

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

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 (SS.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.

WHEREAS, an application was submitted requesting a change of land use to change 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;" and,

WHEREAS, a project referred to as a "Mediterranean Village" consisting of a mix of uses including destination retail, entertainment, hotel, office, multi-family, and townhouse uses is proposed to be constructed on the subject property, and the project requires new land use classifications; and,

WHEREAS, the Applicant has also submitted an application for Zoning Code text amendments which propose Section 3-510, "Mediterranean Village Form-Based Code" and related supporting Comprehensive Plan text amendments which the applicant seeks to utilize in the design and development of the Mediterranean Village; and,

WHEREAS, the Applicant has also submitted proposed applications including a proposed Planned Area Development Site Plan, Development Agreement, and Vacation of an Alleyway, which, consistent with the proposed Section 3-510 of the Zoning Code, are all necessary for the Mediterranean Village to be reviewed in its totality; and,

WHEREAS, Staff finds that the procedures for reviewing and recommending a proposed change of land use are provided in Zoning Code Article 3, “Development Review,” Division 15, “Comprehensive Plan Text and Map Amendments,” and that the proposed land use map amendments have met those criteria and standards; and,

WHEREAS, in advance of public hearing consideration, the City’s staff analysis and recommendation are available for inspection at City of Coral Gables Planning Department and City Clerk’s office and available on the City’s Web page at www.coralgables.com for easy retrieval; 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 December 10, 2014, and _____, 2015 at which hearings all interested persons were afforded the opportunity to be heard; and,

WHEREAS, at the _____, 2015 Planning and Zoning Board meeting, the Planning and Zoning Board/Local Planning Agency recommended _____ of the proposed land use plan map amendments (vote: _____); and,

WHEREAS, the City Commission held a public hearing on _____, 2015, at which hearing all interested persons were afforded an opportunity to be heard and this application for change of land use was approved on first reading (vote: _____); and,

WHEREAS, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request to change the land use pursuant to Florida Statutes, and including careful consideration of written and oral comments by members of the public.

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

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 Applicant’s request for Comprehensive Plan Map Amendments pursuant to Zoning Code Article 3, “Development Review,” Division 15, “Comprehensive Plan Text and Map Amendments,” 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, as shown on Exhibit “A” and legally described on Exhibit “B,” both Exhibits as attached hereto and incorporated herein by this reference, are hereby approved.

SECTION 3. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are 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. This Ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2015.

APPROVED:

JIM CASON
MAYOR

ATTEST:

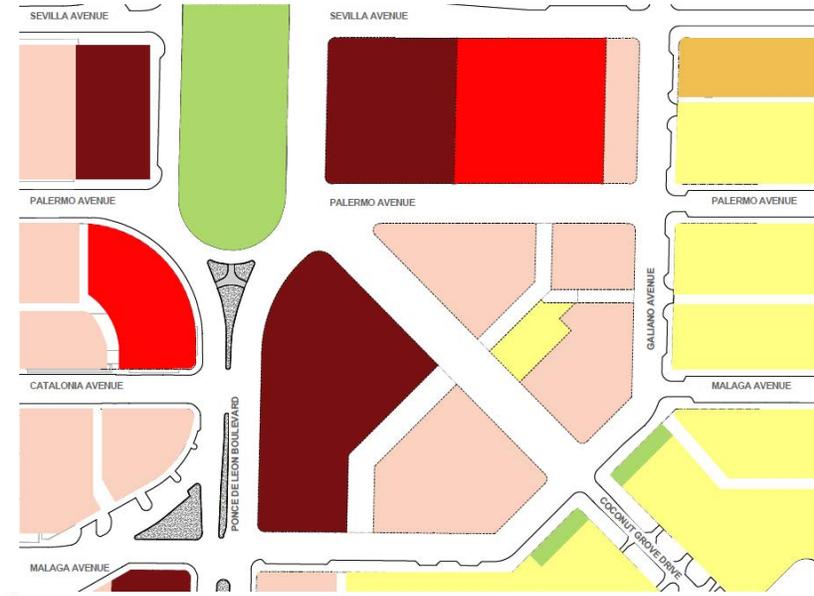
WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

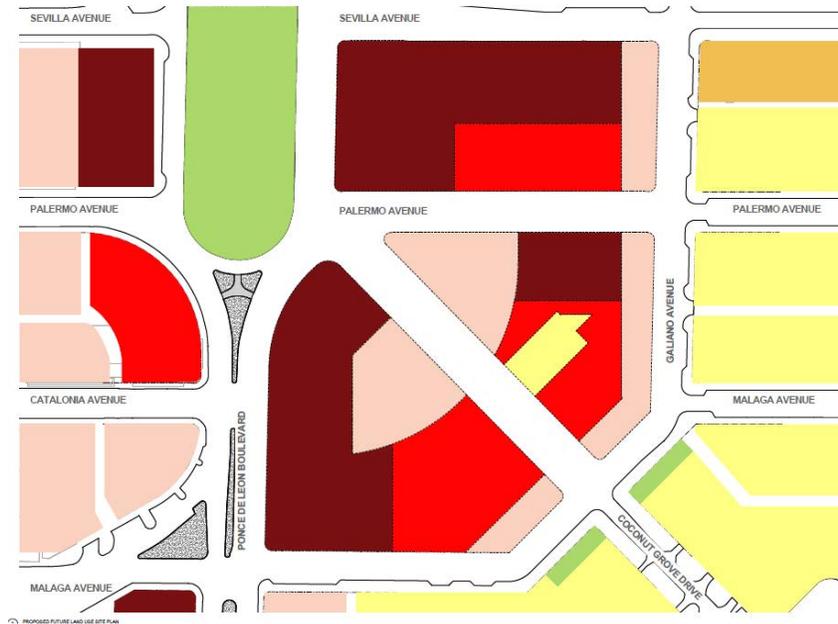
CRAIG E. LEEN
CITY ATTORNEY

Exhibit "A"

Existing Future Land Use Map

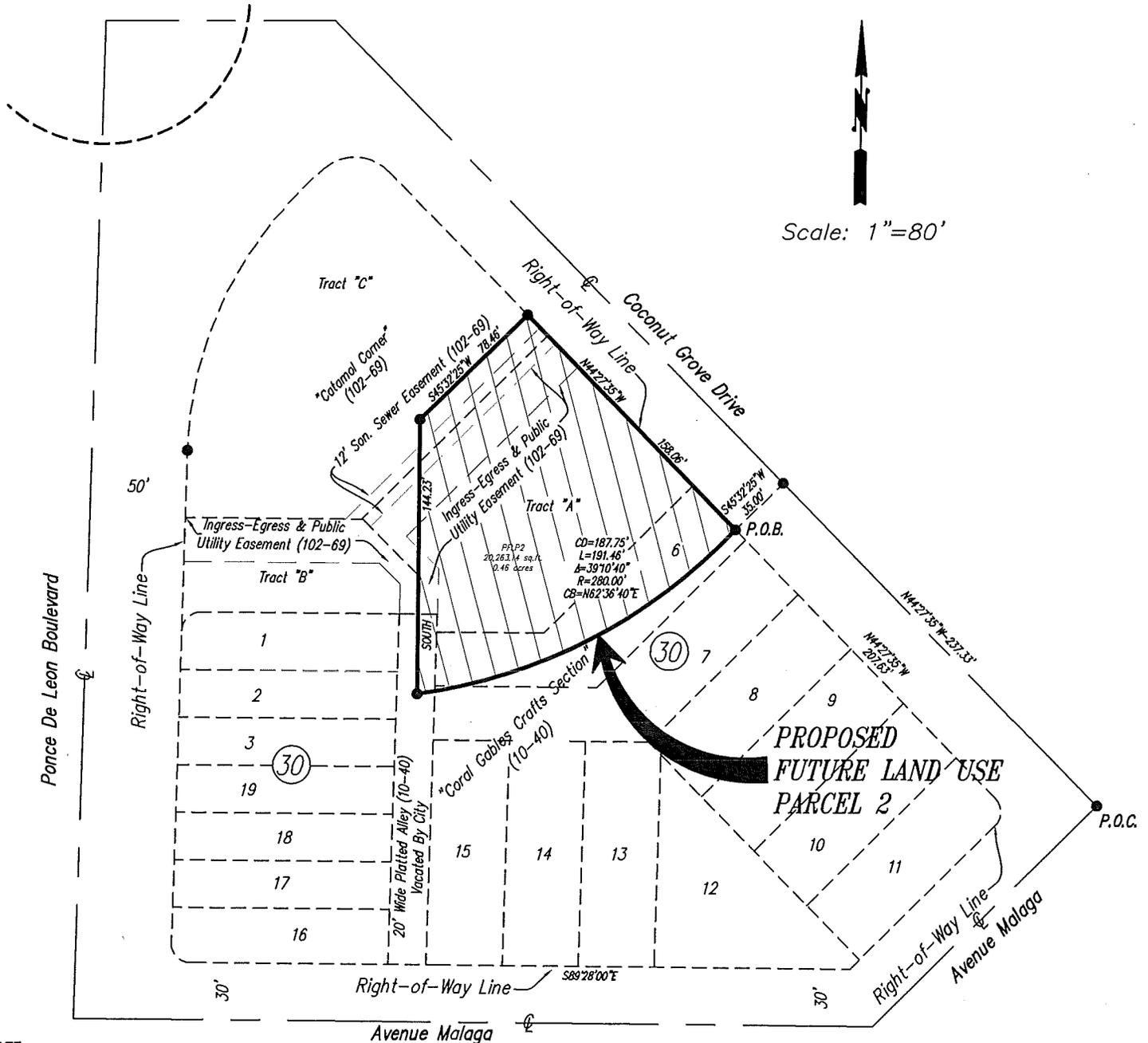


Proposed Future Land Use Map



- Commercial Low-Rise Intensity (50 Feet; 3.0 F.A.R.)
- Commercial Mid-Rise Intensity (70 Feet; 3.0 F.A.R.)
- Commercial High-Rise Intensity (150 Feet; 3.0 F.A.R.)

SKETCH TO ACCOMPANY LEGAL DESCRIPTION PROPOSED FUTURE LAND USE PARCEL 2



NOTE:

1. Bearings shown hereon relate to an assumed bearing (N44°27'35"E) along the centerline of Coconut Grove Drive.
 2. See Sheet 2 for Legal Description.
- P.O.B. - Point of Beginning
P.O.C. - Point of Commencement
Ⓢ denotes Centerline.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc.

LAND SURVEYORS • ENGINEERS • LAND PLANNERS

(LB-87)

3240 CORPORATE WAY, MIRAMAR, FLORIDA 33025 DADE:(305) 652-7010 BROWARD:(954) 435-7010 FAX:(305) 652-8284

THIS IS NOT A "LAND SURVEY."

ORDER NO.: 203474

PREPARED UNDER MY SUPERVISION:

DATE: NOV. 17, 2014

SHEET 1 OF 2 SHEET(S)

F.B.: N.A.

MARK STEVEN JOHNSON SECRETARY/TREAS.
FLORIDA PROF. LAND SURVEYOR NO. 4775



SKETCH TO ACCOMPANY LEGAL DESCRIPTION PROPOSED FUTURE LAND USE PARCEL 2

LEGAL DESCRIPTION:

PROPOSED FUTURE LAND USE PARCEL 2

A portion of Tract "A" and "C", "CATAMAL CORNER," according to the Plat thereof, as recorded in Plat Book 102 at Page 69, of the Public Records of Miami-Dade County, Florida, together with a portion of Lots 6, 7 and that certain portion of the 20' Wide Platted Alley, all located within Block 30, "CORAL GABLES CRAFTS SECTION," according to the Plat thereof, as recorded in Plat Book 10 at Page 40, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows;

Commence at the centerline intersection of Coconut Grove Drive and Avenue Malaga as shown on the aforementioned plat of "CORAL GABLES CRAFTS SECTION;" thence run North 44 degrees 27 minutes 35 seconds West, along the centerline of Coconut Grove Drive, for a distance of 237.33 feet to a point; thence run South 45 degrees 32 minutes 25 seconds West for a distance of 35.00 feet to a point on the Southwesterly right-of-way line of said Coconut Grove Drive and the POINT OF BEGINNING of the following described parcel of land; thence North 44 degrees 27 minutes 35 seconds West, along the Southwesterly right-of-way line of Coconut Grove Drive, for a distance of 158.06 feet; thence South 45 degrees 32 minutes 25 seconds West for a distance of 78.46 feet; thence South for a distance of 144.23 feet; thence run Northeasterly along the arc of a circular curve to the left, having a radius of 280.00 feet, a central angle of 39 degrees 10 minutes 40 seconds, a chord distance of 187.75 feet through a chord bearing of North 62 degrees 36 minutes 40 seconds East, for a arc distance of 191.46 feet to the POINT OF BEGINNING, lying and being in Section 17, Township 54 South, Range 41 East, City of Coral Gables, Miami-Dade County, Florida.

