

City of Coral Gables
Planning Department Staff Report

To: Planning and Zoning Board Members

From: Planning Department

Date: October 8, 2008

Subject: **Application No. 06-08-070-P. Mixed-Use (MXD) Site Plan Review and Vacation of Public Alleyway.** Planning and Zoning Board review of a development proposal which includes two (2) separate applications for the proposed project referred to as "DYL Merrick MXD" on property legally described as all of Block 16, Industrial Section (4601 LeJeune Road), bounded by LeJeune Road, Greco Avenue and Granello Avenue, Coral Gables, Florida, as follows:

- 1) Mixed use (MXD) site plan review for the proposed mixed use project.
 - 2) Vacation of public alleyway.
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Recommendation

The Planning Department based upon the findings of fact contained herein recommends approval of the following two (2) requests subject to all conditions of approval listed herein for the MXD project referred to as "DYL Merrick MXD" on property legally described as all of Block 16, Industrial Section (4601 LeJeune Road), bounded by LeJeune Road, Greco Avenue and Granello Avenue, Coral Gables, Florida:

- 1) Mixed use (MXD) site plan review for the proposed mixed use project.
- 2) Vacation of public alleyway.

(Please note, this Staff report/recommendation examines and evaluates the regulatory review process of the mixed use site plan and associated vacation of alley. This report does not provide any analysis or background regarding the proposed land swap on the LeJeune Road City Parking Lot No. 31 to the proposed park at the corner of Greco and Granello Avenues. That application is a separate application required to be reviewed pursuant to the City Procurement Code and is not under the purview of the Planning and Zoning Board. The land swap issue is a City Procurement Code/Landlord issue and will be reviewed by the City Managers Office and City Commission and as a separate staff report and recommendation which will be provided under separate cover.)

Staff Recommended Conditions of Approval

In furtherance of the Comprehensive Land Use Plan (CLUP) Goals, Objectives and Policies, Zoning Code and other applicable City provisions, the recommendation for approval of the

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mixed use project referred to as “DYL Merrick MXD” and vacation of a public alleyway is subject to the following conditions of approval:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following:
 - a. Site plans, building elevations and building program prepared by Perkins & Will, Architects, dated 10.01.08.
 - b. Landscape plans prepared by Savino & Miller Design Studio, dated 10.01.08.
 - c. Traffic impact study prepared by Richard Garcia & Associates, Inc., dated 03.27.08.
 - d. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated 10.01.08, sheets 1 thru 136, and proffered by the applicant’s representatives as a part of the review of the application at public hearings.
2. Restrictive covenant. Within 30 days of approval of the site plan, the property owner, its successors or assigns shall submit a restrictive covenant for City Attorney review and approval outlining all conditions of approval as approved by the City Commission. Failure to submit the draft restrictive covenant within the specified time frame shall render the approval void unless said time frame for submittal of the draft restrictive covenant is extended by the City Attorney after good cause as to why the time frame should be extended.
3. Prior to the issuance of a building permit for the project, the property owner, its successors or assigns, shall satisfy the following conditions:
 - a. Valet parking. All valet parking stations, valet stacking and vehicular circulation shall be located/accommodated entirely within the confines of the building. All valet operations including but not limited to valet parking stations, valet stacking, vehicular valet circulation, etc. shall be prohibited on the public rights-of-ways.
 - b. On-street parking. Payment shall be provided by applicant, its successors or assigns according to established City requirements for the loss of thirteen (13) on-street parking spaces resulting from the project.
 - c. Directional signage. A directional signage plan for on-site and off-site vehicular circulation shall be prepared and submitted by the applicant, subject to review and approval by Director of the Public Works Department.
 - d. Western building signage. As proffered by applicant, no signage shall be permitted above the building’s second floor facing west onto and towards LeJeune Road.
 - e. Western building lighting. No exterior building lighting may illuminate above the building’s second floor facing west onto and towards LeJeune Road.
 - f. LeJeune Road right-of-way (ROW) encroachments. No building encroachments shall be permitted onto the LeJeune Road public ROW.
 - g. Landscaping irrigation. All plant materials proposed off-site and on all levels of the building shall be irrigated. All plant material adjoining the subject property within the public ROW shall be irrigated, supplied and controlled from the ROW.
4. Prior to the issuance of the final Certificate of Occupancy (CO), the property owner, its successors or assigns shall complete the following:
 - a. Public realm improvements. Install all landscaping, public realm improvements and streetscape improvements on-site and within the public ROW, including intersection improvements, street paving and resurfacing, curb/gutters and sidewalks and undergrounding of off-site public utilities as shown on sheets 31 thru 44 of 136 of the application submittal package dated 10.01.08, subject to review and approval by Directors of Public Works, Public Service and Parking Departments.
 - b. Traffic calming. As proffered by the applicant, provide pedestrian crosswalks and signalization at the following street intersections:
 - 1) San Lorenzo Avenue and Ponce de Leon Boulevard.

