOCK 9, INDUSTRIAL SECTION (351 SAN LORENZO AVENUE), CORAL GABLES, FLORIDA; INCLUDING REQUIRED CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, an Application was submitted requesting mixed use site plan review pursuant to Zoning Code Section 4-201 for the mixed-use project referred to as "One Merrick Park" on the property legally described as Lots 8-11, Block 9, Industrial Section (351 San Lorenzo Avenue), Coral Gables, Florida;

**WHEREAS**, the Application requires City of Coral Gables mixed use site plan review and public hearing consideration pursuant to the Zoning Code Mixed Use District (MXD) provisions and Comprehensive Plan Mixed Use Overlay District (MXOD) provisions;

**WHEREAS**, after notice of public hearing duly published and courtesy notifications of all property owners of record within one-thousand-five-hundred (1500) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on September 9, 2015, at which hearing all interested persons were afforded the opportunity to be heard;

**WHEREAS**, at the Planning and Zoning Board's September 9, 2015 meeting, the Board recommended approval of the proposed mixed use site plan (vote: 5-0) subject to conditions of approval;

**WHEREAS**, a public hearing was held before the City Commission on October 13, 2015, at which hearing this item was presented and all interested persons were afforded the opportunity to be heard;

**WHEREAS**, the City Commission on October 13, 2015, approved the requested mixed use project (vote: \_\_-\_\_); and,

**WHEREAS**, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request for mixed use site plan review as required by the Zoning Code, and including careful consideration of written and oral comments by members of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES THAT:

**SECTION 1.** The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of the Resolution upon adoption hereof.

**SECTION 2.** The proposed mixed use site plan review for the mixed-use project referred to as “One Merrick Park” on Lots 8-11, Block 9, Industrial Section (351 San Lorenzo Avenue), Coral Gables, Florida shall be and is hereby approved subject to all of the following conditions:

1. Application/supporting documentation. Construction of the proposed project shall be in substantial conformance with the following:
  - a. Applicant’s Planning and Zoning Board submittal package plans dated 08.04.15, prepared by architecture firm PGAL.
  - b. Traffic Impact Study, dated April 2015, prepared by David Plummer & Associates.
  - c. All representations proffered by the Applicant’s representatives as a part of the review of the Application at public hearings.
2. 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. 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. 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 City Building Permit for the project, the Applicant, property owner(s), its successors or assigns, shall satisfy the following conditions:
  - a. Remove the two (2) curb cuts along the sidewalk on San Lorenzo Avenue from Laguna Street to the alley.
  - b. On-street parking. Payment shall be provided by Applicant, its successors or assigns according to established City requirements for the loss of two (2) on-street parking spaces as a result of the project.
  - c. All outstanding landscaping issues as identified by the Public Service Department shall be satisfactorily resolved, subject to review and approval by the Director of Public Service.
  - d. Construction information/contact. Provide written notice to all properties within five-hundred (500) feet of the “One Merrick Park” project (351 San Lorenzo Ave), 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.
  - e. Comply with all City requirements for Art in Public Places, public art must be reviewed by the Arts Advisory Panel and Cultural Development Board, and receive Board of Architects approval before being submitted to the City Commission. The Applicant’s compliance with all requirements of the Art in Public Places program shall be coordinated by the Director of Historical Resources and Cultural Arts.
4. Written notice. Provide a minimum of seventy-two (72) hour written notice to all properties within five-hundred (500) feet of the “One Merrick Park” (351 San Lorenzo Ave) project boundaries of any proposed partial street closures as a result of the project’s construction activity. Complete street closure shall be prohibited.

5. Prior to the issuance of a Temporary Certificate of Occupancy (CO) for the project, the Applicant, property owner, its successors or assigns shall complete the following:
- a. Right-of-way and public realm improvements. Installation of all right-of-way improvements and all landscaping, public realm and streetscape improvements identified on the Applicant's approved plans, subject to review and approval by the Directors of Public Works, Public Service and Planning and Zoning. 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, Public Service, Planning and Parking.
  - b. Undergrounding of overhead utilities. In accordance with Zoning Code Article 4 "Zoning Districts", more specifically, Section 4-201, "Mixed use District (MXD)," and Article 4, "Zoning Districts," Table 1, sub-section L, "Utilities", the Applicant shall submit all necessary plans and documents, and shall complete the undergrounding of all overhead utilities along all public rights-of-way surrounding and abutting the project boundary, including the alley, subject to review and approval by the Directors of Public Works, Public Service and Planning and Zoning.

**SECTION 3.** That the applicant shall further be required to comply with all applicable zoning regulations and any changes to the application herein granted shall be in conformance with the requirements of Zoning Code Section 3-410, "Changes to conditional use approvals."

**SECTION 4.** That this Resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2015.

APPROVED:

JIM CASON  
MAYOR

ATTEST:

WALTER FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN  
CITY ATTORNEY