Said parcel of land contains 20,263 square feet, more or less (0.46 acres, more or less)

NOTE:

Bearings shown hereon relate to an assumed bearing (N44°27'35"E) along the centerline of Coconut Grove Drive. See Sheet 1 for Sketch To Accompany Legal Description.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc.
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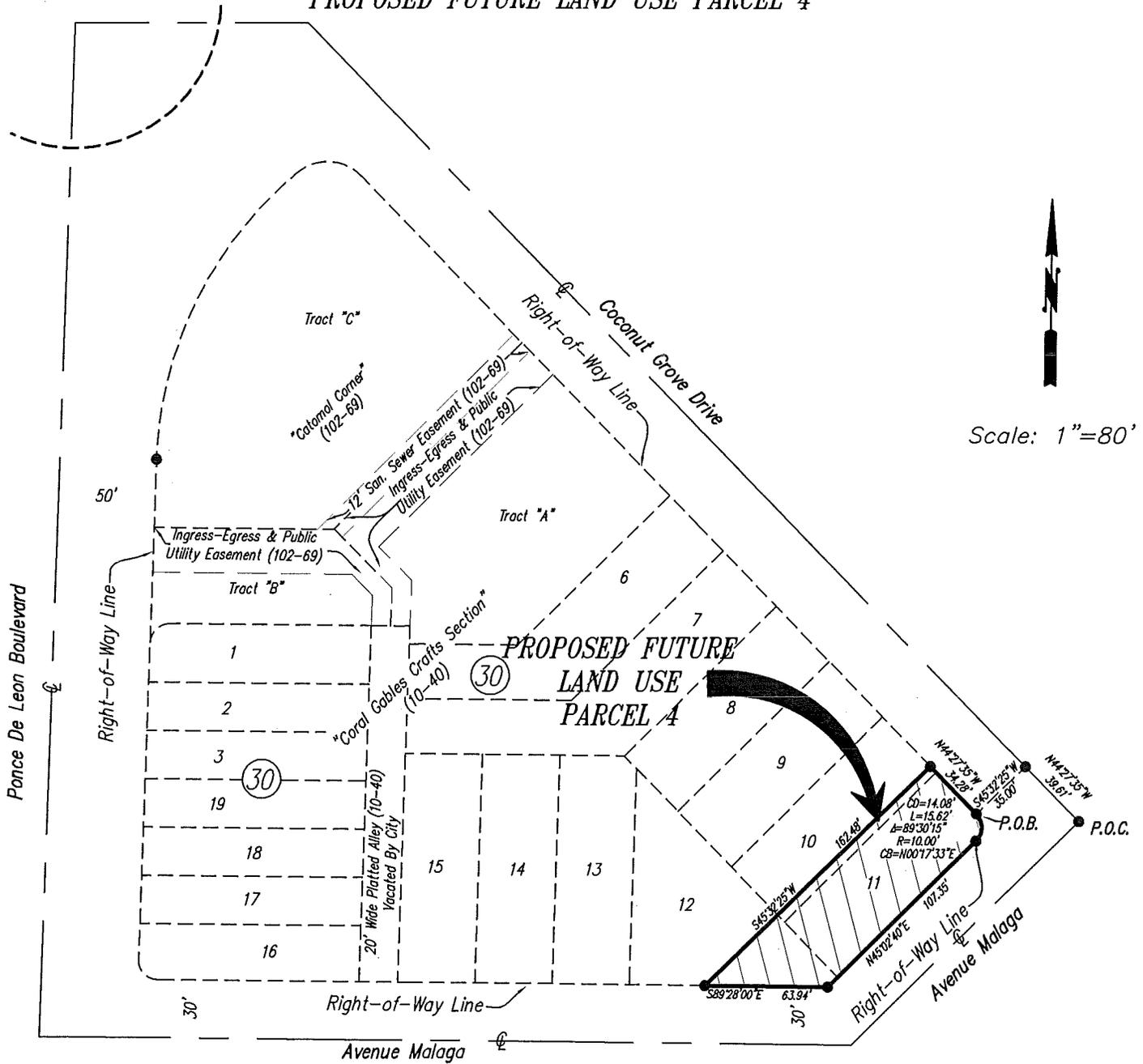
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SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PROPOSED FUTURE LAND USE PARCEL 4



NOTE:

1. Bearings shown hereon relate to an assumed bearing (N44°27'35"E) along the centerline of Coconut Grove Drive.
2. See Sheet 2 for Legal Description.
3. Ⓞ denotes Centerline.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc.

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**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PROPOSED FUTURE LAND USE PARCEL 4**

LEGAL DESCRIPTION:**PROPOSED FUTURE LAND USE PARCEL 4**

Lot 11 and a portion of Lots 10 and 12, located within Block 30, "CORAL GABLES CRAFTS SECTION," according to the Plat thereof, as recorded in Plat Book 10 at Page 40, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows;

Commence at the centerline intersection of Coconut Grove Drive and Avenue Malaga as shown on the aforementioned plat of "CORAL GABLES CRAFTS SECTION;" thence run North 44 degrees 27 minutes 35 seconds West, along the centerline of Coconut Grove Drive, for a distance of 39.61 feet to a point; thence run South 45 degrees 32 minutes 25 seconds West for a distance of 35.00 feet to a point on the Southwesterly right-of-way line of said Coconut Grove Drive and the POINT OF BEGINNING of the following described parcel of land; thence North 44 degrees 27 minutes 35 seconds West, along the Southwesterly right-of-way line of Coconut Grove Drive, for a distance of 34.28 feet; thence South 45 degrees 32 minutes 25 seconds West for a distance of 162.48 feet; thence South 89 degrees 28 minutes 00 seconds East, along the Northerly right-of-way line of Avenue Malaga, for a distance of 63.94 feet; thence North 45 degrees 02 minutes 40 seconds East, along the Northwesterly right-of-way line of Avenue Malaga, for a distance of 107.35 feet; thence Northerly along the arc of a circular curve to the left, having a radius of 10.00 feet, a central angle of 89 degrees 30 minutes 15 seconds, a chord distance of 14.08 feet through a chord bearing of North 00 degrees 17 minutes 33 seconds East for a arc distance of 15.62 feet to the POINT OF BEGINNING, said parcel lying and being in Section 17, Township 54 South, Range 41 East, City of Coral Gables, Miami-Dade County, Florida.

Said parcel of land contains 6,242 square feet, more or less (0.14 acres, more or less)

NOTE:

Bearings shown hereon relate to an assumed bearing (N44°27'35"E) along the centerline of Coconut Grove Drive. See Sheet 1 for Sketch To Accompany Legal Description.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc.
LAND SURVEYORS • ENGINEERS • LAND PLANNERS

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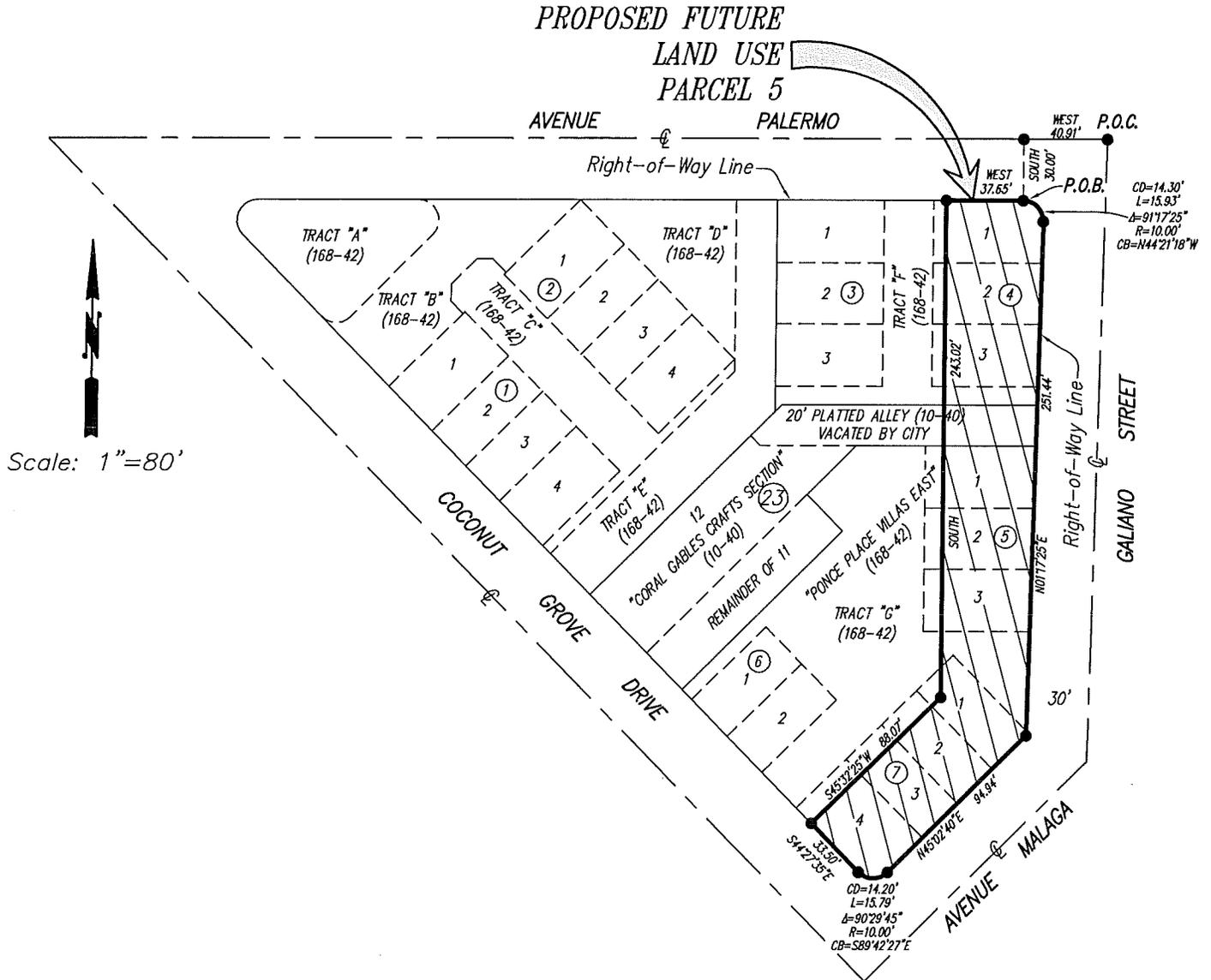
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SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PROPOSED FUTURE LAND USE PARCEL 5



NOTE:
 1. Bearings shown hereon relate to an assumed bearing (N44°27'35"E) along the centerline of Coconut Grove Drive.
 2. See Sheet 2 for Legal Description.
 3. Ⓞ denotes Centerline.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc. (LB-87)
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PREPARED UNDER MY SUPERVISION:

 MARK STEVEN JOHNSON SECRETARY/TREAS.
 FLORIDA PROF. LAND SURVEYOR NO. 4775



**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PROPOSED FUTURE LAND USE PARCEL 5**

LEGAL DESCRIPTION:

