

**THE CITY OF CORAL GABLES**

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

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 "1505 PONCE" ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 1 THROUGH 6 AND LOTS 17 THROUGH 22, BLOCK 36, "DOUGLAS SECTION" (1505 PONCE DE LEON BOULEVARD, 126 AND 122 MENORES AVENUE), CORAL GABLES, FLORIDA; INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE. (LEGAL DESCRIPTION ON FILE)

**WHEREAS**, an Application was submitted requesting receipt of Transfer of Development Rights (TDRs), for receipt and use for the mixed use project referred to as "1505 Ponce" on property legally described lots 1-6 and lots 17-22, Block 36, Coral Gables Douglas Section (1505 Ponce de Leon Boulevard, 126 and 122 Menores Avenue) Coral Gables, Florida; and

**WHEREAS**, the Application has been submitted as a result of the approval of the Planned Area Development (PAD) and mixed use site plan as adopted under Ordinance No. 2022-38 and Resolution No. 2022-185 for the proposed "1505 Ponce" mixed use project; and,

**WHEREAS**, pursuant to Zoning Code Article 14, "Process", Section 14-204.6, "Review and approval of use of TDRs on receiver sites" the receipt and use of TDRs shall comply with the public hearing review requirements established in Zoning Code Section 14-203 "Conditional Uses"; and

**WHEREAS**, the Applicant is utilizing unused development rights from three (3) historically designated properties located within the North Ponce Conservation District including 24,089 square feet from 235 Majorca; 3,227 square feet from 118 Menores; and 1,497 square feet from 36 Phoenetia; and

**WHEREAS**, the Applicant is also utilizing the unused development rights from a future city park to include 30,592 square feet, as approved by the City Commission via Resolution No. 2022-167; and

**WHEREAS**, the Receiving Site is proposed to be developed as a Mixed-Use project referred to as "1505 Ponce" which consists of 80 residential units on the upper levels, 7 live/work units, 10,500 square feet of ground floor commercial, and a parking structure with 318 parking spaces; and

**WHEREAS**, the utilization of 59,405 square feet of TDRs in this project will permit an increase in Floor Area Ratio (FAR) from 3.5, as permitted in the underlying zoning district, to 4.375 an increase of 25% in FAR, which is within the 25% increase in FAR permitted when TDRs are utilized; and

**WHEREAS**, the Receiving Site is within five hundred (500) feet of local historic landmarks and Historic Preservation Board review and approval is required to determine if the proposal shall not adversely affect the historic, architectural, or aesthetic character of the property, and on October 19, 2022 the Historic Preservation Board reviewed and approved the proposed receiving site plan; and

**WHEREAS**, after notice of public hearing duly published and notifications of all property owners of record within one thousand and five hundred (1,500) feet, a public hearing was held before the Planning and Zoning Board/Local Planning Agency of the City of Coral Gables on October 12, 2022, at which hearing all interested persons were afforded the opportunity to be heard;

**WHEREAS**, at the October 12, 2022, Planning and Zoning Board meeting, the Board recommended approval (vote: 5-0) of the receipt of Transfer of Development Rights (TDRs) for the mixed use project referred to as “1505 Ponce” on property legally described lots 1-6 and lots 17-22, Block 36, Coral Gables Douglas Section (1505 Ponce de Leon Boulevard, 126 and 122 Menores Avenue), Coral Gables, Florida; and

**WHEREAS**, after notice of public hearing duly published and notifications of all property owners of record within one-thousand and five hundred (1,500) feet, the City Commission held a public hearing on October 25, 2022, at which hearing all interested persons were afforded an opportunity to be heard;

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, 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 this Resolution upon adoption hereof.

**SECTION 2.** The Applicant’s request for requesting receipt of Transfer of Development Rights (TDRs) pursuant to Zoning Code Article 14, “Process”, Section 14-204, “Transfer of Development Rights”, Section 14-205.6, “Review and approval of use of TDRs on receiver sites”, for the receipt and use of TDRs for the mixed use project referred to as “1505 Ponce” on property legally described lots 1-6 and lots 17-22, Block 36, Coral Gables Douglas Section (1505 Ponce de Leon Boulevard, 126 and 122 Menores Avenue), Coral Gables, Florida; and

**SECTION 3.** This development permit by the City of Coral Gables does not in any way create any right on the part of an applicant to obtain a permit from a county, state or federal agency. Likewise, this development permit does not create any liability on the part of the City of Coral Gables for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill

the obligations imposed by a county, state or federal agency, or if the applicant undertakes actions that result in a violation of county, state or federal law. In addition, as a condition of this approval, all county, state and federal permits must be obtained before commencement of the development.

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

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022.

APPROVED:

VINCE LAGO  
MAYOR

ATTEST:

BILLY URQUIA  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS  
CITY ATTORNEY