



City of Coral Gables Planning and Zoning Staff Report

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| Applicant: | City of Coral Gables |
| Application: | <u>Zoning Code Text Amendment: Miracle Mile Minimum Lot Size</u> |
| Public Hearing: | Planning and Zoning Board |
| Date & Time: | November 1, 2022; 6:00 – 9:00 p.m. |
| Location: | City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida 33134 |

1. APPLICATION REQUEST

The City of Coral Gables has initiated a request for a Zoning Code Text Amendment as follows:

An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 2, "Zoning Districts," Section 2-402, "Zain/Friedman Miracle Mile Downtown District Overlay" to promote quality design and to reduce the size of property required for Conditional Use review for parcels facing Miracle Mile; providing for severability, repealer, codification, and an effective date.

The request requires three public hearings, including review and recommendation by the Planning and Zoning Board, and 1st and 2nd Reading before the City Commission.

2. APPLICATION SUMMARY

As requested by the City Commission, Zoning Code text amendments are proposed to require Conditional Use review and approval for any future proposed development on Miracle Mile with parcels of land ten thousand (10,000) square feet or greater. Conditional Use review requires a recommendation from the Planning & Zoning Board and approval from the City Commission, in addition to the Development Review Committee review and Board of Architects approval. The Commission also desires to reemphasize that new construction on the Mile should be compatible with the current massing and scale.

The Downtown Overlay District was adopted in 2001, and later renamed as the "Zain/Friedman Miracle Mile Overlay District" in 2005. The District provided standards for continue and enhance the historic Downtown area. Specifically, an objective within the District is "to maintain the aesthetic, physical, historic and environmental character of Downtown Coral Gables;" as well as limit building bulk, mass, and intensity on Miracle Mile of large-scale developments to promote compatibility with the existing low-rise scale of development in Downtown Coral Gables as it presently exists. Almost 20 years later, the Commission and community still regard Miracle Mile as a unique and special thoroughfare in Coral Gables. Therefore, the Commission wishes to require the additional consideration regarding traditional massing, design, architecture, and site planning by requiring Commission approval for properties 10,000 square feet or more via the Conditional Use process.

Currently, all redevelopment on Miracle Mile is required to park any required parking remotely, and

remote parking is a Conditional Use. However, the remote parking review is solely the analysis and local impact of parking remotely, and not review of the site plan. Currently only site plans that are 20,000 square feet or larger require the Conditional use review. As such, the Commission has requested the proposed text amendment which will require Conditional Use review of site plans for properties 10,000 square feet or larger.

3. REVIEW TIMELINE / PUBLIC NOTICE

City Review Timeline

The submitted applications have undergone the following City reviews:

| REVIEW COMMITTEES AND BOARDS | DATE |
|---|----------|
| Planning and Zoning Board | 11.01.22 |
| City Commission – 1 st Reading | TBD |
| City Commission – 2 nd Reading | TBD |

The following has been completed to solicit input and provide notice of the Application:

| PUBLIC NOTICE | DATE |
|---|----------|
| Mailed Notice | 10.19.22 |
| Legal advertisement | 10.21.22 |
| Posted agenda and Staff report on City web page/City Hall | 10.28.22 |

4. FINDINGS OF FACT

The request is a Text Amendment to Article 2, “Zoning Districts,” Section 2-402, “Zain/Friedman Miracle Mile Downtown District Overlay.” The proposed changes are provided in Attachment A in ~~striketrough~~ / underline format.