PROPOSED FUTURE LAND USE PARCEL 5

A portion of Lots 1, 2 and 3 of Block 4, a portion of lots 1, 2 and 3 of block 5, a portion of lots 1, 2, 3 and 4 of Block 7, and a portion of Tracts "F" and "G", PONCE PLACE VILLAS EAST, according to the Plat thereof, as recorded in Plat Book 168 at Page 42, and that certain portion of the 20' Wide Platted Alley located within Block 23, "CORAL GABLES CRAFTS SECTION," according to the Plat thereof, as recorded in Plat Book 10 at Page 40, all of the Public Records of Miami-Dade County, Florida, being more particularly described as follows;

Commence at the centerline intersection of Galiano Street and Avenue Palermo as shown on the aforementioned plat of "PONCE PLACE VILLAS EAST" thence run West, along the centerline of Avenue Palermo, for a distance of 40.91 feet to a point; thence run South for a distance of 30.00 feet to a point on the Southwesterly right-of-way line of said Avenue Palermo and the POINT OF BEGINNING of the following described parcel of land; thence West, along the Southerly right-of-way line of Avenue Palermo, for a distance of 37.65 feet; thence South for a distance of 243.02 feet; thence South 45 degrees 32 minutes 25 seconds West for a distance of 88.07 feet; thence South 44 degrees 27 minutes 35 seconds East, along the Northerly right-of-way line of Coconut Grove Drive, for a distance of 33.50 feet; thence Easterly along the arc of a circular curve to the left, having a radius of 10.00 feet, a central angle of 90 degrees 29 minutes 45 seconds, a chord distance of 14.20 feet through a chord bearing of South 89 degrees 42 minutes 27 seconds East for a arc distance of 15.79 feet; thence North 45 degrees 02 minutes 40 seconds East, along the Northwesterly right-of-way line of Avenue Malaga, for a distance of 94.94 feet; thence North 01 degrees 17 minutes 25 seconds East, along the Westerly right-of-way line of Galiano Dstreet, for a distance of 251.44 feet; thence Westerly along the arc of a circular curve to the left, having a radius of 10.00 feet, a central angle of 91 degrees 17 minutes 25 seconds, a chord distance of 14.30 feet through a chord bearing of North 44 degrees 21 minutes 17 seconds West for a arc distance of 15.93 feet to the POINT OF BEGINNING, said parcel lying and being in Section 17, Township 54 South, Range 41 East, City of Coral Gables, Miami-Dade County, Florida.

Said parcel of land contains 15,488 square feet, more or less (0.35 acres, more or less)

NOTE:

Bearings shown hereon relate to an assumed bearing (N01°17'25"E) along the centerline of Galiano Street. See Sheet 1 for Sketch To Accompany Legal Description.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc.
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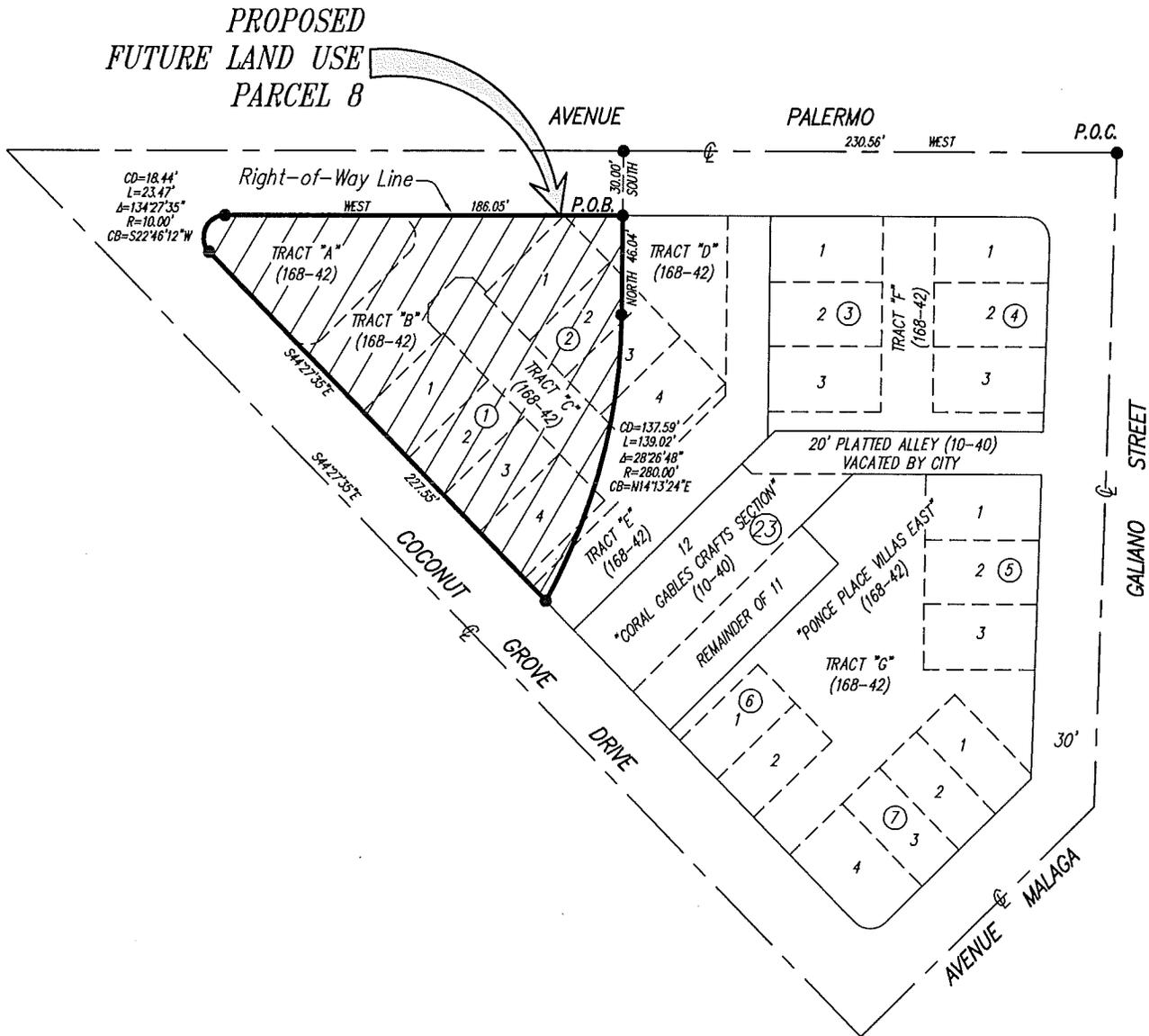
SHEET 2 OF 2 SHEET(S)

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**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PROPOSED FUTURE LAND USE PARCEL 8**

Scale: 1"=80'



NOTE:

1. Bearings shown hereon relate to an assumed bearing (N44°27'35"E) along the centerline of Coconut Grove Drive.
2. See Sheet 2 for Legal Description.
3. Ⓞ denotes Centerline.

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**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PROPOSED FUTURE LAND USE PARCEL 8**

LEGAL DESCRIPTION:

PROPOSED FUTURE LAND USE PARCEL 8

Lots 1, 2, 3, portion of lot 4 of Block 1, Lots 1, 2, portions of lot 3, 4 of Block 2, Tract "A", Tract "B", portions of Tract "C", "D" and "E", "PONCE PLACE VILLAS EAST" according to the Plat thereof, as recorded in Plat Book 168 at Page 42, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows;

Commence at the centerline intersection of Avenue Palermo and Galiano Street as shown on the aforementioned plat of "PONCE PLACE VILLAS EAST"; thence run West, along the centerline of Avenue Palermo, for a distance of 230.56 feet to a point; thence run South for a distance of 30.00 feet to the POINT OF BEGINNING of the following described parcel of land; thence West, along the Southerly right-of-way line of Avenue Palermo, for a distance of 186.05 feet to a point of curvature; thence Southerly along the arc of a circular curve to the left, having a radius of 10.00 feet, a central angle of 134 degrees 27 minutes 35 seconds, a chord distance of 18.44 feet through a chord bearing of South 22 degrees 46 minutes 12 seconds West for a arc distance of 23.47 feet; thence South 44 degrees 27 minutes 35 seconds East, along the Northerly right-of-way line of Coconut Grove Drive, for a distance of 227.55 feet; thence Northerly along the arc of a circular curve to the left, having a radius of 280.00 feet, a central angle of 28 degrees 26 minutes 48 seconds, a chord distance of 137.59 feet through a chord bearing of North 14 degrees 13 minutes 24 seconds East for a arc distance of 137.02 feet; thence North for a distance of 46.04 feet to the POINT OF BEGINNING, said parcel lying and being in Section 17, Township 54 South, Range 41 East, City of Coral Gables, Miami-Dade County, Florida.

Said parcel of land contains 20,274 square feet, more or less (0.46 acres, more or less)

NOTE:

Bearings shown hereon relate to an assumed bearing (N44°27'35"E) along the centerline of Coconut Grove Drive. See Sheet 1 for Sketch To Accompany Legal Description.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc.
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**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PROPOSED FUTURE LAND USE PARCEL 11**

LEGAL DESCRIPTION:

PROPOSED FUTURE LAND USE PARCEL 11

Lots 17, 18, 19, 20, portions of Lots 16, 21 and that certain portion of the 20' Wide Platted Alley, all located within Block 20, "CORAL GABLES CRAFTS SECTION," according to the Plat thereof, as recorded in Plat Book 10 at Page 40, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows;

Commence at the centerline intersection of Avenue Palermo and Galiano Street as shown on the aforementioned plat of "CORAL GABLES CRAFTS SECTION;" thence run West, along the centerline of Avenue Palermo, for a distance of 78.56 feet to a point; thence run North for a distance of 30.00 feet to the POINT OF BEGINNING of the following described parcel of land; thence East, along the Northerly right-of-way line of Avenue Palermo, for a distance of 39.45 feet to a point of curvature; thence Northerly along the arc of a circular curve to the left, having a radius of 10.00 feet, a central angle of 88 degrees 43 minutes 05 seconds, a chord distance of 13.98 feet through a chord bearing of North 45 degrees 38 minutes 28 seconds East, for a arc distance of 115.48 feet to a point of tangency; thence North 01 degrees 16 minutes 55 seconds East, along the Westerly right-of-way line of Galiano Street, for a distance of 200.09 feet to a point of curvature; thence Northerly along the arc of a circular curve to the left, having a radius of 10.00 feet, a central angle of 91 degrees 15 minutes 35 seconds, a chord distance of 14.30 feet through a chord bearing of North 44 degrees 20 minutes 53 seconds West, for a arc distance of 14.30 feet to a point of tangency; thence North 89 degrees 58 minutes 40 seconds West, along the Southerly right-of-way line of Avenue Sevilla, for a distance of 43.93 feet; thence South for a distance of 220.05 feet to the POINT OF BEGINNING, said parcel lying and being in Section 17, Township 54 South, Range 41 East, City of Coral Gables, Miami-Dade County, Florida.

Said parcel of land contains 11,331 square feet, more or less (0.26 acres, more or less)

NOTE:

Bearings shown hereon relate to an assumed bearing (West) along the centerline of Avenue Palermo. See Sheet 1 for Sketch To Accompany Legal Description.