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- 2) LeJeune Road and Greco Avenue, per Florida Department of Transportation (FDOT) approval.
All costs for design, permitting and the construction of the signalized pedestrian crosswalks shall be the responsibility of the property owner, its successors or assigns, subject to review and approval of the Directors of Public Works and Public Service Departments.
- c. LeJeune Road pedestrian and landscaping. Provide written documentation verifying FDOT review and approval for abandonment and conversion of the FDOT sidewalk into a planting area and permanent 10 foot pedestrian easement to allow the arcade to be used as a public covered sidewalk.
5. Public city park improvements. Approval of this site does not include the proposed public city park to be located at Greco and Granello Avenues. Improvements and site plan for the proposed park shall be subject to future City review and approval.
6. Use of public city park. Any proposed private use of the public city park shall require review and approval of the Directors of Public Works, Public Service, Parks and Recreation and Parking Departments.
7. Attainable housing. As proffered by the applicant; the applicant, its successors or assigns will contribute \$100,000.00 dollars to the City of Coral Gables at the time of issuance of building permit to assist the City in its efforts to promote and/or provide attainable housing. The funds shall be deposited by the City in a separate line-item account dedicated exclusively for the City's attainable housing efforts, which may include, but is not limited to, the following: update of the existing housing study, planning, implementation, administration, management, education, advertisement, promotion, and/or development of attainable housing, in furtherance of the City's Comprehensive Land Use Plan and the State of Florida's growth management statute requirements.

The applicant has submitted an application package that includes a Statement of Use, building program / site data, site plans, building elevations, landscape plans, massing study and other miscellaneous support documents, which is provided as Attachment A.

Request

The applicant is requesting MXD site plan review and the vacation of a public alleyway, which is being submitted in conjunction with the land swap applicant involving the City's Parking Lot No 31 for a proposed public City park to be provided by the applicant on the east end of the same block.

This Staff report/recommendation examines and evaluates the regulatory review process of the mixed use site plan and associated vacation of alley. This report does not provide any analysis or background regarding the proposed land swap on the LeJeune Road City Parking Lot No. 31 to the proposed park at the corner of Greco and Granello Avenues. That application is a separate application required to be reviewed pursuant to the City Procurement Code and is not under the purview of the Planning and Zoning Board. The land swap issue is a City Procurement Code/Landlord issue and will be reviewed by the City Managers Office and City Commission and as a separate staff report and recommendation which will be provided under separate cover.

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Development information:

Application	Request
Change of land use designation(s)	No
Comprehensive Plan text amendment	No
Change of zoning designation(s)	No
Zoning Code text amendment	No
Site plan review	Yes (MXD)
Planned Area Development	No
Subdivision Review or Tentative Plat	No
Conditional uses	No
Abandonment and vacation of non fee interests (streets and alleys)	Yes

Facts – Background and Proposed Project

The property is approximately 2.3 acres in size (98,124 sq. ft.), including the public alleyway proposed to be vacated which is approximately 0.2 acres in size (6,036 sq. ft.). The 2.3 acres does not include the approximately 0.3 acre public park area (13,564 sq. ft.). The proposed MXD project has a building height of six (6) stories/ 77'-0" facing onto LeJeune Road, and eight (8) stories/ 99'-0" for the portion of the project behind LeJeune Road facing onto Granello and Greco Avenue. One floor of below-ground parking is located under the entire building footprint. The project contains 42 multi-family residential units, 187,194 sq. ft. of commercial office space, 42,124 sq. ft. ground floor retail and restaurant uses and 1,126 structured parking spaces. A total of 1,081 on-site parking spaces are required and 1,083 on-site parking spaces are provided, not including the 34 replacement public parking spaces being provided for the loss of City Parking Lot No. 31 thereby resulting in a 2 parking space net gain. Public replacement parking, project parking and service areas are contained entirely within the building footprint, with vehicular access from Granello and Greco Avenues. No curb cuts are proposed along LeJeune Road, and points of access to the project are physically separated from the proposed public park located on the east end of the block.

The Building and Zoning Department's Preliminary Zoning Analysis findings are summarized in the below tables. The Preliminary Zoning Analysis is provided as Attachment B. That analysis indicates that the proposed project meets all applicable Zoning Code requirements for the proposed project.

City reviews and approvals:

City Reviews/Timeline	Date Scheduled/ Reviewed/Approved*
Development Review Committee	10.26.07 and 01.25.08
Board of Architects - preliminary approval granted - architectural bonuses granted	03.20.08 04.17.08
Board of Adjustment	N/A
Historic Preservation Board	N/A
Landscape Advisory Board	N/A
Local Planning Agency	N/A
Planning and Zoning Board	10.08.08
Street and Alley Vacation (DRC review)	06.27.08

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City Reviews/Timeline	Date Scheduled/ Reviewed/Approved*
City Commission (vacation of public alleyway ordinance - 1 st reading)	10.28.08
City Commission (MXD site plan - resolution)	TBD
City Commission (vacation of public alleyway ordinance - 2 nd reading)	

*All scheduled dates and times are subject to change without notice.