Zoning Code Section 14-212.5 provides review standards for Zoning Code text amendments:

| Standard | Staff Evaluation |
|--|---|
| a. Promotes the public health, safety, and welfare. | The intent of the proposed amendment is to both reinforce that the design of new buildings on Miracle Mile to be compatible with the massing and scale of the appearance of the local thoroughfare and to require Conditional Use review and approval for properties 10,000 square feet or more. The Commission will therefore have the authority to approve more proposed development, and will further promote the public health, safety, and welfare of the community. |
| b. Does not permit uses the Comprehensive Plan prohibits in the area affected by the text amendment. | The proposed amendment does not affect any uses permitted in the Comprehensive Plan. Mixed use buildings are already permitted in the Comprehensive Plan. The proposed text amendment will require an additional layer of review and approval for properties |

| | |
|--|--|
| | 10,000 square feet or more. |
| c. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property. | The proposed text amendment does not allow densities or intensities in excess of what are permitted by the future land uses. |
| d. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Plan. | The proposed text amendment will not affect the level of service for public infrastructure. |
| e. Does not directly conflict with any objective or policy of the Comprehensive Plan. | The proposed amendment does not conflict with any objective or policy. |

Staff comments:

The proposed text amendment to the Zoning Code both promote the design of buildings compatible with the massing and scale of the appearance of Miracle Mile and to require Conditional Use review and approval for properties 10,000 square feet or more. The proposed requirement for an additional level of review and approval with a focus on a compatible massing and scale for Miracle Mile fulfills policies of the Comprehensive Plan, such as Policy FLU-1.9.3., to encourage a unique shopping and cultural on a pedestrian-friendly thoroughfare. The standards identified in Section 14-212.5 for the proposed Zoning text amendment are satisfied.

5. STAFF RECOMMENDATION

Based upon the complete Findings of Fact contained within this report, staff recommends Approval.

6. ATTACHMENTS

- A. Draft Ordinance with proposed text amendment.
- B. Legal advertisement published.

Please visit the City’s webpage at www.coralgables.com to view all Application plans and materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida 33134.

Respectfully submitted,



Jennifer Garcia, AICP, CNU-A
City Planner
City of Coral Gables, Florida

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2022-___

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE BY AMENDING ARTICLE 2, "ZONING DISTRICTS," SECTION 2-402, "ZAIN/FRIEDMAN MIRACLE MILE DOWNTOWN DISTRICT OVERLAY" TO PROMOTE QUALITY DESIGN AND TO REDUCE THE SIZE OF PROPERTY REQUIRED FOR CONDITIONAL USE REVIEW FOR PARCELS FACING MIRACLE MILE; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, at the request of the City Commission, Staff has drafted a Zoning Code text amendment to require all development of properties ten-thousand (10,000) square feet or more to be reviewed and approved by the City Commission as a Conditional Use; and

WHEREAS, the Commission adopted the Downtown Overlay District via Ordinance 3527 on September 25, 2001 (later renamed as the "Zain/Friedman Miracle Mile Overlay District" via Resolution No. 2005-07), to provide standards for the continuance and enhancement of the historic Downtown area; and

WHEREAS, an objective in the district is to maintain the aesthetic, physical, historic and environmental character of Downtown Coral Gables and limit building bulk, mass, and intensity on Miracle Mile of large-scale developments to promote compatibility with the existing low-rise scale of development in Downtown Coral Gables as it presently exists; and

WHEREAS, the Comprehensive Plan has goals, objectives, and policies to create a pedestrian-friendly environment on Miracle Mile and encourage a mix of uses with unique shopping and cultural opportunities; and

WHEREAS, Miracle Mile is an unique thoroughfare in Coral Gables and should require additional consideration in regards to traditional design, architecture, and site planning; and

WHEREAS, the former North and South Industrial Mixed-Use Districts required Conditional Use review and approval for properties with a minimum site area of ten-thousand (10,000) square feet via Ordinance No. 2007-18 to allow the Commission to review smaller mixed-use buildings; and

WHEREAS, after notice was duly published and notifications of all property owners of record within one thousand (1,000) feet of Miracle Mile, a public hearing was

held before the Planning and Zoning Board on October 12, 2022, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Planning and Zoning Board was presented with the proposed text amendment, and after due consideration, recommended approval/denial (vote: _ to _) of the text amendment; and

WHEREAS, on October 25, 2022 the City Commission was presented on first reading the proposed text amendment; and

WHEREAS, the City Commission was presented with a final text amendment on Second reading.