Prepared For: Agave Ponce LLC

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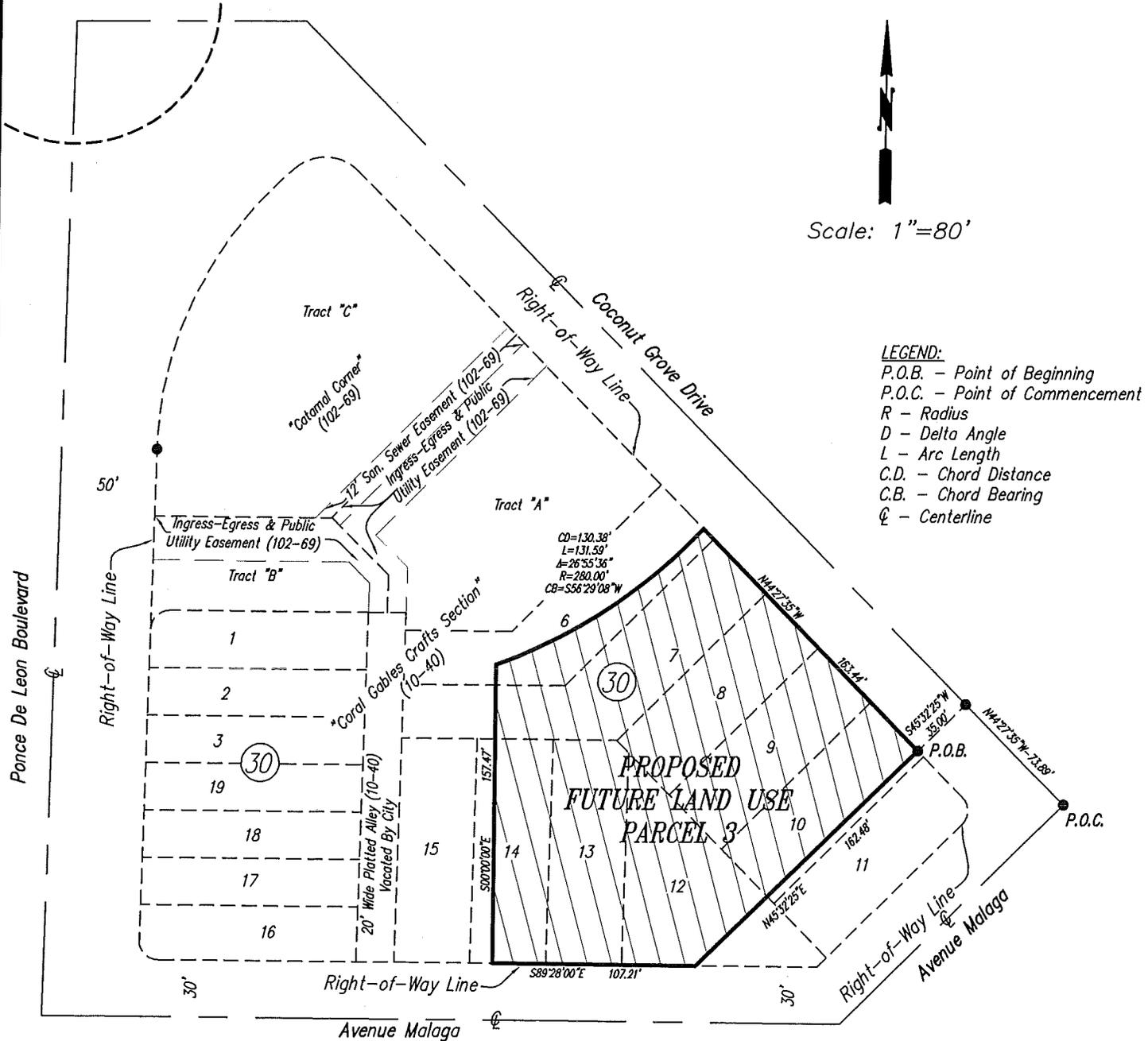
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FLORIDA PROF. LAND SURVEYOR NO. 4775

SKETCH TO ACCOMPANY LEGAL DESCRIPTION PROPOSED FUTURE LAND USE PARCEL 3



NOTE:
 1. Bearings shown hereon relate to an assumed bearing (N44°27'35"E) along the centerline of Coconut Grove Drive.
 2. See Sheet 2 for Legal Description.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc.

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**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PROPOSED FUTURE LAND USE PARCEL 3**

LEGAL DESCRIPTION:**PROPOSED FUTURE LAND USE PARCEL 3**

Lots 8, 9, 13 and a portion of Lots 6, 7, 10, 12 and 14, located within Block 30, "CORAL GABLES CRAFTS SECTION," according to the Plat thereof, as recorded in Plat Book 10 at Page 40, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows;

Commence at the centerline intersection of Coconut Grove Drive and Avenue Malaga as shown on the aforementioned plat of "CORAL GABLES CRAFTS SECTION;" thence run North 44 degrees 27 minutes 35 seconds West, along the centerline of Coconut Grove Drive, for a distance of 73.89 feet to a point; thence run South 45 degrees 32 minutes 25 seconds West for a distance of 35.00 feet to a point on the Southwesterly right-of-way line of said Coconut Grove Drive and the POINT OF BEGINNING of the following described parcel of land; thence North 44 degrees 27 minutes 35 seconds West, along the Southwesterly right-of-way line of Coconut Grove Drive, for a distance of 163.44 feet; thence Southwesterly along the arc of a circular curve to the right, having a radius of 280.00 feet, a central angle of 26 degrees 55 minutes 36 seconds, a chord distance of 130.58 feet through a chord bearing of South 56 degrees 29 minutes 08 seconds West, for a arc distance of 1131.59 feet; thence South for a distance of 157.47 feet; thence South 89 degrees 28 minutes 00 seconds East, along the Northerly right-of-way line of Avenue Malaga, for a distance of 107.21 feet; thence North 45 degrees 32 minutes 25 seconds East a distance of 162.48 feet to the POINT OF BEGINNING, said parcel lying and being in Section 17, Township 54 South, Range 41 East, City of Coral Gables, Miami-Dade County, Florida.

Said parcel of land contains 33,519 square feet, more or less (0.77 acres, more or less)

NOTE:

Bearings shown hereon relate to an assumed bearing (N44°27'35"E) along the centerline of Coconut Grove Drive. See Sheet 1 for Sketch To Accompany Legal Description.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc.
LAND SURVEYORS • ENGINEERS • LAND PLANNERS

(LB-87)

3240 CORPORATE WAY, MIRAMAR, FLORIDA 33025 DADE:(305) 652-7010 BROWARD:(954) 435-7010 FAX:(305) 652-8284



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SHEET 2 OF 2 SHEET(S)

ORDER NO.: 203474
DATE: NOV. 17, 2014
F.B.: N.A.

PREPARED UNDER MY SUPERVISION:

MARK STEVEN JOHNSON SECRETARY/TREAS.
FLORIDA PROF. LAND SURVEYOR NO. 4775

SKETCH TO ACCOMPANY LEGAL DESCRIPTION PROPOSED FUTURE LAND USE PARCEL 6

LEGAL DESCRIPTION:

PROPOSED FUTURE LAND USE PARCEL 6

A portion of lots 1, 2 and 3 of block 5, a portion of lots 1, 2, 3 and 4 of Block 7, lots 1 and 2 of Block 6, a portion of lot 4 of Block 2, a portion of lot 4 of Block 1, a portion of Tracts "C", "E" and "G", PONCE PLACE VILLAS EAST, according to the Plat thereof, as recorded in Plat Book 168 at Page 42, and that certain portion of the 20' Wide Platted Alley located within Block 23, "CORAL GABLES CRAFTS SECTION," according to the Plat thereof, as recorded in Plat Book 10 at Page 40, all of the Public Records of Miami-Dade County, Florida, being more particularly described as follows;

Commence at the centerline intersection of Coconut Grove Drive and Avenue Malaga as shown on the aforementioned plat of "PONCE PLACE VILLAS EAST" thence run N44°27'35"W, along the centerline of Coconut Grove Drive, for a distance of 73.89 feet to a point; thence run N45°32'25"E for a distance of 35.00 feet to a point on the Northerly right-of-way line of said Coconut Grove Drive and the POINT OF BEGINNING of the following described parcel of land; thence North 45 degrees 32 minutes 25 seconds East for a distance of 88.07 feet; thence North for a distance of 143.02 feet; thence West for a distance of 157.25 feet; thence Southerly along the arc of a circular curve to the right, having a radius of 280.00 feet, a central angle of 17 degrees 20 minutes 08 seconds, a chord distance of 84.39 feet through a chord bearing of South 19 degrees 46 minutes 43 seconds West, for a arc distance of 87.72 feet; thence South 44 degrees 27 minutes 35 seconds East, along the Northerly right-of-way line of Coconut Grove Drive, for a distance of 18.94 feet; thence North 45 degrees 01 minutes 00 seconds East for a distance of 117.32 feet; thence East for a distance of 46.65 feet; thence South for a distance of 10.00 feet; thence South 45 degrees 01 minutes 20 seconds West for a distance of 33.61 feet; thence South 44 degrees 27 minutes 35 seconds East for a distance of 25.00 feet; thence South 45 degrees 01 minutes 20 seconds West for a distance of 110.00 feet; thence South 44 degrees 27 minutes 35 seconds East, along the Northerly right-of-way line of Coconut Grove Drive, for a distance of 91.56 feet to the POINT OF BEGINNING, said parcel lying and being in Section 17, Township 54 South, Range 41 East, City of Coral Gables, Miami-Dade County, Florida.

Said parcel of land contains 18,873 square feet, more or less (0.43 acres, more or less)

NOTE:

Bearings shown hereon relate to an assumed bearing (N44°27'35"E) along the centerline of Coconut Grove Drive. See Sheet 1 for Sketch To Accompany Legal Description.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc.
LAND SURVEYORS • ENGINEERS • LAND PLANNERS

(LB-87)

3240 CORPORATE WAY, MIRAMAR, FLORIDA 33025 DADE:(305) 652-7010 BROWARD:(954) 435-7010 FAX:(305) 652-8284

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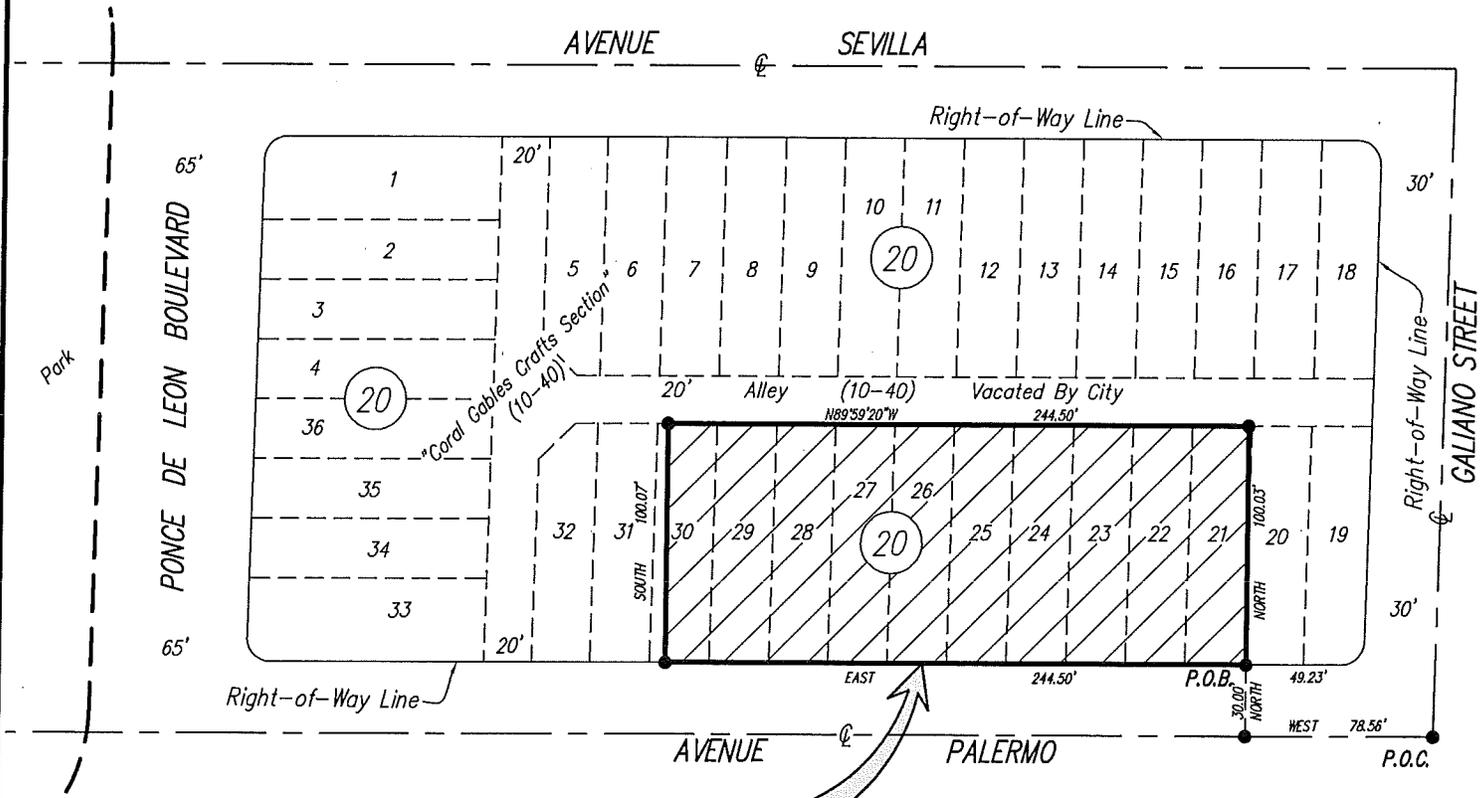
DATE: NOV. 17, 2014SHEET 2 OF 2 SHEET(S)F.B.: N.A.

