



**City of Coral Gables**  
**CITY COMMISSION MEETING**  
**March 25, 2015**

**ITEM TITLE:**

**Ordinances on First Reading. Change of Land Use, Comprehensive Plan Text Change, Zoning Code Text Change, Planned Area Development Site Plan, Alley Vacation, Development Agreement, and Revocation of an Existing Planned Area Development**

1. An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 3, "Development Review," Division 15, "Comprehensive Plan Text and Map Amendments," and Small Scale Amendment procedures (S.163.3187, Florida Statutes), changing the boundaries between Commercial Low-Rise Intensity, Commercial Mid-Rise Intensity and Commercial High-Rise Intensity Land Use designations on property generally bounded by Sevilla Avenue on the north, Malaga Avenue on the south, Ponce de Leon Boulevard on the west and Galiano Street on the east, and generally known as 2801, 2901, and 3001 Ponce de Leon Boulevard, Coral Gables, Florida as shown on Exhibit "A" and legally described on Exhibit "B;" providing for severability, repealer and an effective date. (Legal description of property on file at the City)
2. An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the text of the City of Coral Gables Comprehensive Plan, Future Land Use Element, Policy FLU-1.1.3, "Table FLU-2. Commercial Land Uses," pursuant to expedited State review procedures (S.163.3184, Florida Statutes) and Zoning Code Article 3, "Development Review," Division 15, "Comprehensive Plan Text and Map Amendments;" amending the "Commercial High-Rise Intensity," "Commercial Mid-Rise Intensity," and "Commercial Low-Rise Intensity" Land Use Classifications to provide that (A) residential use shall be permitted and (B) intensity shall be controlled by a Planned Area Development plan instead of by Floor Area Ratio, in a project developed in accordance with the Mediterranean Village Form-Based Planned Area Development; and further amending the "Commercial High-Rise Intensity" and "Commercial Mid-Rise Intensity" Land Use Classifications to provide that, in such a Mediterranean Village project, additional height may be granted for specified uses or architectural embellishment; providing for severability, repealer 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, by amending Article 3, "Development Review," Division 5, "Planned Area Development," to create Section 3-510, "Mediterranean Village Form-Based Planned Area Development," with form-based development standards that modify and supplement the existing Planned Area Development standards and criteria to allow appropriate infill and redevelopment in urbanized areas if certain minimum requirements are met; and amending Appendix A, "Site Specific Zoning Regulations," Section A-36 "Crafts Section," by removing Section A-36.B.5. regarding the use, design and number of stories for development in Block 20; providing for severability, repealer, codification and an effective date.
4. An Ordinance of the City Commission of Coral Gables, Florida granting approval of a proposed Planned Area Development (PAD) approval referred to as "Mediterranean Village" pursuant to Zoning Code Article 3, "Development Review," Division 5, "Planned Area Development (PAD)," for the construction

of a project consisting of a mix of uses including office, commercial, retail, hotel and residential, consistent with the separately proposed Section 3-510 "Mediterranean Village Form-Based Planned Area Development," on the property legally described as Block 20, Block 23 (Less Lot 12 and a portion of Lot 11), and Block 30, Crafts Section, also generally known as 2801, 2901, And 3001 Ponce de Leon Boulevard, Coral Gables, Florida; including required conditions; providing for severability, repealer and an effective date. (Legal description of property on file at the City)