NOW THEREFORE BE IT RESOLVED BY THE 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 this Ordinance upon adoption hereof.

SECTION 2. The Official Zoning Code of the City of Coral Gables is hereby amended as follows¹.

Article 2. Zoning Districts

Section 2-402. Zain/Friedman Miracle Mile Downtown District Overlay (DO).

A. Purpose and applicability.

1. The purpose of the Zain/Friedman Miracle Mile Downtown District Overlay (DO) is to promote the goals, objectives, and policies of the City’s Comprehensive Plan in accordance with a set of comprehensive standards to be approved within the Miracle Mile area. These standards are provided for the continuance and enhancement of the historic downtown area as the functional and symbolic center of the City.
2. The district is established in order to maintain the following objectives:
 - a. Maintain the aesthetic, physical, historic and environmental character of Downtown Coral Gables.
 - b. Provide continued protection for residential neighborhoods from incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.

¹ Deletions are indicated by ~~strike through~~. Insertions are indicated by underline.

- c. Promote and encourage pedestrian activities in Downtown Coral Gables by promoting the concepts of mixed use development and pedestrian-friendly design alternatives.
- d. Limit building height, bulk, mass and intensity on Miracle Mile of large scale developments to promote compatibility with the existing low-rise scale of development in Downtown Coral Gables as it presently exists.
- e. Generate pride and confidence in the Downtown area.
- f. Protect property values through quality control.
- g. Promote the design of buildings compatible with the massing and scale of the appearance of Miracle Mile.

3. Applicability. The District applies to the area bounded by the following streets: Douglas Road (SW 37 Avenue) on the East, LeJeune Road (SW 42 Avenue) on the West, Aragon Avenue and Merrick Way on the North, and Andalusia Avenue on the South.

Unless otherwise provided in this section, all provisions of the MX2 District affecting individual property in this district shall control use and development.

B. Regulations.

1. The building height of the development of the properties shall be limited to not more than four (4) stories or fifty (50) feet of building height, whichever is less, measured from finished floor to the tie-beam on the top floor for properties from Miracle Mile to the centerline of the alley to the north or south of Miracle Mile. Additional height or stories available from architectural incentives shall not apply on Miracle Mile.
2. A minimum of ninety (90%) percent of the lot front facing Miracle Mile, at ground level, shall be storefronts limited to retail, restaurant, art galleries, personal services, courtyards and building entries. Minimum ground floor height shall be fifteen (15) feet to create high-quality shopfronts.
3. Except for pedestrian building entrances and pedestrian courtyards there shall be a mandatory zero (0) foot setback along the Miracle Mile frontage and there shall be no side setbacks along Miracle Mile to ensure a continuous pedestrian scale façade up to the third floor, with the maximum allowable stepback possible that does not impede the property owner's use of allowable FAR, above the third floor. Where possible, a ten (10) foot minimum stepback above the third floor, shall be required if it does not impede the property owner's use of allowable FAR.
4. Required parking is prohibited on properties facing Miracle mile and shall be provided remotely per Section 10-109.
5. Use of Transfer Development Rights (TDRs) as receiver sites are prohibited on properties facing Miracle Mile.

6. Alterations, expansions, renovations, and similar improvements of existing structures shall, to the extent feasible, conform to the requirements of this section and other applicable provisions of these regulations.
7. Within the DO District, abutting or adjacent property owners ~~having more than two hundred (200) feet of frontage on Miracle Mile, and~~ containing more than ~~twenty ten-~~ ten-thousand (~~20,000~~ 10,000) square feet of combined lot area; shall require submission to the Planning and Zoning Board for site plan review and City Commission approval. The subject properties shall be considered as if they were a single building site for all purposes under these regulations.
8. Where the designated site or project is subject to multiple ownership, as part of the application for site plan review, the Owners of the property may submit a Covenant in Lieu of Unity of Title in accordance with the provisions of Section 14-205.

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the “Zoning Code” of the City of Coral Gables, Florida; and that the sections of this “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 6. If the Official Zoning Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This Ordinance shall become effective upon the date of its adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, A.D., 2022.