MARK STEVEN JOHNSON SECRETARY/TREAS.
FLORIDA PROF. LAND SURVEYOR NO. 4775

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PROPOSED FUTURE LAND USE PARCEL 10

Scale: 1"=80'



**PROPOSED FUTURE
LAND USE
PARCEL 10**

NOTE:

1. Bearings shown hereon relate to an assumed bearing (West) along the centerline of Avenue Palermo.
2. See Sheet 2 for Legal Description.
3. $\text{\textcircled{C}}$ denotes Centerline.

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Schwebke-Shiskin & Associates, Inc.
 LAND SURVEYORS • ENGINEERS • LAND PLANNERS

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SHEET 1 OF 2 SHEET(S)

F.B.: N.A.

MARK STEVEN JOHNSON SECRETARY/TREAS.
 FLORIDA PROF. LAND SURVEYOR NO. 4775

**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PROPOSED FUTURE LAND USE PARCEL 10**

LEGAL DESCRIPTION:

PROPOSED FUTURE LAND USE PARCEL 10

Lots 21, 22, 23, 24, 25, 26, 27, 28, 29, portion of Lot 30, all located within Block 20, "CORAL GABLES CRAFTS SECTION," according to the Plat thereof, as recorded in Plat Book 10 at Page 40, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows;

Commence at the centerline intersection of Avenue Palermo and Galiano Street as shown on the aforementioned plat of "CORAL GABLES CRAFTS SECTION;" thence run West, along the centerline of Avenue Palermo, for a distance of 78.56 feet to a point; thence run North for a distance of 30.00 feet to the POINT OF BEGINNING of the following described parcel of land; thence North for a distance of 100.03 feet; thence North 89 degrees 59 minutes 20 seconds West for a distance of 244.50 feet; thence South for a distance of 100.07 feet; thence East, along the Northerly right-of-way line of Avenue Palermo, for a distance of 244.50 feet to the POINT OF BEGINNING, said parcel lying and being in Section 17, Township 54 South, Range 41 East, City of Coral Gables, Miami-Dade County, Florida.

Said parcel of land contains 24,462 square feet, more or less (0.56 acres, more or less)

NOTE:

Bearings shown hereon relate to an assumed bearing (West) along the centerline of Avenue Palermo. See Sheet 1 for Sketch To Accompany Legal Description.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc.
LAND SURVEYORS • ENGINEERS • LAND PLANNERS

(LB-87)

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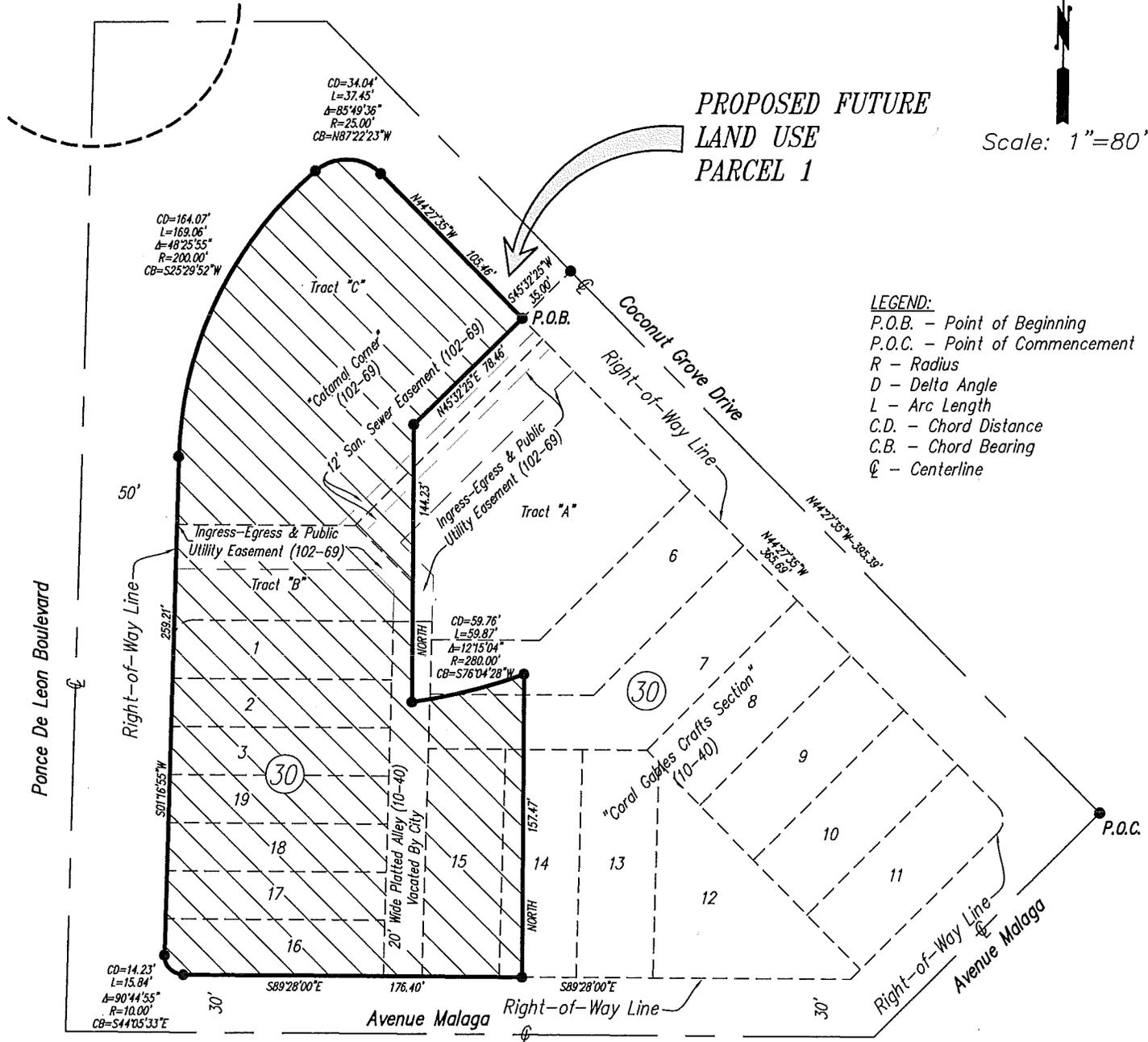
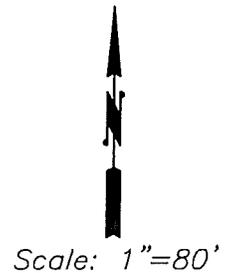


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FLORIDA PROF. LAND SURVEYOR NO. 4775

SKETCH TO ACCOMPANY LEGAL DESCRIPTION PROPOSED FUTURE LAND USE PARCEL 1



LEGEND:
P.O.B. - Point of Beginning
P.O.C. - Point of Commencement
R - Radius
Δ - Delta Angle
L - Arc Length
C.D. - Chord Distance
C.B. - Chord Bearing
℄ - Centerline

NOTE:
1. Bearings shown hereon relate to an assumed bearing (N44°27'35"E) along the centerline of Coconut Grove Drive.
2. See Sheet 2 for Legal Description.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc.
LAND SURVEYORS • ENGINEERS • LAND PLANNERS

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FLORIDA PROF. LAND SURVEYOR NO. 4775

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PROPOSED FUTURE LAND USE PARCEL 1

LEGAL DESCRIPTION:

PROPOSED FUTURE LAND USE PARCEL 1

Tract "B", a portion of Tract "A" and "C", "CATAMAL CORNER," according to the Plat thereof, as recorded in Plat Book 102 at Page 69, of the Public Records of Miami-Dade County, Florida, together with Lots 1, 2, 3, 15, 16, 17, 18, 19, portions of Lots 6, 7, 14 and that certain portion of the 20' Wide Platted Alley, all located within Block 30, "CORAL GABLES CRAFTS SECTION," according to the Plat thereof, as recorded in Plat Book 10 at Page 40, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows;

Commence at the centerline intersection of Coconut Grove Drive and Avenue Malaga as shown on the aforementioned plat of "CORAL GABLES CRAFTS SECTION;" thence run North 44 degrees 27 minutes 35 seconds West, along the centerline of Coconut Grove Drive, for a distance of 395.39 feet to a point; thence run South 45 degrees 32 minutes 25 seconds West for a distance of 35.00 feet to the POINT OF BEGINNING of the following described parcel of land; thence run North 44 degrees 27 minutes 35 seconds West, along the Southwesterly right-of-way line of Coconut Grove Drive, for a distance of 252.12 feet to a Point of Curvature of a circular curve concave to the South; thence run Westerly along the arc of a circular curve to the left, having a radius of 25.00 feet, a central angle of 85 degrees 49 minutes 35 seconds, a chord distance of 34.04 feet through a chord bearing of North 87 degrees 22 minutes 23 seconds West for an arc distance of 37.45 feet to a Point of Reverse Curvature with a circular curve concave to the Southeast (said last course being coincident with the Northerly boundary line of the aforementioned Tract "C"); thence run Southerly along the arc of a circular curve to the left, having a radius of 200.00 feet; a central angle of 48 degrees 25 minutes 55 seconds, a chord distance of 164.07 feet through a chord bearing of South 25 degrees 29 minutes 52 seconds West, for an arc distance of 169.06 feet to a Point of Tangency (said last course being coincident with the Easterly right-of-way line of Ponce De Leon Boulevard); thence run South 01 degrees 16 minutes 55 seconds West for a distance of 259.21 feet to a Point of Curvature of a circular curve concave to the Northeast (said last course being coincident with the Easterly right-of-way line of Ponce De Leon Boulevard); thence run Easterly along the arc of a circular curve to the left, having a radius of 10.00 feet, a central angle of 90 degrees 44 minutes 55 seconds, a chord distance of 14.23 feet through a chord bearing of South 44 degrees 05 minutes 33 seconds East, for an arc distance of 15.84 feet to a Point of Tangency; thence South 89 degrees 28 minutes 00 seconds East, along the Northerly right-of-way line of Avenue Malaga, for a distance of 176.40 feet; thence North for a distance of 157.47 feet to a point on a curve; thence Southwesterly along the arc of a circular curve to the right, having a radius of 280.00 feet, a central angle of 12 degrees 15 minutes 04 seconds, a chord distance of 59.76 feet through a chord bearing of South 76 degrees 04 minutes 28 seconds West, for an arc distance of 59.87 feet; thence North for a distance of 144.23 feet; thence North 45 degrees 32 minutes 25 seconds East a distance of 78.46 feet to the POINT OF BEGINNING, lying and being in Section 17, Township 54 South, Range 41 East, City of Coral Gables, Miami-Dade County, Florida.

Said parcel of land contains 60,419 square feet, more or less (1.39 acres, more or less).

NOTE:

Bearings shown hereon relate to an assumed bearing (N44°27'35"E) along the centerline of Coconut Grove Drive. See Sheet 1 for Sketch To Accompany Legal Description.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc.
LAND SURVEYORS • ENGINEERS • LAND PLANNERS

(LB-87)

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DATE: NOV. 17, 2014SHEET 2 OF 2 SHEET(S)F.B.: N.A.