5. An Ordinance of the City Commission of Coral Gables, Florida requesting partial abandonment and vacation of a 20-foot wide public alleyway generally running east-west approximately 85 feet in length, dividing Blocks 3, 4 and Tract F from Block 5 and Tract G of Ponce Place Villas East pursuant to Zoning Code Article 3, Division 12, "Abandonment And Vacations" and City Code Chapter 62, Article 8, "Vacation, Abandonment and Closure of Streets, Easements and Alleys By Private Owners and the City; Application Process," and the dedication of a public access easement generally running over an internal driveway from Palermo Avenue to Coconut Grove Drive related to proposed development consistent with the separately proposed Section 3-510 "Mediterranean Village Form-Based Planned Area Development," on the property generally known as 2801, 2901, and 3001 Ponce de Leon Boulevard, Coral Gables, Florida; including required conditions; providing for severability, repealer and an effective date. (Legal description of vacation on file at the City)
6. An Ordinance of the City Commission of Coral Gables, Florida approving a Development Agreement pursuant to Zoning Code Article 3, Division 20, entitled "Development Agreements," for a proposed Planned Area Development referred to as "Mediterranean Village" related to the construction of a project consisting of a mix of uses including office, commercial, retail, hotel and residential, consistent with the separately proposed Section 3-510 "Mediterranean Village Form-Based Planned Area Development," on the property legally described as Block 20, Block 23 (Less Lot 12 and a portion of Lot 11), and Block 30, Crafts Section, generally known as 2801, 2901, and 3001 Ponce de Leon Boulevard, Coral Gables, Florida; providing for severability, repealer and an effective date. (Legal description of property on file at the City)
7. An Ordinance of the City Commission of Coral Gables, Florida regarding the Planned Area Development (PAD) Mixed-Use Site Plan for the proposed project referred to as "Old Spanish Village", generally described as 2801, 2901, and 3001 Ponce de Leon Boulevard, Coral Gables, Florida, and approved by Ordinance No. 2006-23 and amended by Ordinance No. 2007-27.1; revoking the PAD approvals for failure to proceed in accordance with the approved development phasing pursuant to Zoning Code Section 3-509; providing findings; providing for severability, repealer and an effective date. (Legal description of property on file at the City)

#### **DEPARTMENT HEAD RECOMMENDATION:**

Approval with Conditions.

#### **PLANNING AND ZONING BOARD RECOMMENDATION:**

The Planning and Zoning Board at their 02.11.15 meeting recommended approval of the Comprehensive Plan map amendment (vote: 7-0), Comprehensive Plan text amendment (vote: 7-0), Zoning Code text amendment (vote: 7-0), Planned Area Development site plan (vote: 7-0), Alley Vacation (vote: 7-0), and Development Agreement (vote: 7-0), with conditions. The Planning and Zoning Board does not make a recommendation on the revocation of an existing Planned Area Development (Item 7).

## **BRIEF HISTORY:**

The subject property is located one block south of the City's Central Business District (CBD), and is generally bounded by Sevilla Avenue to the north, Malaga Avenue to the south, Galiano Street to the east, and Ponce de Leon Boulevard to the west. The application does not include the residence at 2915 Coconut Grove Drive. The property fronts Ponce Circle, the largest public open space in the urban core of Coral Gables.

The property is approximately 6.72 acres and is zoned Commercial. The land use is a mixture of Commercial Low-Rise Intensity, Commercial Mid-Rise Intensity, and Commercial High-Rise Intensity. The project site was originally assembled in the 2000s and approved by City Commission as a Planned Area Development (PAD) called Old Spanish Village (OSV PAD) in 2006 by Ordinance 2006-23, and amended on September 25, 2007 by Ordinance 2007-27.1.

The applicant has proposed the Mediterranean Village PAD which includes retail development with 29,000 sq ft of restaurant space, 124,700 sq ft of retail anchor space, 117,200 sq ft of in-line retail, a 32,000 sq ft cinema, a 12,000 sq ft daycare, a 9,500 sq ft gym, a 184 room five-star hotel, a 314,000 sq ft Class A office building, three residential towers with a total of 214 units, and 15 townhomes. The project also includes:

- publicly-accessible rooftop restaurant that provides unique views,
- two levels of underground parking, reducing bulk and mass of above-ground parking, and
- streetscape and public space improvements.

The Planning and Zoning Board at their 02.11.15 meeting recommended approval of all six requests with Staff's recommended conditions of approval. In addition the Planning and Zoning Board had the following additional conditions of approval:

### Ordinance #3: Zoning Code Text Amendment:

1. The applicant should decrease or eliminate reliance on on-street parking spaces to meet the minimum parking requirements.

### Ordinance #4: Planned Area Development Site Plan:

1. Staff should study the use of lay-by areas for trolley stops along Ponce de Leon Boulevard.
2. Conditions of approval should reference "Temporary Certificate of Occupancy" rather than just a "Certificate of Occupancy".

### Ordinance #5: Alley Vacation:

1. That the portion of the alley that remains and provides access to the resident of the existing single-family home will continue to be maintained and be kept clear.

