



**City of Coral Gables
CITY COMMISSION MEETING
JULY 7, 2009**

ITEM TITLE:

Appearance of W. Tucker Gibbs, Attorney, on behalf of 396 Alhambra Plaza, LLC, requesting encroachments consisting of precast decorative cornices and moldings, balconies and decorative lighting fixtures adjacent to 396 Alhambra Plaza, Coral Gables.

CITY MANAGER'S RECOMMENDATION:

Approval.

BRIEF HISTORY:

The request for encroachments consisting of precast decorative cornices and moldings, balconies and decorative lighting fixtures adjacent to 396 Alhambra Circle, legally described as in the attached EXHIBIT "B", Block 27 of Coral Gables Section "K", according to the plat thereof as recorded in Plat Book 8, Page 33, of the Public Records of Miami-Dade County, was made by W. Tucker Gibbs; Attorney, on behalf of 396 Alhambra Plaza, LLC., Owner

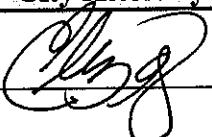
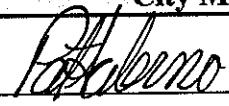
The approval is subject to the following requirements of the Public Works Department.

- a. That the proposed encroachments shall conform to the Florida Building Code and all pertinent Codes.
- b. That 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 and at Applicant's expense.
- c. That the Applicant maintain the existing encroachments in good condition at all times and at Applicant's expense.
- d. That the Applicant meet with the City Attorney's Office for the purpose of providing all the information necessary for the 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, 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.
- e. That 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 Departments.
- f. That 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, the Applicant shall replace the proposed encroachments so cut by the utility at Applicant's expense.

ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
November 20,2008	Board of Architects	Approved

APPROVED BY:

Department Director	City Attorney (If Applicable)	City Manager
		 DS

ATTACHMENT(S):

1. Draft Resolution
2. Letter of Request from W. Tucker Gibbs, Esq., for 396 Alhambra Plaza, LLC, with
Exhibit "A" – describes the proposed encroachment
Exhibit "B" - legal description of the property
Exhibit "C" - plans
Exhibit "D" - Declaration of Restrictive Covenant