MARK STEVEN JOHNSON SECRETARY/TREAS.
FLORIDA PROF. LAND SURVEYOR NO. 4775

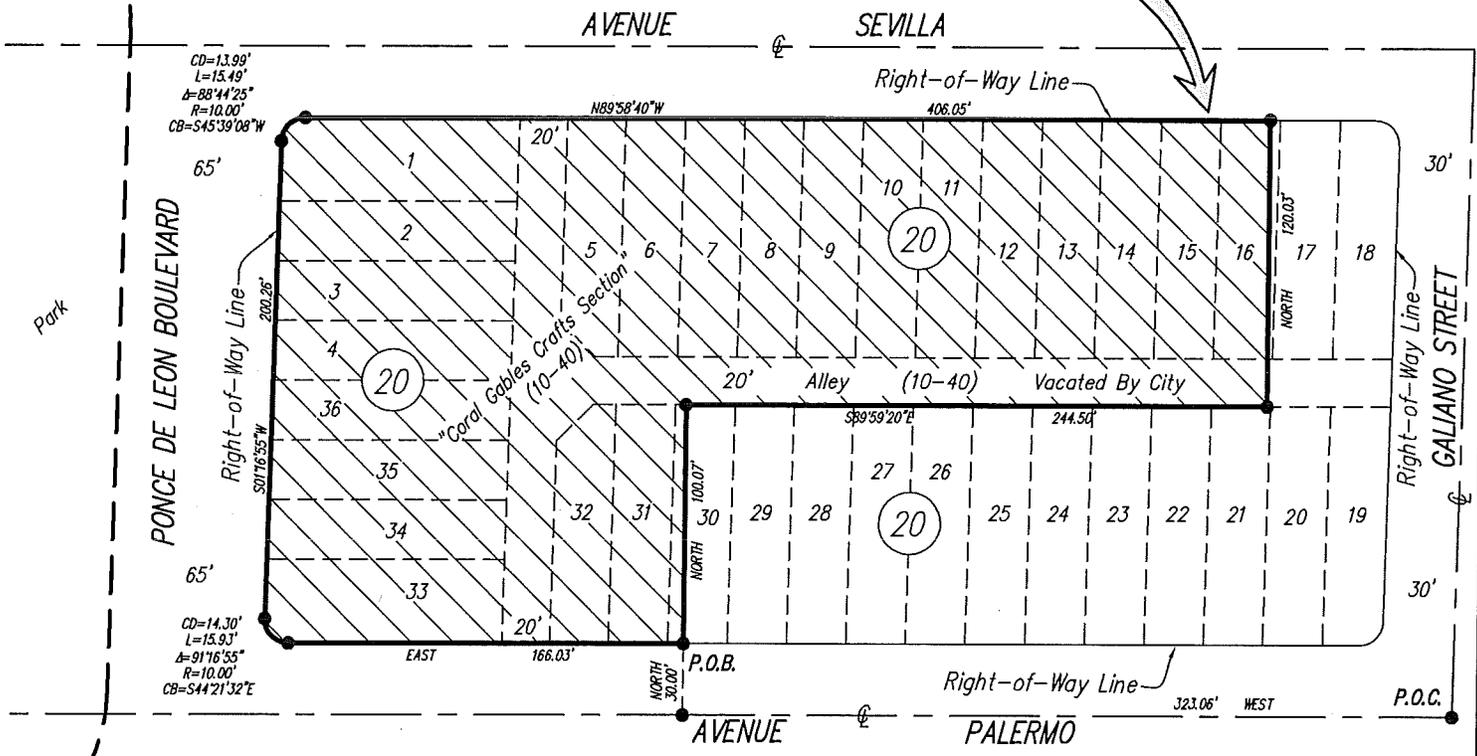
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PROPOSED FUTURE LAND USE PARCEL 9

Scale: 1"=80'



PROPOSED FUTURE
LAND USE
PARCEL 9



NOTE:

1. Bearings shown hereon relate to an assumed bearing (West) along the centerline of Avenue Palermo.
2. See Sheet 2 for Legal Description.
3. Ⓞ denotes Centerline.

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Schwebke-Shiskin & Associates, Inc.
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F.B.: N.A.

MARK STEVEN JOHNSON SECRETARY/TREAS.
FLORIDA PROF. LAND SURVEYOR NO. 4775

**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PROPOSED FUTURE LAND USE PARCEL 9**

LEGAL DESCRIPTION:

PROPOSED FUTURE LAND USE PARCEL 9

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 31, 32, 33, 34, 35, 36, portion of Lots 16, 30, and that certain portion of the 20' Wide Platted Alley, all located within Block 20, "CORAL GABLES CRAFTS SECTION," according to the Plat thereof, as recorded in Plat Book 10 at Page 40, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows;

Commence at the centerline intersection of Avenue Palermo and Galiano Street as shown on the aforementioned plat of "CORAL GABLES CRAFTS SECTION;" thence run West, along the centerline of Avenue Palermo, for a distance of 323.06 feet to a point; thence run North for a distance of 30.00 feet to the POINT OF BEGINNING of the following described parcel of land; thence North for a distance of 100.07 feet; thence South 89 degrees 59 minutes 20 seconds East for a distance of 244.50 feet; thence North for a distance of 120.03 feet; thence North 89 degrees 58 minutes 40 seconds West, along the Southerly right-of-way line of Avenue Sevilla, for a distance of 406.05 feet to a point of curvature; thence Southerly along the arc of a circular curve to the left, having a radius of 10.00 feet, a central angle of 88 degrees 44 minutes 25 seconds, a chord distance of 13.99 feet through a chord bearing of South 45 degrees 39 minutes 07 seconds West, for a arc distance of 15.49 feet to a point of tangency; thence South 01 degrees 16 minutes 55 seconds West for a distance of 200.26 feet to a point of curvature; thence Southerly along the arc of a circular curve to the left, having a radius of 10.00 feet, a central angle of 91 degrees 16 minutes 55 seconds, a chord distance of 14.30 feet through a chord bearing of South 44 degrees 21 minutes 32 seconds East for a arc distance of 15.93 feet to a point of tangency; thence East a distance of 166.03 feet to the POINT OF BEGINNING, said parcel lying and being in Section 17, Township 54 South, Range 41 East, City of Coral Gables, Miami-Dade County, Florida.

Said parcel of land contains 67,576 square feet, more or less (1.55 acres, more or less)

NOTE:

Bearings shown hereon relate to an assumed bearing (West) along the centerline of Avenue Palermo. See Sheet 1 for Sketch To Accompany Legal Description.

Prepared For: Agave Ponce LLC

Schwebke-Shiskin & Associates, Inc.
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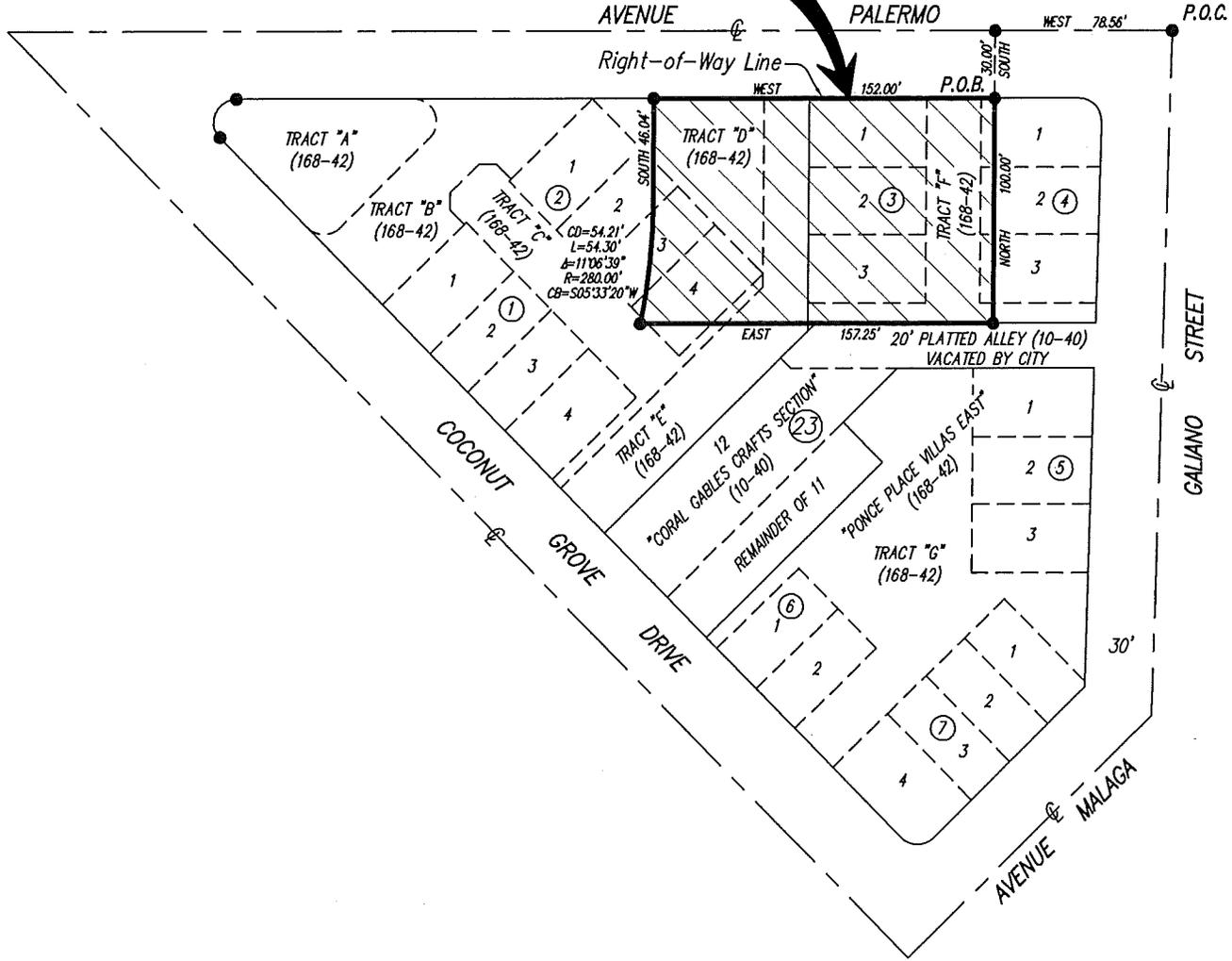
MARK STEVEN JOHNSON SECRETARY/TREAS.
FLORIDA PROF. LAND SURVEYOR NO. 4775

**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PROPOSED FUTURE LAND USE PARCEL 7**

Scale: 1"=80'



**PROPOSED FUTURE
LAND USE
PARCEL 7**



NOTE:

1. Bearings shown hereon relate to an assumed bearing (N44°27'35"E) along the centerline of Coconut Grove Drive.
2. See Sheet 2 for Legal Description.
3. Ⓢ denotes Centerline.

Prepared For: Agave Ponce LLC

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FLORIDA PROF. LAND SURVEYOR NO. 4775

**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PROPOSED FUTURE LAND USE PARCEL 7**

LEGAL DESCRIPTION:

PROPOSED FUTURE LAND USE PARCEL 7

Lots 1, 2 and 3 of Block 3, a portion of lots 1, 2 and 3 of Block 4, a portion of lots 3 and 4 of Block 2, a portion of Tracts "C", "D" and "E", PONCE PLACE VILLAS EAST, according to the Plat thereof, as recorded in Plat Book 168 at Page 42, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows;

Commence at the centerline intersection of Galiano Street and Avenue Palermo as shown on the aforementioned plat of "PONCE PLACE VILLAS EAST" thence run West, along the centerline of Avenue Palermo, for a distance of 78.56 feet to a point; thence run South for a distance of 30.00 feet to a point on the Southerly right-of-way line of said Avenue Palermo and the POINT OF BEGINNING of the following described parcel of land; thence West, along the Southerly right-of-way line of Avenue Palermo, for a distance of 152.00 feet; thence South for a distance of 46.04 feet to a point of curvature; thence Southerly along the arc of a circular curve to the right, having a radius of 280.00 feet, a central angle of 11 degrees 06 minutes 39 seconds, a chord distance of 54.21 feet through a chord bearing of South 05 degrees 33 minutes 20 seconds West, for a arc distance of 54.30 feet; thence East for a distance of 157.25 feet; thence North for a distance of 100.00 feet to the POINT OF BEGINNING, said parcel lying and being in Section 17, Township 54 South, Range 41 East, City of Coral Gables, Miami-Dade County, Florida.