Existing property designations:

Applicable Designations	
CLUP Map Designations	“Commercial, Low-Rise Intensity” and “Industrial Use”
Zoning Map Designations	“C”, Commercial and “I”, Industrial
Within Central Business District	No
MXD South Industrial District	Yes
Mediterranean Architectural District (citywide)	Yes
Within Coral Gables Redevelopment Infill District (GRID) (Traffic Concurrency Exemption Area)	Yes

Surrounding uses:

Location	Existing Land Uses	CLUP Designations	Zoning Designations
North	1 story commercial buildings and surface parking lot.	“Commercial, Low-Rise Intensity “ and “Industrial Use”	“C”, Commercial and “I”, Industrial
South	10 story “Gables Gateway” mixed use project.	“Industrial Use”	“I”, Industrial
East	1-2 story commercial and industrial buildings.	“Industrial Use”	“I”, Industrial
West	1 story commercial buildings.	“Commercial, Low-Rise Intensity”	“CL”, Commercial Limited

Site plan information:

Type	Permitted		Proposed
Total site area	98,124 sq. ft. (2.3 acres)		98,124 sq. ft. (2.3 acres)
Floor area ratio (FAR)	3.5 FAR		3.35 FAR
FAR x total site area =	343,434 sq. ft.		---
Total square footage of buildings	---		328,824 sq. ft.
Building height	“C” and “I” zoning district	“MXD” provisions	6 floors/ 77’-0” and 8 floors/ 99’-0”
	6 floors/ 77’-0” and 8 floors/ 99’-0” (with Level 1 and 2 Mediterranean bonuses)	77’-0/ 100’-0” w/ no max. floors (Med architectural style required)	
Residential units	Maximum 85% of project		42 units (26.6%)
Office	---		187,194 sq. ft.
Restaurant	---		8,642 sq. ft.
Retail	---		33,482 sq. ft.

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Setbacks:

Type	Required	Proposed*
- Front (LeJeune Road)	0 ft. for building 45 ft. in height and 10' above 45 ft.	0 ft. for building 45 ft. in height and 10' above 45 ft.
- Side street (Granello and Greco Ave.)	15'-0 ft.	0 ft.
- Side interior (public park)	0 ft.	0 ft.

* *Setback relief may be awarded for MXD projects approved for Mediterranean style design bonuses.*

Parking:

Uses	Required	Proposed
Retail	170 spaces	170 spaces
Restaurant	86 spaces	86 spaces
Office	748 spaces	748 spaces
Residential units	77 spaces	77 spaces
Total on-site project parking	1,081 spaces	1,083 spaces
Required replacement of public parking (City Parking Lot No. 31)	34 spaces	34 spaces
Net parking gain / (loss)	---	2 spaces
Abutting on-street parking space(s)	41 spaces	28 spaces
Abutting on-street parking net gain/(loss)	---	(13 spaces)
Parking reduction granted via variance	---	N/A

Landscaping:

Location	Required	Provided
Landscape open space (on-site)	Must comply with ZC Section 5-1104 A 1 thru 11	To comply at permit
Landscape open space (rights-of-way)	Must meet City Streetscape Master Plan requirements	Review and approval required by Public Works and Public Service Depts.

Architectural bonuses granted by the Board of Architects:

The mixed-use project is proposed to be constructed in the Mediterranean architectural style and requested Level 1 and Level 2 bonuses. The proposed project received preliminary approval from the Board of Architects on 03.20.08 and approval of architectural bonuses on 04.17.08.

Bonus	Permitted	Granted/Proposed
FAR (sq. ft.) – Level 1 and 2 bonus	0.5 FAR (49,062 sq. ft.)	0.35 FAR (34,452 sq. ft.)
Height of building	6 floors/ 77'-0" and 8 floors/99'-0" (Med architectural style required for MXD projects)	6 floors/ 77'-0" and 8 floors/99'-0" (Med architectural style required for MXD projects)
Multi-family residential units	279,500 sq. ft. (85%)	87,573 sq. ft. (26.6 %)

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Comprehensive Land Use Plan Mixed use percentages:

Uses	Required	Proposed
Commercial retail	min. 8% / max. 40%	42,124 sq. ft. (12.8 %)
Office	min. 0% / max. 85%	187,194 sq. ft. (56.9 %)
Residential	min. 0% / max. 85%	87,573 sq. ft. (26.6 %)

Planning Staff's Findings of Fact

This section of the report evaluates the application for consistency with all applicable City of Coral Gables Zoning Code and Comprehensive Land Use Plan (CLUP) requirements.

This section examines the following and provides findings of facts of each item (page number of analysis)

1. *Compliance with the Zoning Code (page 7)*
2. *Mixed Use District (MXD) Purpose and Objectives (page 7)*
3. *Site Plan Review Criteria (pages 8-10)*
4. *Street and Alleyway Vacation Requirements (pages 10-12)*
5. *City Commission Identified Issues (pages 12-14)*
6. *Traffic Study(pages 14-15)*
7. *Proposed Public City Park (page 15)*
8. *Concurrency Management (page 15)*
9. *Public School Concurrency Review (page 15)*
10. *Attainable Housing (pages 15-16)*
11. *Compliance with Comprehensive Land Use Plan Goals, Objectives and Policies (pages 16-20)*

Compliance with the Zoning Code

Section 3-406 of the Zoning Code requires that the Planning and Zoning Board “shall review the application for conditional use approval (site plan review) with a recommendation of staff. The Board shall conduct a quasi-judicial public hearing on the application and recommend to the City Commission whether they should grant the approval, grant the approval subject to specific conditions or deny the application. The Planning Department, Planning and Zoning Board and City Commission may recommend such conditions to the approval that are necessary to ensure compliance with the standards set out in Section 3-408.” Section 4-201 (D) through (M) of the Zoning Code provides the requirements and performance standards with which proposed MXD projects must comply.