(Moved: / Seconded:)

(Yeas:)

(; Vote)

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

BILLY Y. URQUIA
CITY CLERK

MIRIAM SOLER RAMOS
CITY ATTORNEY

MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF CORAL GABLES - PUBLIC HEARING - LOCAL
PLANNING AGENCY / PLANNING AND ZONING BOARD - NOV
. 1, 2022

in the XXXX Court,
was published in said newspaper by print in the issues of
and/or by publication on the newspaper's website, if
authorized, on

10/21/2022

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Guillermo Garcia

Sworn to and subscribed before me this
21 day of OCTOBER, A.D. 2022

C. Ramo

(SEAL)
GUILLERMO GARCIA personally known to me



**CITY OF CORAL GABLES, FLORIDA
NOTICE OF PUBLIC HEARING
HYBRID MEETING ON ZOOM PLATFORM**

City Public Hearing
Dates/Times

Local Planning Agency/Planning and Zoning Board
Tuesday, November 1, 2022, 6:00 p.m.
Location City Commission Chamber, City Hall
405 Biltmore Way, Coral Gables, FL 33134

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Local Planning Agency (LPA)/ Planning and Zoning Board (PZB) will conduct Public Hearing on the following:

1. An Ordinance of the City Commission amending the City of Coral Gables Zoning Code, Article 6 "Landscape," Section 6-104 "Landscape Requirements for Public Rights-of-Way: to amend planting height and various other provisions, providing for a repealer provision, severability clause, codification, and providing for an effective date. (This item was discussed and deferred from the September 14th PZB Meeting.)
2. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 2, "Zoning Districts," Section 2-402, "Zain/Friedman Miracle Mile Downtown District Overlay" to promote quality design and amend the property size requirements that require Conditional Use review and approval for properties facing Miracle Mile; providing for severability, repealer, codification, and an effective date.
3. An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code, Article 10, "Parking," Section 10-109, "Payment in Lieu and Remote Off- Street Parking;" to clarify remote parking processes and fee structure; providing for severability, repealer, codification, and for an effective date.
4. An Ordinance of the City Commission providing for a text amendment to the City of Coral Gables official Zoning Code by amending Article 14, "Process," Section 14-204.9, "Expiration of Approvals; to eliminate the expiration of Certificates of TDR; providing for severability clause, repealer provision, codification, and providing for an effective date.

Local Planning Agency/ Planning And Zoning Board

5. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 15, "Notices" to include mailed notice to all properties within the applicable mailing distance; providing for severability clause, repealer provision, codification, and providing for an effective date.
6. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 15, "Notices" to require online publication of historical determination letters and Article 8, "Historic Preservation" revising the process of historical determination letters; providing for severability clause, repealer provision, codification, and providing for an effective date.

The Planning and Zoning Board will be holding its regular board meeting on Tuesday, November 1, 2022, commencing at 6:00 p.m. Pursuant to Resolution No. 2021-118, the City of Coral Gables has returned to traditional in-person meetings. Accordingly, any individual wishing to provide sworn testimony shall be present physically in the City Commission Chambers.

However, the City Commission has established the ability for the public to provide comments (non-sworn and without evidentiary value) virtually. Accordingly, only individuals who wishes to provide public comment in this format, may appear and provide those comments via Zoom.

Members of the public may join the meeting via Zoom at (<https://zoom.us/j/83788709513>). In addition, a dedicated phone line will be available so that any individual who does not wish (or is unable) to use Zoom may listen to and participate in the meeting by dialing: (305) 461-6769 Meeting ID: 837 8870 9513. The public may comment on an item using the City's E-Comment function which may be found on the City's website at: (<https://coralgables.granicusideas.com/meetings>) once the meeting's agenda is published, or by sending an email to planning@coralgables.com prior to the meeting.

The meeting will also be broadcasted live for members of the public to view on the City's website (www.coralgables.com/cgtv) as well as Channel 77 on Comcast.

Sincerely,
City of Coral Gables, Florida
10/21

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