Said parcel of land contains 15,293 square feet, more or less (0.35 acres, more or less)

NOTE:

Bearings shown hereon relate to an assumed bearing (West) along the centerline of Avenue Palermo. See Sheet 1 for Sketch To Accompany Legal Description.

Prepared For: Agave Ponce LLC

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MARK STEVEN JOHNSON SECRETARY/TREAS.
FLORIDA PROF. LAND SURVEYOR NO. 4775

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

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 CODE; 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.

WHEREAS, an application has been received to amend the text of the Comprehensive Plan, Policy FLU-1.1.3; and,

WHEREAS, the City of Coral Gables, pursuant to Florida Statutes and the City of Coral Gables Zoning Code, has designated the Planning and Zoning Board as the Local Planning Agency; and,

WHEREAS, to promote public outreach and participation in the public hearing process, the City has provided the following notice: 1) required advertising per State Statutes and Department of Economic Opportunity guidelines; 2) City web page posting of the public hearing agendas; and 3) electronic mailing to interested parties; and,

WHEREAS, to provide ample and effective opportunities for public participation in the City of Coral Gables governance and decision making process pursuant to the City's administrative procedures and Comprehensive Plan Goals, Objectives and Policies of the "Governance Element", the City requires the applicant to conduct a neighborhood meeting in advance of public hearings to disseminate information of the application and allow neighborhood and interested party input; and,

WHEREAS, the applicant has provided courtesy notification mailing to all property

owners of record within one thousand (1,000) feet of the property and conducted a neighborhood meeting on September 17, 2014 to disseminate information of the application and allow neighborhood and interested party input; and,

WHEREAS, the application, legal description, ordinances, mapping, legal advertising, notices, public comments and all other supporting documentation were available for inspection and review at the City of Coral Gables Planning Department and City Clerk's office; and,

WHEREAS, in advance of public hearing consideration, the City's staff analysis and recommendation are available for inspection at City of Coral Gables Planning Department and City Clerk's office and available on the City's Web page at www.coralgables.com for easy retrieval; and,

WHEREAS, the applicant, Agave Ponce, LLC, has proposed Comprehensive Amendments as follows:

Amendment A.

Policy FLU-1.1.3, "Table FLU-2. Commercial Land Uses," "Commercial High-Rise Intensity" and "Commercial Mid-Rise Intensity"

Within a Mediterranean Village development:

1. residential use shall be permitted, and
2. the intensity of the project shall not be regulated by Floor Area Ratio ("F.A.R."), and instead shall be controlled by an approved Mediterranean Village Planned Area Development ("PAD") Plan, and
3. additional height may be granted for specified uses or provide architectural embellishment

Amendment B.

Policy FLU-1.1.3, "Table FLU-2. Commercial land uses," "Commercial Low-Rise Intensity"

Within a Mediterranean Village development:

1. residential use shall be permitted, and
2. the intensity of the project shall not be regulated by F.A.R., and instead shall be controlled by an approved Mediterranean Village PAD Plan; and,

WHEREAS, a public hearing was held before the Local Planning Agency (Planning and Zoning Board) of the City of Coral Gables on December 10, 2014, and _____, 2015 at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, at a public hearing held on December 10, 2014, and _____, 2015 the Local Planning Agency (Planning and Zoning Board) recommended _____ (____ vote), finding that the proposed amendments are in furtherance of the Comprehensive Plan (CP) Goals, Objectives and Policies and the Zoning Code provisions as subject to all plans, exhibits and descriptions submitted by the applicant; and,

WHEREAS, the City Commission held a public hearing on _____, 2015, at which hearing all interested persons were afforded an opportunity to be heard and this application was _____ on first reading (vote: __-__); and,

WHEREAS, amendments to the Comprehensive Plan Text are subject to Expedited State Review and are required to be transmitted to the Department of Economic Opportunity, South Florida Regional Planning Council and other review agencies for review prior to consideration by the City Commission on second reading.

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

SECTION 1. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The requested amendments to the City of Coral Gables Comprehensive Plan as provided below are hereby approved:¹

Policy FLU-1.1.3.

Table FLU-2. Commercial Land Uses			
Classification	Description	Density/Intensity	Height
Commercial High-Rise Intensity.	This category is oriented to the highest intensity commercial uses, including residential, retail, services, office, and mixed use.	<p>Maximum F.A.R. of 3.0, or 3.5 with architectural incentives. Up to an additional 25% F.A.R. may be granted for properties qualifying as receiving sites for Transfer of Development Rights (TDRs).</p> <p>Residential use shall only be permitted as part of a mixed-use development as provided herein, <u>or a Mediterranean Village.</u></p> <p><u>The intensity of a project located in a Mediterranean Village is not regulated by F.A.R., and instead controlled by an approved Mediterranean Village PAD Plan.</u></p>	<p>Up to 150' maximum (no limitation on floors), or 190.5' maximum (with a maximum 3 additional floors) with architectural incentives per the Zoning Code.</p> <p><u>The heights of structures located in a project located in a Mediterranean Village may exceed the applicable maximum, to the extent approved by the City, for those areas containing only (a) architectural embellishment or (b) a top floor (one or two level) dining, entertainment, or other similar destination use open to the public, or (c) a top floor containing an activated rooftop.</u></p>

¹ Additions to Comprehensive Plan Text are shown in underline.
Mediterranean Village Staff Report Attachment R

<p>Commercial Mid-Rise Intensity.</p>	<p>This category is oriented to medium intensity pedestrian and neighborhood commercial uses, including residential, retail, services, office, and mixed use.</p>	<p>Maximum F.A.R. of 3.0, or 3.5 with architectural incentives. Up to an additional 25% F.A.R. may be granted for properties qualifying as receiving sites for Transfer of Development Rights (TDRs).</p> <p>Residential use shall only be permitted as part of a mixed-use development as provided herein, <u>or a Mediterranean Village.</u></p> <p><u>The intensity of a project located in a Mediterranean Village is not regulated by F.A.R., and instead controlled by an approved Mediterranean Village PAD Plan.</u></p>	<p>Up to 70' maximum (no limitation on floors), or 97' maximum (with a maximum 2 additional floors) with architectural incentives per the Zoning Code.</p> <p><u>The heights of structures located in a project located in a Mediterranean Village may exceed the applicable maximum, to the extent approved by the City, for those areas only containing (a) architectural embellishment or (b) a top floor (one or two level) dining, entertainment, or other similar destination use open to the public, or (c) a top floor containing an activated rooftop.</u></p>
<p>Commercial Low-Rise Intensity.</p>	<p>This category is oriented to low intensity pedestrian and neighborhood commercial uses, including residential, retail, services, office, and mixed use.</p>	<p>Maximum F.A.R. of 3.0, or 3.5 with architectural incentives. Up to an additional 25% F.A.R. may be granted for properties qualifying as receiving sites for Transfer of Development Rights (TDRs).</p> <p>Residential use shall only be permitted as part of a mixed-use development as provided herein, <u>or a Mediterranean Village.</u></p> <p><u>The intensity of a project located in a Mediterranean Village is not regulated by F.A.R., and instead controlled by an approved Mediterranean Village PAD Plan.</u></p>	<p>Up to 50' maximum (no limitation on floors), or up to 77' maximum (with a maximum of 2 additional floors) with architectural incentives per the Zoning Code.</p>

SECTION 3. The City Commission, pursuant to First Reading approval of the Ordinance authorizes transmittal of the request, as required by State Statutes, to the Department of Economic Opportunity, South Florida Regional Planning Council and other review agencies for review prior to consideration by the City Commission on second reading.

SECTION 4. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 5. If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 6. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Comprehensive Plan of the City of Coral Gables, Florida, as amended.

SECTION 7. This Ordinance shall become effective 31 days after the Department of Economic Opportunity determines the amendment submittal package is complete and no petition is

filed by an affected party. If the Department of Economic Opportunity requests a hearing by the Division of Administrative Hearings, this Ordinance shall become effective upon the issuance of a final order by the Division of Administrative Hearings determining the amendment is in compliance.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2015.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

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 CODE,” 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.

WHEREAS, an Application was submitted requesting approval of a Zoning Code text amendment to Article 3, “Development Review,” Division 5, “Planned Area Development,” (“PAD”) to allow for Mediterranean Village Form-Based Code development standards for PADs in the City’s urbanized areas where certain minimum criteria are met as provided in Exhibit “A,” the Mediterranean Village Form-Based Code attached hereto; and,

WHEREAS, the Applicant is requesting a Zoning Code text amendment to remove Site Specific Regulations in Section A-36.B.5. which place use, design and height restrictions on Block 20, Crafts Section, that are inconsistent with the current vision for the area, as provided in Exhibit “B” attached hereto; and,

WHEREAS, the existing Zoning Code provisions do not sufficiently address large-scale, urban place-making, innovative mixed-use development, and excellence in architectural design and materials; and,

WHEREAS, in advance of public hearing consideration, the City’s staff analysis and recommendation are available for inspection at City of Coral Gables Planning Department and City Clerk’s office and available on the City’s Web page at www.coralgables.com for easy retrieval; and,

WHEREAS, after notice duly published, a public hearing was held before the Local Planning Agency (Planning and Zoning Board) of the City of Coral Gables on December 10, 2014, and _____, 2015 at which hearing all interested parties were afforded the

opportunity to be heard; and,

WHEREAS, the Local Planning Agency on December 10, 2014 and _____, 2015 was presented with the text amendments to the Official Zoning Code, and after due consideration, recommended _____ (vote: _____) of the text amendment; and,

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on _____, 2015, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, _____ the amendment on First Reading (vote: ____).

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

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 shown in “Exhibit A,” the Mediterranean Village Form-Based Code and “Exhibit B,” Site Specific Regulations modifications, which Exhibits are attached hereto and incorporated herein by this reference.

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 City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the “Zoning Code” of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to “section”, “article”, or other appropriate word to accomplish such intention.

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 herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2015.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY

THE CITY OF CORAL GABLES

ORDINANCE NO. _____

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 CODE,” 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)

WHEREAS, an Application was submitted requesting approval of a proposed Planned Area Development (PAD) pursuant to Zoning Code Article 3, “Development Review”, Division 5, “Planned Area Development”, for the construction of a mixed-use project referred to as the “Mediterranean Village” (the Mediterranean Village PAD) 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) (the “Property”), Coral Gables, Florida; and,

WHEREAS, the Applicant has submitted an application for Zoning Code text amendments which propose Section 3-510, “Mediterranean Village Form-Based Code” and related supporting Comprehensive Plan text amendments which the applicant seeks to utilize in the design and development of the Mediterranean Village PAD; and,

WHEREAS, the proposed Planned Area Development Site Plan has been submitted concurrently with proposed applications including Comprehensive Plan map amendments, Development Agreement, and Vacation of an Alleyway, which consistent with the proposed Section 3-510 of the Zoning Code, are all necessary for the Mediterranean Village PAD to be reviewed in its totality; and,

WHEREAS, the Application has been submitted concurrently with proposed applications including Comprehensive Plan text amendments, Comprehensive Plan map

amendments, Zoning Code text amendments, and Vacation of an Alleyway, which are all necessary for the Mediterranean Village PAD to be reviewed in its totality; and,

WHEREAS, after notice of public hearing was duly published and notification of all property owners of record within one thousand (1000) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on _____, 2015, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, at the _____, 2015 Planning and Zoning Board meeting, the Board recommended _____ (vote: ___) of the Mediterranean Village PAD on the Property; and,

WHEREAS, after notice was duly published, a public hearing for First Reading on the Mediterranean Village PAD and related development agreement was held before the City Commission on _____, 2015 at which hearing all interested parties were afforded the opportunity to be heard, and the City Commission, after due consideration and discussion, _____ the PAD on First Reading (vote: _____); and

WHEREAS, after notice was duly published, a public hearing for Second Reading on the Mediterranean Village PAD and related development agreement was held before the City Commission on _____, 2015 at which hearing all interested parties were afforded the opportunity to be heard, and the City Commission, after due consideration and discussion, _____ the PAD on Second Reading (vote: _____).

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

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 Ordinance upon adoption hereof.