### Ordinance #6: Development Agreement:

1. That the Developer will include both the east and west sides of Ponce de Leon Boulevard between Ponce Circle Park and Miracle Mile as part of the Off-Site Improvements proffered.
2. That the Art in Public Places contribution shall be confirmed at 1.25 percent and that the Arts Center Building's adaptive reuse and use as a cultural center for the benefit of the community shall be included as part of the Art in Public Places contribution.
3. That the City ensures that the activated rooftops shall be open to the public.
4. That the applicant establish a baseline traffic volume, prior to Building Permit, for the neighborhood west of Ponce de Leon Boulevard, south of Palermo Avenue, east of LeJeune Road, and north of Bird Road. In addition, that the applicant establish a baseline traffic volume for Santander Avenue east of Ponce de Leon Boulevard and consider streetscape improvements for this portion of Santander Avenue, and that follow-up traffic analysis and appropriate traffic mitigation will be provided for these areas following completion of the project in the same manner required for the neighborhood east of Ponce.

The revocation of the OSV PAD only requires City Commission review, so it was not brought before the Planning and Zoning Board. Section 3-509 of the Zoning Code states that the City Manager shall periodically monitor the construction and development phasing of an approved PAD and, if he or she finds that the “developer is not proceeding in accordance with the approved Development Phasing with respect to timing of construction of an approved mix of project elements, he shall report to the City Commission, and the City Commission shall review the Planned Area Development.” Section 3-509 provides for three alternative actions: the Commission “may extend the . . . length of time to complete a phase, revoke approval of the Planned Area Development or recommend that the developer amend the Development Plan subject to procedures specified in Section 3-508 herein.”

Section 3-508.B. of the Zoning Code provides that if a PAD is to be developed in stages, as the OSV PAD was, “the developer must begin construction of each stage within the time limits specified in the Development Plan (or subsequent updates). Construction in each phase shall include all the elements of that phase specified in the Development Plan.” The OSV PAD included townhouse, multi-family, office and commercial uses. It was commenced but never completed; infrastructure was partially installed, including entry features and street improvements, and four of the proposed townhome units were constructed. The phasing schedule in the approved OSV PAD required payment of all mitigation prior to November 1, 2011, and completion of all phases of development with concurrent offsite landscape and street improvements within 82 months. It appears that some mitigation payments were made, but the majority were not. At this time, all of the dates in the phasing schedules have passed, and nearly all of them were not met. Therefore, pursuant to Section 3-509, the Commission can choose to extend, revoke or recommend an amendment to the OSV PAD.

The applicant bought the property after the OSV PAD failed, and the proposed Mediterranean Village PAD has a different development program, with differently designed and additional offsite improvements and other public benefits. Because of the differences between the two plans, it is better to revoke the prior approval than to attempt to process a major PAD amendment to incorporate all the changes. The applicant agrees with the recommendation to revoke the prior PAD approval.

The Applicant has submitted an Addendum package that addresses Staff Comments and Planning and Zoning Board member comments from their meeting on 02.11.15. A Staff summary of the application updates is provided as Exhibit A, and the Applicant’s Addendum package is provided as Exhibit B.

Public notification provided for 1<sup>st</sup> Reading of the City Commission is provided as Exhibit C.

The draft Ordinances for Comprehensive Plan map amendment, Comprehensive Plan text amendment, Zoning Code text amendment, Planned Area Development Site Plan, Alley Vacation, Development Agreement, and revocation of the Old Spanish Village Planned Area Development are being presented at this time for consideration by the City Commission on First Reading (Exhibits D E, F, G, H, I, and J respectively).

The comments and issues discussed by the Planning and Zoning Board at their meeting on 02.11.15 are presented in the meeting minutes provided in Exhibit K.

The Powerpoint presentation that will be presented to the City Commission at their meeting on 03.25.15 is provided in Exhibit L.

Staff’s report and recommendation with attachments is provided as Exhibit M. This Staff Report was presented to the Planning and Zoning Board on their meeting on February 11, 2015. Some updates have been made to this Staff Report for 1<sup>st</sup> Reading of City Commission on March 25<sup>th</sup>, 2015. The sections that were updated are noted, and include the following:

- o Executive Summary (updated to reflect new parking totals and Form-Based PAD title)
- o Planning and Zoning Board Staff Report (updated to reflect project changes and Form-Based PAD

title)

- o Attachment A, B and C: Applicant's Submittal (updated to reflect Form-Based PAD title)
- o Attachment D: Mediterranean Village Form-Based PAD Regulations (updated to reflect Form-Based PAD title)
- o Attachment E: Development Agreement (substantially updated based on City input)
- o Public Meetings and Notification (updated to include public comments from PZB meeting)
- o Attachment O: Powerpoint Presentation for February 11, 2015 PZB Meeting (updated to reflect Form-Based PAD title)

The Applicant is in agreement with the recommended conditions of approval.

#### LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
N/A		

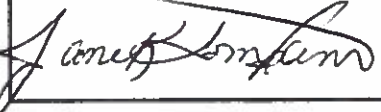


#### OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATIONS:

Date	Board/Committee	Comments (if any)
01.14.14	City Commission	Discussion
04.11.14	Development Review Committee	Review
06.13.14	City Commission	Discussion
07.23.14	Board of Architects	Discussion
08.13.14	Planning and Zoning Board	Discussion
09.19.14	Expert Panel Review – Architecture	Discussion
11.05.14	Board of Architects	Approval of Conceptual Design with the Condition that the applicant study an arcade along Ponce de Leon Boulevard
11.21.14	Expert Panel Review – Form-Based PAD Regulations	Refer to Staff Report Attachment F
12.10.14	Planning and Zoning Board	Continued
12.11.14	Historic Preservation Board	Discussion
01.20.15	Traffic Advisory Board	Discussion
01.30.15	Development Review Committee	Review
02.11.15	Planning and Zoning Board	Approval with Conditions (included above)
02.19.15	Historic Preservation Board	Discussion

#### PUBLIC NOTIFICATIONS:

Date	Form of Notification
03.17.15	Courtesy notification mailed to all property owners within 1,000 feet of the boundary of the subject property.
03.20.15	Posted property.
03.17.15	Post agenda at City Hall.
03.20.15	Posted agenda, staff report, legal notice and all attachments on City web page.
03.18.15	Legal advertisement with map.

**APPROVED BY:**

Department Director	City Attorney	City Manager
 RT		

**Exhibits:**

- A. Progress Report Memo
- B. Applicant 11x17 Addendum Package
- C. Public Notification and Comments for City Commission 1<sup>st</sup> Reading 03.25.15
- D. Draft Ordinance – Change of land use.
- E. Draft Ordinance – Comprehensive Plan text amendment.
- F. Draft Ordinance – Zoning Code text amendment.
- G. Draft Ordinance – Planned Area Development site plan.
- H. Draft Ordinance – Alley Vacation.
- I. Draft Ordinance – Development Agreement.
- J. Draft Ordinance – Revocation of Old Spanish Village Planned Area Development
- K. 02.11.15 Planning and Zoning Board Meeting Minutes with Public Comments
- L. City Commission PowerPoint presentation.
- M. 02.11.15 Planning and Zoning Board Staff report and recommendation with attachments.
  - Tab 1 – Executive Summary (*updated*)
  - Tab 2 – Planning and Zoning Board Staff Report (*updated*)
  - Tab 3 – Attachment A, B and C: Applicant's Submittal (*updated*)
  - Tab 4 – Attachment D: Mediterranean Village Form-Based PAD Regulations (*updated*)
  - Tab 5 – Attachment E: Development Agreement (*updated*)
  - Tab 6 – Staff Analysis
    - Attachment F – Form-Based Codes Discussion and Expert Panel Meeting Minutes
    - Attachment G – Comparison of Form-Based PAD Regulations to Existing PAD Regulations
    - Attachment H – Parking Analysis
    - Attachment I – Comparison to Past Development Proposals
    - Attachment J – Mediterranean Village PAD Zoning Analysis
    - Attachment K – Traffic, Parking and Valet Analysis (David Plummer and Associates Report)
    - Attachment L – Mediterranean Village Retail Analysis (Lambert Advisory Report)
    - Attachment M – Alley Vacation Public Works Application
    - Attachment N – Comprehensive Plan Consistency
  - Tab 7 – Public Meetings and Notification (*updated*)
    - Attachment O – Review Timeline
    - Attachment P – Public Notification and Comments for PZB Meeting
  - Tab 8 – Attachment Q: Powerpoint Presentation for February 11, 2015 PZB Meeting (*updated*)