Mixed Use District (MXD) Purpose and Objectives

The current MXD Zoning Code provisions were adopted by Ordinance No. 2004-04 on 01.13.04 and subsequently rereviewed and readopted as a part of the comprehensive Zoning Code rewrite. The MXD was created as an overlay zoning designation that is supplemental to the underlying zoning designations and other applicable City regulations. Property owners who chose to develop under these regulations and secure site plan approval are regulated by the underlying zoning district, Zoning Code and CLUP unless superseded by the MXD provisions.

The Zoning Code's stated purpose of the MXD district is as follows:

1. *Provide the method by which tracts of land may be developed as a planned unified project rather than on a lot-by-lot basis as provided for in the City's other regulations.*
2. *Provide for residential uses at higher densities in exchange for public realm improvements.*
3. *Provide maximum design freedom by permitting property owners an opportunity to more fully utilize the physical characteristics of the site through modified development regulations and the planned mixing of uses.*
4. *Require that property within the District will be developed through a unified design providing continuity among the various elements causing a better environment.*
5. *Create a diversity of uses within walking distance, including but not limited to: residential, offices, workplaces, neighborhood commercial, and public open spaces.*
6. *By organizing appropriate building densities, public transit will be further strengthened as an alternative to the use of private vehicles.*
7. *Provide a strong emphasis on aesthetics and architectural design through the use of the regulations and the planned mixing of uses to establish identity, diversity and focus to promote a pedestrian friendly environment.*

The compliance of the applicant's plans with the MXD requirements and performance standards set out in Zoning Code Section 4-201 (D) through (M) has been evaluated and is provided in table format as Attachment C. That evaluation determined that the proposal satisfies the Code's requirements for an MXD project.

Site Plan Review Criteria

The applicant's plans have been compared to the site plan review criteria set out in Zoning Code Section 3-408 as follows:

- A. *"The proposed conditional use is consistent with and furthers the goals, objectives and policies of the Comprehensive Land Use Plan and furthers the purposes of these regulations and other City ordinances and actions designed to implement the Plan."*

Staff comments: As concluded on pages 16-20 of this report, this application is "consistent" with the CLUP's Goals, Objectives and Policies with the recommended conditions of approval and site plan provisions incorporated by the applicant which address the City objectives for encouraging mixed use development in the Industrial Section.

- B. *"The available use to which the property may be put is appropriate to the property that is subject to the proposed conditional use and compatible with existing and planned uses in the area".*

Staff comments: The subject property is located within the MXD South Industrial District which allows and is intended to encourage the development of this property as a mixed use project. The project is 56.9% commercial office use and 12.8% ground floor retail which is within the required CLUP mixed use thresholds.

- C. *"The proposed conditional use does not conflict with the needs and character of the neighborhood and the City".*

Staff comments: The subject property is surrounded on all sides by existing commercial and industrial uses. The redevelopment of this property as a MXD project fulfills the objective of

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the City to attach mixed use developments to the Industrial District area and the creation of a pedestrian oriented urban environment. The dedication of a public park on the east side of the property will serve all surrounding properties.

- D. *“The proposed conditional use will not adversely or unreasonably affect the use of other property in the area.”*

Staff comments: The Gables Gateway mixed use project is located on the block south of the project, and the Village of Merrick Park located one-half block to the north. Both existing developments are consistent with the proposed application. This development is consistent with the underlying CLUP designation as it will not adversely or unreasonably affect the use of other adjoining, adjacent and contiguous properties in the area.

- E. *“The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures”.*

Staff comments: The planned redevelopment of this property as an MXD project is compatible and complies with the intent of the MXD Overlay District provisions and design criteria, and is consistent with the existing uses, scale and massing of the surrounding commercial buildings. The height of the project along LeJeune Road is low-rise commercial as required by the underlying Commercial Low-Rise land use designation. The dedication of a public park on the east side of the property will also serve all the surrounding properties.

- F. *“The parcel proposed for development is adequate in size and shape to accommodate all development features.”*

Staff comments: The subject property is larger than the minimum 10,000 square foot size for a MXD project within an approved MXD Overlay District, and pursuant to Building and Zoning Department Preliminary Zoning Analysis has been found to meet all Zoning Code requirements and design criteria for a proposed MXD project.

- G. *“The nature of the proposed development is not detrimental to the health, safety and general welfare of the community.”*

Staff comments: Commercial uses surround the subject property, and the height of the project along LeJeune Road satisfies the property’s underlying Commercial Low-Rise land use designation. The proposed project is consistent with the stated goals and objectives for mixed-use redevelopment in the Industrial District area. The dedication of a public park on the east side of the property will serve all the surrounding properties.

- H. *“The design of the proposed driveways, circulation patterns and parking is well defined to promote vehicular and pedestrian circulation.”*

Staff comments: All vehicular parking for the project and replacement public parking and service access is within the confines of the building, and is physically separated from pedestrian circulation around the perimeter of the project. A mid block pedestrian paseo is provided to encourage and facilitate pedestrian circulation through and around the project site.