SECTION 2. That the Applicant’s request for approval of the proposed Mediterranean Village PAD on the Property pursuant to Zoning Code Article 3, “Development Review”, Division 5, “Planned Area Development” is _____, subject to the following conditions:

1. Application/supporting documentation. Construction of the proposed project shall be in substantial conformance with the following:
 - a. Applicant’s Submittal Package dated _____ prepared by RTKL.
 - b. Traffic Impact Analysis, dated _____ and revised _____ prepared by Kimley-Horn and Associates, Inc.
 - c. Initial Application submittal shall be considered as amended and supplemented via the City review process, and
 - d. All representations proffered by the Applicant’s representatives as a part of the review of the Application at public hearings.

2. Restrictive covenant and development agreement. Within 30 days of approval, the property owner, its successors or assigns shall submit a draft restrictive covenant and development agreement for City Attorney review/approval outlining all conditions of approval as approved by the City Commission. Failure to submit the covenant and development agreement within the specified time frame shall render the approval void unless said time frame for submittal of the covenant or development agreement is extended by the City Attorney after good cause as to why the time frame should be extended.
3. Conditions prior to building permit. Prior to the issuance of a City Building Permit for the project, the Applicant, property owner(s), and its successors or assigns, shall satisfy the following conditions:

Conditions under development by staff to be finalized by Commission. _____

4. Written notice. Provide a minimum of seventy-two (72) hour written notice to all properties within five hundred (500) feet of the Mediterranean Village project Property of any proposed partial street/alley closures as a result of the project’s construction activity. Complete street/alley closure is prohibited.
5. Alleyway configuration. The Applicant may be permitted to re-configure the substitute alleyway configuration and adjust the legal description, subject to the review and approval by the City Attorney, Fire Chief and Directors of Planning and Zoning, Public Works and Public Service. Such easement amendment instrument shall be in a form acceptable to the City Attorney and shall be recorded and executed in favor of the City of Coral Gables prior to the issuance of any building permit.
6. Conditions prior to Certificate of Occupancy. Prior to the issuance of a Certificate of Occupancy (CO) for the project, the Applicant, property owner, its successors or assigns shall complete the following:

Conditions under development by staff to be finalized by Commission. _____

7. _____

SECTION 3. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are 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. 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 6. This Ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2014.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY

THE CITY OF CORAL GABLES

ORDINANCE NO. _____

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 CODE,” 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)

WHEREAS, an Application was submitted requesting the 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 Blocks 5 and Tract G of Ponce Place Villas East as legally described in Exhibit “A” attached hereto and incorporated herein (the “Vacation”), and,

WHEREAS, in conjunction with the Vacation, the applicant proposes the dedication of a public access easement generally running over an internal driveway from Palermo Avenue to Coconut Grove Drive as legally described in Exhibit “B” attached hereto and incorporated herein (the “Easement”), and,

WHEREAS, the Vacation and Easement are necessary for the construction of a mixed-use project referred to as the “Mediterranean Village” (the Mediterranean Village PAD) on the property generally known as 2801, 2901, and 3001 Ponce de Leon Boulevard, Coral Gables, Florida; and,

WHEREAS, the Applicant has submitted an application for Zoning Code text

amendments which propose Section 3-510, “Mediterranean Village Form-Based Code” and related supporting Comprehensive Plan text amendments which the applicant seeks to utilize in the design and development of the Mediterranean Village PAD; and,

WHEREAS, the Vacation has been submitted concurrently with proposed applications including Comprehensive Plan map amendments, a proposed Planned Area Development Site Plan, and Development Agreement, which consistent with the proposed Section 3-510 of the Zoning Code, are all necessary for the Mediterranean Village PAD to be reviewed in its totality; and,

WHEREAS, the procedures and requirements for the Abandonment and Vacation of non-fee interests are provided in Zoning Code, Article 3, Division 12, entitled “Abandonment and Vacations,” and in City Code Chapter 62, Article 8, entitled “Vacation, Abandonment and closure of streets, easements and alleys by private owners and the city; Application process;” and,

WHEREAS, in accordance with Section 62-262 of the City Code, property owners within 1,000 feet of the proposed alley to be vacated were notified by letter of the Development Review Committee public meeting on January 30, 2015, where the Agave Ponce LLC’s application was reviewed; and

WHEREAS, in accordance with Section 62-262 of the City Code, following publication of notice of public hearing and notification of all property owners of record within one thousand (1000) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on February 11, 2015, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, at the _____, 2015 Planning and Zoning Board meeting, the Board recommended _____ (vote: ___) of the Vacation; and,

WHEREAS, after notice was duly published, a public hearing for First Reading on the Vacation was held before the City Commission on _____, 2015 at which hearing all interested parties were afforded the opportunity to be heard, and the City Commission, after due consideration and discussion, _____ the Vacation on First Reading (vote: _____); and,

WHEREAS, after notice was duly published, a public hearing for Second Reading on the Vacation was held before the City Commission on _____, 2015 at which hearing all interested parties were afforded the opportunity to be heard, and the City Commission, after due consideration and discussion, _____ the Vacation on Second Reading (vote: _____).

WHEREAS, it is felt that the vacation of said alley and the provisions of the substitute easement are in the interest of public health, safety, order, convenience, comfort, prosperity and general welfare.

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

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 Ordinance upon adoption hereof.

SECTION 2. The City Commission hereby finds:

1. That the granting of the Vacation provides some benefit to the public health, safety, welfare, or convenience, but the overall benefit anticipated to result from the abandonment outweighs the specific benefit derived from the non-fee property interest, in that:
 - a. The Vacation or abandonment will not frustrate any comprehensive plan, special purpose plan, or capital improvement program of the City; and
 - b. The Vacation or abandonment will not interfere with any planning effort of the City that is underway at the time of the application but is not yet completed;
2. The Vacation or abandonment will provide a material public benefit in terms of promoting the desired development and improves the City’s long-term fiscal condition and the applicant provides beneficial mitigation in the form of a proffered mitigation plan which mitigates the loss of real property, the increase in the intensity of use and/or impacts on the public health, safety and welfare including increased parking and traffic;
3. The general public will be best served by the Vacation and proposed Easement together providing broader access to the city street system;
4. The Vacation is consistent with the city's comprehensive plan;
5. That the Vacation and proposed Easement together provide a material public benefit to the public health, safety and welfare;
6. That sufficient alternative public access to the remaining alleyway has been provided by means of a proffered substitute access easement running over an internal driveway from Palermo Avenue to Coconut Grove Drive; and
7. The effect of the proposed action will not have a negative impact upon the safety of pedestrians and vehicular traffic, because the Vacation involves an alleyway;
8. No evidence has been submitted to indicate that the Vacation will have an adverse or negative effect upon the provision of municipal services, including, but not limited to, emergency services and waste removal; and
9. The Vacation is part of a master development plan for this area of the community, and therefore, mitigation is a part of the development plan proposed by the applicant to offset any potential impacts.

SECTION 3. That a portion of the 20-foot wide public alleyway generally running East-West approximately 85 feet in length, dividing blocks 3, 4 and Tract F from Blocks 5 and Tract G of Ponce Place Villas East as legally described in Exhibit “A” attached hereto and

incorporated herein, shall be and is hereby vacated, abandoned and discontinued for the purpose for which it was dedicated to public use subject to the following conditions of approval:

1. That the Applicant, owner of record, by proper instrument, shall grant a public access easement to the City of Coral Gables and any and all applicable utility companies for alternate access to be used for access to the remaining portion of the alley and for utility purposes including storm and sanitary sewers and for use as a passageway for City Vehicles and the general public. Said easement being legally described in Exhibit "B" attached hereto and incorporated herein. Said easement shall be recorded in the Public Records of Miami-Dade County immediately after the recording of this Ordinance.
2. That the easement described in this Section shall be constructed in accordance with the specifications of the Public Works Department of the City and the plans for such construction shall be submitted to and shall be subject to approval by the Public Works Department. The permits and inspections for such construction shall be handled in the same manner as the paving for streets and alleys.
3. That the City of Coral Gables shall have the right to exercise the same control over the easement described in this Section as if the same were a dedicated alley and the acceptance and approval of such easements shall in no way relieve the applicant from complying with any and all regulations pertaining to alleys including but not limited to the building, zoning and other applicable regulations.
4. That the easement described in this Section shall at all times be kept free and clear of any and all encroachments and obstructions, including but not limited to, motor vehicles, trucks, trailers, debris, stoops, waste containers, and the like, and the City shall have the authority to monitor and enforce same.
5. That a vertical clearance of fifteen feet (15') minimum extending the full length and width of the easement shall be provided above the easement area described in this Section.
6. That the cost of removal and/or relocation of any and all utilities, including storm and sanitary sewers, installation of any required drainage facility, removal of curbs or abandoned concrete approaches and sidewalks and the paving and construction of the substitute easement described in this Section, shall be borne by the applicant whose actions necessitate such expense.
7. The Applicant may be permitted to re-configure the substitute alleyway configuration as described in this Section and adjust the legal description, subject to the review and approval by the City Attorney, Fire Chief and Directors of Planning and Zoning, Public Works and Public Service; provided, that the foregoing determine said reconfiguration to be in the promotion of and not adverse to the public health, safety, and welfare. Such easement amendment instrument shall be in a form acceptable to the City Attorney and

shall be recorded and executed in favor of the City of Coral Gables prior to the issuance of any building permit.

8. That the reversionary rights to the portion of the alley vacated shall revert to the owners abutting on each side of the vacated alley.
 9. *Additional conditions under development by staff to be finalized by Commission.* _____
-

SECTION 4. In the event that the Applicant has not constructed the project within _____ years of the issuance of a Building Permit for any portion of any property abutting and adjacent to the public right-of-way vacated, ownership of the Alley will revert to the City, unless such time period is extended in the discretion of the City Manager.

SECTION 5. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 6. 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 7. 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 8. This Ordinance shall become effective upon the date of its adoption; provided, that Section 3. of this Ordinance shall not become effective until this Ordinance is recorded in the Public Records of Miami-Dade County, Florida.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2015.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY

THE CITY OF CORAL GABLES

ORDINANCE NO. _____

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 CODE,” 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)

WHEREAS, a Development Agreement has been submitted pursuant to Zoning Code Article 3, “Development Review”, Division 20, “Development Agreements”, related to the construction of a mixed-use project referred to as the “Mediterranean Village” (the Mediterranean Village PAD) 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) (the “Property”), Coral Gables, Florida; and,

WHEREAS, the Applicant has submitted an application for Zoning Code text amendments which propose Section 3-510, “Mediterranean Village Form-Based Code” and related supporting Comprehensive Plan text amendments which the applicant seeks to utilize in the design and development of the Mediterranean Village PAD; and,

WHEREAS, the Development Agreement has been submitted concurrently with proposed applications including Comprehensive Plan map amendments, a proposed Planned Area Development Site Plan, and Vacation of an Alleyway, which consistent with the proposed Section 3-510 of the Zoning Code, are all necessary for the Mediterranean Village PAD to be reviewed in its totality; and,

WHEREAS, after notice of public hearing was duly published and notification of all property owners of record within one thousand (1000) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on _____, 2015, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, at the _____, 2015 Planning and Zoning Board meeting, the Board recommended _____ (vote: ____) of the Development Agreement; and,

WHEREAS, after notice was duly published, a public hearing for First Reading on the Development Agreement was held before the City Commission on _____, 2015 at which hearing all interested parties were afforded the opportunity to be heard, and the City Commission, after due consideration and discussion, _____ the Development Agreement on First Reading (vote: _____); and

WHEREAS, after notice was duly published, a public hearing for Second Reading on the Development Agreement was held before the City Commission on _____, 2015 at which hearing all interested parties were afforded the opportunity to be heard, and the City Commission, after due consideration and discussion, _____ the Development Agreement on Second Reading (vote: _____).

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

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 Ordinance upon adoption hereof.

SECTION 2. That, pursuant to Zoning Code Article 3, “Development Review”, Division 20, “Development Agreements” the Applicant’s request for approval of the Development Agreement related to the construction of the Mediterranean Village PAD 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, is _____:

SECTION 3. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are 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. 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 6. This Ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D.
2015.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY