



## Legislation Text

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**File #: 18-7156, Version: 1**

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A Resolution setting forth conditions for encroachments into, onto, under and over the public right-of-way consisting of Altara Avenue, Laguna Street and the public alley of Block 2 of Coral Gables Industrial Section consisting of concrete sidewalks on the alley, landscaping, irrigation system, and decorative public lighting, in connection with “The Henry” project, as approved at the December 14, 2017 Board of Architects’ meeting, adjacent to 4131 Laguna Street, Coral Gables, Florida.

Mr. Frank R. Trabold, on behalf of Terrace Mountain Investors IV, LLC, Owner, has requested permission for encroachments into, onto, under and over the right-of-ways adjacent to 4131 Laguna Street, Coral Gables, Florida.

The proposed encroachments consist of the installation of concrete sidewalks on the alley, landscaping, irrigation system, and decorative public lighting, in adjacent to 4131 Laguna Street, Coral Gables.

The proposed encroachments were reviewed and approved by the City’s Board of Architects on December 14, 2017 and are processed under permit building permit number **BL-17-12-1698**.

In addition, the proposed encroachments are included in the Mixed-Use approved by the City Commission on October 11, 2016 by Resolution Number **2016-232**.

It is recommended that this request be approved, subject to the following requirements of the Public Works Department:

- a. The proposed encroachments shall conform to the Florida Building Code and all pertinent Codes;
- b. The City of Coral Gables reserves the right to remove, add, maintain, or have the Owner remove any of the improvements within the right-of-way, at Owner’s expense;
- c. The Owner shall maintain the proposed encroachments in good condition at all times, at Owner’s expense;
- d. In the event the Public Works Department must issue a permit for a utility cut in the future, affecting the area in which the encroachments are approved, the Owner shall replace any portion of the approved encroachment, at Owner’s expense;
- e. The Owner shall meet with the City Attorney’s office for the purpose of providing all the information necessary for the office to prepare a Restrictive Covenant to be executed by the Owner, which runs with the title of the property, and which states, in addition to the above mentioned requirements, that the Owner will provide Public Liability Insurance coverage for the encroachment in the minimum limits required by the City, and naming the City as an additional insured under the policy;
- f. The copies of the Restrictive Covenant, when fully executed and filed, together with certification of required insurance, shall be presented to the Development Services and Public Works Departments and permits thereafter be obtained for the work from both of these Departments.