- I. *“The proposed conditional use satisfies the concurrency standards of Article 3, Division 13 and will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner”.*

Staff comments: The proposed project was reviewed by the Building and Zoning Department for concurrency, and it was found that there is adequate infrastructure including water, sewer, open space, parks and reaction facilities available to support the project.

Street and Alleyway Vacation Requirements

The Zoning Code Section 3-1204 requires Planning and Zoning Board review and recommendation on all proposed vacations, abandonment or closure of public streets and alleyways. The Board is required to consider the request as part of the site plan review and approval process, and the Board’s recommendation is forwarded to the City Commission.

Zoning Code Section 3-1203 provides the standards for review for the proposed vacations, abandonment or closure of public streets and alleyways. Review and recommendation is required by both the Public Works Department and the Development Review Committee (DRC), which is forwarded to the Planning and Zoning Board. The proposed alleyway vacation was reviewed by the DRC, including the Public Works Department on 06.27.08, at which time no objections were made regarding the proposal. The standards provided in Zoning Code Section 3-1203, and the applicant’s response to each standard is as follows:

The Zoning Code specifies that applications for the abandonment and vacation of public streets, alleyways and other non-fee interests may be approved provided the following is demonstrated:

- A. *The non-fee property interest sought to be abandoned:*
 1. *Does not provide a benefit to the public health, safety, welfare, or convenience, in that:*
 - a. *It is not being used by the City for any of its intended purposes.*

Applicant’s response: “The alley is currently being used for its intended purpose; however, this will cease when the existing buildings are demolished as part of development of the block.”

Staff comments: The project is designed in a manner that all activities related to the delivery of goods and services, trash pick-up, valet drop-off and vehicular circulation are maintained and conducted internal to the structure or entirely within the confines of the structure. The City’s Public Works, Building and Zoning, Public Service, Parking, Fire and Police Departments as a part of the DRC review process have participated in the review of the proposed alleyway vacation. The endorsement of this proposal by the Public Works Department was primarily based on lack of need for the alleyway since it would serve only one property owner, and all services are proposed to be located within the building.

- b. *The Comprehensive Land Use Plan, special purpose plan, or capital improvement program does not anticipate its use; or*

Applicant’s response: “The Comprehensive Land Use Plan does not anticipate the use of this alley; therefore the project is not inconsistent with the City’s Comprehensive Plan. There are also no special purpose plans or capital improvement programs that anticipate the alley’s use in its present configuration.”

Staff comments: The proposed MXD project is “consistent” with the CLUP Goals, Policies and Objectives, as identified and presented in this report. The project adds a residential component and future Public City Park to support the adjoining commercial uses, and promotes a “walkable” pedestrian environment, which are City objectives for the MXD District. The proposed project satisfies all applicable concurrency standards such as water, sewer, open space and recreational facilities. The property shall assist the City efforts in the promotion of attainable housing whereby the City can achieve its state mandated requirements for providing attainable housing.

2. *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;*

Applicant’s response: “The vacation of the alley will not frustrate any comprehensive plan, special purpose plan, or capital improvement program of the City.”

Staff comments: The project will provide capital improvements that are not budgeted and would not otherwise be constructed in the Industrial District. The property owner has proffered funds for the design and improvement of a public park, and the installation of two signalized pedestrian crosswalks. Public ROW/public realm improvements are provided on streets adjoining the property in compliance with the City’s Master Landscape Plan. Additional off site improvements have been provided by the property owner which include installation of landscaping, public realm improvements, lighting, re-paving and curbing, crosswalks, drainage and undergrounding of utility lines along the right-of-way adjoining the property, as well as along both sides of Greco Avenue to Ponce de Leon Boulevard.

- 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; and*

Applicant’s response: “The vacation of this alley will not interfere with any planning effort of the City that is underway at this time but not yet completed.”

Staff comments: The project adds a residential component and future Public City Park to support the adjoining commercial uses, and promotes a “walk-able” pedestrian environment, which are City objectives for the MXD District. Public ROW/public realm improvements are provided on streets adjoining the property in compliance with the City’s Master Landscape Plan. The property shall assist the City efforts in the promotion of attainable housing whereby the City can achieve its state mandated requirements for providing attainable housing.

- B. *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.*

Applicant's response: "The proposed site plan using and reconfiguring the vacated alley provides a material and substantial public benefit. The proposed alley vacation application promotes the desired MXD type of development by internalizing building services and creating pedestrian friendly streetscapes while mitigating the loss of the real property. The proposed application provides an internal replacement alley and paseo. The internal service way and paseo are approximately 50% more square footage than the existing alley. The applicant is also providing other substantial public realm improvements beyond the project's boundaries and perimeters, including contribution to the reconfiguration of the Greco/Granello intersection, additional design and implementation of the streetscape master plan on the north side of Greco from the east boundary of our property extended north to the Ponce Circle, implementation of planned traffic calming measures; and increased proposed park area., all of which will benefit all the residents in the area, and the City, as a whole."

Staff comments: The property owner has proffered the improvement of a public park, the installation of two signalized pedestrian crosswalks, and off site improvements which include installation of landscaping, public realm improvements, lighting, re-paving and curbing, crosswalks, drainage and under-grounding of utility lines along the right-of-way adjoining the property, as well as along both sides of Greco Avenue to Ponce de Leon Boulevard.

