

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2019-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA APPROVING THE FILING OF AN APPLICATION BY ALTA DEVELOPERS, LLC, PURSUANT TO THE DISPUTE RESOLUTION AGREEMENT BETWEEN THE CITY AND MUNDOMED S.A. AND SOUTH HIGH CLIFF CORP., TO RECEIVE TRANSFER OF DEVELOPMENT RIGHTS FOR THE PROPOSED MIXED USE PROJECT TO BE LOCATED AT 250 BIRD ROAD.

WHEREAS, Alta Developers, LLC (the “Applicant”) has submitted a request (the “Application Request”), attached as **Exhibit A**, for City Commission approval to file an application for receipt/use of transfer of development rights (“TDRs”) for a proposed mixed-use project to be located at 250 Bird Road and legally described as follows:

Lots 1 through 10, inclusive, the north 17.5 feet of Lot 11, Lots 33 through 42, inclusive, and north 17.5 feet of Lot 32, Block 3, Revised Plat of Coral Gables Industrial Section, according to the Plat thereof as recorded in Plat Book 28 at Page 22, of the Public Records of Miami-Dade County, Florida

(the “Receiving Site”); and

WHEREAS, the Applicant seeks to utilize TDRs made available pursuant to a Dispute Resolution Agreement (the “Agreement”), attached as **Exhibit B**, whereby the City agreed that owners of a property to be rezoned to a less intensive use and conveyed to the City were entitled to 50,000 square feet of TDRs which may be transferred to and utilized in either the Central Business District (“CBD”) or the North Ponce Mixed Use Corridor, but also in other Commercial and Industrial Zoned areas of the City, which do not abut and are not adjacent to either (i) South Dixie Highway or (ii) properties zoned Single Family Residential, with the filing of the TDR application being subject to the absolute discretion of the City Commission; and

WHEREAS, according to the Application Request, the Applicant intends to apply to receive 7,000 square feet of TDRs available pursuant to the Agreement; and

WHEREAS, according to the Application Request, the Receiving Site is within the City’s Mixed-Use Overlay District and is zoned Industrial in part and Commercial in part. However, because the Receiving Site is not located in the CBD or North Ponce Mixed Use Corridor, the filing of the TDR application requires Commission approval; and

WHEREAS, according to the Application Request, the Receiving Site will be developed with residential, office, and retail uses; and

WHEREAS, according to the Application Request, utilization of the TDRs will permit an increase in the F.A.R. from 3.5, as permitted in the underlying zoning district, to 3.58—a 2.3% increase in F.A.R., which is within the 25% increase in F.A.R. permitted when TDRs are utilized; and

WHEREAS, according to the Application Request, the project will incorporate Mediterranean design elements and provide landscaped and public open space in excess of the standard Code requirements; and

WHEREAS, the City Commission has reviewed and considered the Applicant’s request and finds, without making any determination as to whether the TDR application will be ultimately approved, that it is appropriate for the Applicant to proceed with the TDR process set forth in Article 3, Division 10 of the Zoning Code by filing the TDR application.

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

SECTION 1. That 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 that adoption hereof.

SECTION 2. That the City Commission does hereby approve the filing of the TDR application by the Applicant, to proceed with the process set forth Article 3, Division 10 of the Zoning Code, for the receipt of TDRs at the Receiving Site, but reserves its full authority and discretion with respect to its review and consideration of the TDR application and makes no representation as to whether the TDR application will be ultimately approved. If TDRs are approved at the Receiving Site, the resulting square feet of TDRs will be determined pursuant to the application process in accordance with Article 3, Division 10 of the Zoning Code.

SECTION 3. That the provisions in the Zoning Code, the Comprehensive Plan, and any other applicable regulations must be considered in the City’s review of the TDR application and that this Resolution does not constitute a development order or permit, does not convey any development rights or describe the specific type, intensity or for of development that may be approved for the Receiving Site.

SECTION 5. That this Resolution shall become effective immediately upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS ____ DAY OF OCTOBER, 2019

APPROVED:

RAÚL VALDÉS-FAULI
MAYOR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

BILLY Y. URQUIA
CITY CLERK

MIRIAM SOLER RAMOS
CITY ATTORNEY