

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2023-314

A RESOLUTION OF THE CITY COMMISSION 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 "4241 AURORA" ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 12 THROUGH 22, BLOCK 6, CORAL GABLES INDUSTRIAL SECTION (4241 AURORA ST), CORAL GABLES, FLORIDA; INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, an Application was submitted requesting Transfer of Development Rights (TDRs) for receipt and use for the mixed use project referred to as "4241 Aurora" on property legally described Lots 12 through 22, Block 6, Industrial Section (4241 Aurora St) Coral Gables, Florida; and

WHEREAS, the Application has been submitted concurrently with a proposed legislation referred to as the Parks Incentives program for the Design & Innovation District; and

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

WHEREAS, the Applicant intends to purchase a total of 25,812 square feet from City-owned historic properties; and

WHEREAS, the Receiving Site is proposed to be developed as a mixed-use project referred to as "4241 Aurora" which consists of retail, restaurant, and open space on the ground floor, and office space and residential units on the upper levels; and

WHEREAS, the utilization of 25,812 square feet of TDRs in this project will permit a 25% increase in Floor Area Ratio (FAR) from 3.5, as permitted in the underlying zoning district, to 4.375, which is within the 25% increase in FAR permitted when TDRs are utilized; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1,000) feet, a public hearing was held before the Planning and Zoning Board/Local Planning Agency of the City of Coral Gables on September 21st, 2023, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the September 21st, 2023 Planning and Zoning Board meeting, the Board recommended approval (vote: 7-0) of the receipt of Transfer of Development Rights (TDRs) for the mixed use project referred to as “4241 Aurora) on property legally described Lots 12 through 22, Block 6, Industrial Section (4241 Aurora St) Coral Gables, Florida; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1,000) feet, the City Commission held a public hearing on October 24, 2023, 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” and Section 14-204.6, “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 “4241 Aurora” on property legally described Lots 12 through 22, Block 6, Industrial Section (4241 Aurora St) 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. 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.

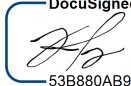
SECTION 5. That this Resolution shall become effective upon the date of its passage and adoption herein.

2023.

PASSED AND ADOPTED THIS TWENTY-FOURTH DAY OF OCTOBER, A.D.,

(Moved: Anderson / Seconded: Menendez)
(Yeas: Menendez, Anderson, Castro, Fernandez, Lago)
(Unanimous: 5-0 Vote)
(Agenda Item: E-4)

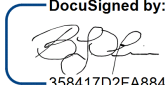
APPROVED:

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VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

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BILLY Y. URQUIA
CITY CLERK

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CRISTINA M. SUÁREZ
CITY ATTORNEY