City Commission Identified Issues

At the City Commission's 01.08.08 meeting at which the proposed land swap required for this project was initially discussed, the Commission requested a number of issues be included as part of the procurement process and site plan review that must be addressed and included in the public hearing applications. The Commission's issues and the applicant's response to each are as follows:

1. *Include traffic calming measures.*

Applicant's response: "DYL has agreed to re-configure the intersection of Greco and Granello Avenues at the request of Public Works that is currently a vast area of unmarked pavement without lines to assist in making turns. The reconfiguration of the intersection will provide additional area to the proposed park land. DYL is also improving the north and south sides of Greco Avenue with bump outs that help reduce traffic speed and DYL has agreed to pay a proportional share of traffic calming in this traffic district upon receipt of detailed information from Public Works."

Staff comments: The applicant has proffered to provide a pedestrian crosswalk and signalization at the intersections of San Lorenzo Avenue and Ponce de Leon Boulevard, and at LeJeune Road and Greco Avenue, subject to review and approval by FDOT and City Staff.

2. *Determine net gain/loss of on-street parking.*

Applicant's response: "As noted, above, this number will be provided after the Planning Director meets with the Directors of Public Works and Public Service and they determine the number of 3 parking space units between bump outs versus the 2 parking space units between bump outs that are required by the streetscape master plan."

Staff comments: As determined by the City's Parking Director, a total of 13 on-street parking spaces will be removed resulting from this proposed project. Payment is required by applicant, its successors or assigns according to established City requirements for the loss of those parking spaces.

3. *Appraisal to determine comparative value of City's parking lot on LeJeune Road with proposed park property.*

Applicant's response: "Attached is a copy (included in Planning Department application on file) of the City and DYL's appraisals of the surface parking lot and the proposed park land. Both appraisers value the two properties at the same price per square foot. In addition to the even exchange of property, DYL is offering to pay park design costs not to exceed \$300,000.00 and park implementation costs not to exceed \$1,000,000.00, to provide maintenance for the park in perpetuity, to reconfigure intersection at Greco/Granello Avenues, to implement streetscape master plan on north side of Greco and carry it all the way east to the Circle and to replace City's surface parking spaces inside of the project. We estimate the costs of all of these improvements and commitments to be in the range of \$3,230,000.00."

Staff comments: This is a Procurement Code/City ownership issue, and is not a regulatory review issue, and shall be addressed as part of the land swap negotiations between the City and the property owners. Copies of the appraisals are on file and available for review with the Planning Department.

4. *Re-pavement of streets in surrounding area.*

Applicant's response: "DYL has agreed to pave the streets surrounding the proposed project."

Staff comments: The applicant has agreed to re-pave the public streets surrounding the project site, which has been shown and noted on the Master Site Plan submitted with the application.

5. *Examine reduction of street and public ROW widths to accommodate additional park space.*

Applicant's response: "The Public Works Department has worked with the architects in providing guidance in the requested reconfiguration of the Greco/Granello Avenues intersection which results in approximately an additional 3000 square of park area."

Staff comments: The applicant has reduced the street width and improved the intersection of Greco Avenue and Granello Avenue and used the additional public ROW area to expand the size of the public park space.

6. *Park should look and function as a public park and not a part of the development.*

Applicant's response: "DYL has appeared at the Parks and Recreation Advisory Board to receive the members' input on barriers between park and project and signage to indicate that park is City owned and open to the public. When finally designed, the developer will provide the plan to the City and the Board for recommendations and approval."

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Staff comments: A recommended condition of approval included with this Staff report is that the proposed improvements and site plan, and any proposed private use of the park shall be subject to future City review and approval.

7. *A proposed site plan shall be provided at the same time request to proceed with land swap is presented to the Commission.*

Applicant's response: "DYL has submitted its proposed mixed use project site plan."

Staff comments: A proposed site plan has been submitted by the applicant, which is the subject of the regulatory review requiring review and recommendation by the Planning and Zoning Board and consideration by the City Commission in resolution form at one public hearing.

8. *Provision of a "Master Public Realm Improvement Plan" for the area as required by Code for inclusion as a part of the MXD review process.*

Applicant's response: "DYL is working with Public Service, Public Works and the Planning Departments in its creation of its public realm improvement plan as well as meeting with the architects of the project located to the south. DYL is doing its part to implement the City's goal that the MXD area have a cohesive and coordinated look to the public realm improvements."

Staff comments: A Master Site Plan has been prepared by the applicant and is included with the application package (pages 31 thru 36 of 136) which provides for landscaping, public realm improvements and streetscape improvements on-site and within the public ROW, including intersection improvements, street paving and resurfacing, curb/gutters and sidewalks and under-grounding of off-site public utilities for both sides of Granello Avenue and Greco Avenue between LeJeune Road and Ponce de Leon Boulevard.

Traffic Study

The property is located in the Gables Redevelopment Infill District (GRID), which was created to encourage infill development by exempting projects from concurrency analysis for traffic capacity. The Traffic Study submitted with the application has been reviewed by the Public Works Department with regards to traffic circulation, and Public Works determined that no additional traffic improvements are required as a result of this project. The Public Works Department has recommended, and the applicant proffered to provide a pedestrian crosswalk and signalization at the intersection of San Lorenzo Avenue and Ponce de Leon Boulevard, and at LeJeune Road and Greco Avenue, subject to review and approval by FDOT and City Staff. These signalized pedestrian crosswalks have been included as recommended conditions of approval.

Traffic calming and roadway improvements were also required for the Gables Gateway project, located on the block south of this property. Traffic improvements include construction and extension of a turn lanes on Ponce, reconfigure intersection at Biltmore and Riviera Drives and install a roundabout at Blue Road and Riviera Drive. Gables Gateway is also required to provide roadway resurfacing and sidewalk reconstruction with curb and gutter along Granello Avenue and install traffic calming improvements at the intersection of Granello and Greco Avenues including reconfiguration of roadway geometry and pedestrian crosswalks. The applicant has worked with the Gables Gateway developers to coordinate roadway improvements between the

two projects.

Proposed Public City Park

The improvements proposed for the Public City Park are not included with this MXD site plan review. The site plan for the Public City Park has not been prepared and will subject to future City review.

Concurrency Management

This project has been reviewed for compliance with the Building and Zoning Department's Concurrency Management program. The Concurrency Impact Statement (CIS) issued by the Building and Zoning Department for the project indicates that there is adequate infrastructure available to support the project. The CIS is on file and available for review with the Planning Department.

Public School Concurrency Review

Pursuant to the Educational Element of the City's Comprehensive Land Use Plan, Article 3, Division 13 of the Zoning Code, and State of Florida growth management statute requirements, public school concurrency review is required prior to final Board of Architects review for all applications for development approval in order to identify and address the impacts of new residential development on the levels of service for public school facilities. For a residential development to secure a building permit, adequate school capacity must be available or scheduled to be under actual construction within three years of the final approval. If capacity is not available, the developer, school district and affected local government must work together to find a way to provide capacity before the development can proceed.

City Staff requested that, prior to this mandatory public school concurrency review, the applicant request a preliminary public school concurrency analysis from Miami-Dade County Public Schools in order to gauge the development's potential impacts to the public school system. This preliminary review is currently underway.

The review will only consider the residential portion of the mixed-use development, which at 42 units, represents a small percentage of the overall project. City staff has discussed this project with Miami-Dade County Public Schools staff, and does not anticipate any public school concurrency issues with this application.

Attainable Housing

The City is mandated by the State of Florida and South Florida Regional Planning Council to address its attainable housing needs pursuant to State statutes, regional priorities, and the City's Comprehensive Land Use Plan (CLUP). Accordingly, City staff has previously proposed and continues to strive for various attainable housing strategies to meet the City's needs, as recommended by the City of Coral Gables Affordable/Workforce Housing Study. Previous attempts have included inclusionary zoning, linkage fees, and other programs. In advance of a formal citywide program, the City is requesting that major residential and mixed use developments that undergo increases in density, changes in zoning, changes in CLUP, PAD, MXD and/or conditional use reviews, assist the City in its attainable housing efforts.

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City staff has previously discussed and recommended that a 50-unit threshold be established that would exempt projects with less than 50 units from being required to set-aside a percentage of units for attainable housing. Projects containing less than 50 residential units, including the 42-unit DYL project, are instead being asked to assist the City with its attainable housing efforts in other ways, including monetary contributions.

In response to the City's request for the applicant's assistance with attainable housing, the applicant has agreed to the following, as provided in the conditions of approval:

"Attainable Housing. As proffered by the applicant, the applicant, its successors or assigns will contribute \$100,000.00 dollars to the City of Coral Gables at the time of issuance of building permit to assist the City in its efforts to promote and/or provide attainable housing. The funds shall be deposited by the City in a separate line-item account dedicated exclusively for the City's attainable housing efforts, which may include, but is not limited to, the following: update of the existing housing study, planning, implementation, administration, management, education, advertisement, promotion, and/or development of attainable housing, in furtherance of the City's Comprehensive Land Use Plan and the State of Florida's growth management statute requirements."

Compliance with Comprehensive Land Use Plan Goals, Objectives and Policies

The Planning Department has reviewed the CLUP and finds the following CLUP Goals, Objectives and Policies are applicable and the following table on pages 16-20 provides determination/findings of fact to consistency and inconsistency thereof.

Consistent CLUP Goals & Objectives and Policies are as follows:

Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency
1.	<i>OBJECTIVE 1-1.2: CONTROL BLIGHT AND PROMOTE REDEVELOPMENT. Efforts shall be made to control blighting influences, and redevelopment shall be encouraged in areas experiencing deterioration. This Objective shall be achieved through the implementation of the following policies.</i>	This proposed project will provide for the planned redevelopment of an underutilized property and continue the transformation of the Industrial District south of the Village of Merrick Park as a viable mixed use district by promoting the expressed vision of the MXD objectives, including mixed-uses, pedestrian-friendly design, and public open space and encouraging future redevelopment of other underdeveloped parcels of land.
2.	<i>OBJECTIVE 1-1.3: ACHIEVING COMPLIANCE WITH FUTURE LAND USE MAP AND PLAN. By the year 2010 the City shall endeavor to reduce the number of inconsistencies between the Future Land Use Map and the actual land uses from 70 to 35.</i>	The property is currently underdeveloped and is located between the Village of Merrick Park (north) and the mid-rise mixed use Gables Gateway project (south). The redevelopment of this site as a mixed use project fulfills the City-wide master plan for streetscape and ROW improvements in the Industrial District and is consistent with the City's objective to promote the Industrial Design District Village that includes a mix of both commercial and residential components.
3.	<i>POLICY 1-1.3.1: AVOID ENCROACHMENT INTO NEIGHBORHOODS BY INCOMPATIBLE USES. Residential neighborhoods should be protected from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.</i>	The applicant's plans provide public ROW improvements surrounding the project site in accordance with requests made by the City Commission. Additional landscaping along LeJeune Road is provided in order to buffer the communities further west of the project. The Public Works Department has recommended and the applicant has proffered provide two (2) signalized pedestrian crosswalks in Traffic Zone 3, which has been included

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Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency
		as a condition of approval.
4.	<i>POLICY 1-1.3.2: APPLICATION OF BUFFERING TECHNIQUES. Uses designated in the plan which cause significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic, shall provide buffering when located adjacent to or across the street from incompatible uses such as residential uses.</i>	The height of the project has been reduced along LeJeune Road across from the existing low-rise commercial businesses as required by the property's underlying commercial land use designation. The applicant's plans provide public ROW improvements surrounding the project site in accordance with requests made by the City Commission. Additional landscaping along LeJeune Road is provided in order to buffer the communities further west of the project.
5.	<i>POLICY 1-1.3.3: LIMITATIONS OF POTENTIALLY DISRUPTIVE USES. Normally disruptive uses may be permitted on sites within related districts only where proper design solutions are demonstrated and committed to in advance which will be used to integrate the uses so as to buffer any potentially incompatible elements.</i>	Public ROW improvements including provisions for a public park, pedestrian paseo and crosswalks and public landscaping and streetscape improvements are provided in accordance with the City's Master Landscape Plan. All replacement public parking lost as a result of this project will be located within the building's new parking garage. This proposal locates all parking and service facilities internal to the building so that they are physically separated from pedestrian circulation around the perimeter of the project.
6.	<i>OBJECTIVE 1-1.7: DISCOURAGE URBAN SPRAWL. Discourage the proliferation of urban sprawl by amending the land development regulations to include a regulatory framework for encouraging future infill and redevelopment within existing developed areas. In drafting the infill/redevelopment program, the City shall coordinate public and private resources necessary to initiate needed improvements and/or redevelopment within these areas.</i>	This development encourages infill development and redevelopment while providing needed public realm improvements for the South Industrial District area in compliance with the City's Master Landscape Plan. Where adjacent properties remain low-rise commercial buildings (across Greco Avenue to the north), the recent reduction in required minimum MXD building site area allows for the future redevelopment of those properties as mid-rise mixed use projects.
7.	<i>POLICY 1.1.7.1: DEVELOPMENT OF EMPLOYMENT CENTERS. Encourage effective and proper development of employment centers of high quality which offer potential for local employment in reasonably close proximity to protected residential neighborhoods.</i>	This mixed use development will further assist in developing this area as an employment center as it will provide for additional employment opportunities for the surrounding neighborhood by promoting mixed-uses that include commercial retail and office uses.
8.	<i>POLICY 1-1.7.2: DEVELOPMENT OF UNDEVELOPED LAND. Encourage development of remaining undeveloped and vacant isolated parcels of developable property through identification and staff assistance in providing information as to appropriate uses permitted by Code and proper procedures to be undertaken to obtain the proper development orders.</i>	This site is currently developed with low-rise commercial uses and a City surface parking lot. The proposed mixed use project would result in the planned redevelopment of the site to the property's development potential with a mid-rise commercial project with the incorporation of a residential component utilizing the available MXD provisions and a new public park.
9.	<i>POLICY 1-1.7.5: REDEVELOPMENT OF THE INDUSTRIAL DESIGN CENTER. By January 2000, the City shall adopt land development regulations which encourage the development of the Industrial Design Center as a mixed use village (3243).</i>	This project was designed in accordance with the MXD provisions and proposes a mixed use project including a residential component, which was an objective of the "village" concept.
10.	<i>OBJECTIVE 1-1.9: INNOVATIVE DEVELOPMENT REGULATIONS. Encourage sound innovation in development regulations which provide a continuing process to respond to community needs</i>	This project utilizes the Code's MXD provisions available for the development of a commercial mixed use project containing residential units that would otherwise not be permitted by the underlying land use and zoning designations. All replacement public parking lost as a result of this project will be located within the building's new parking garage.
11.	<i>POLICY 1-1.9.1: MIXED USE DOWNTOWN DEVELOPMENT. Encourage balanced mixed use</i>	This project proposes a commercial mixed use project including retail and residential components, and the

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Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency
	<i>developments in the downtown, which promote pedestrian activity and provide for specific commitments to design excellence and long term economic and cultural vitality.</i>	provision of public realm improvements in accordance with the City's Master Landscape Plan. The dedication of a public park on the east side of the property will serve all the surrounding properties.
12.	OBJECTIVE 1-1.13: SCENIC VISTAS. <i>Create preserve and maintain scenic vistas in keeping with the classic tradition as embodied in the original city plan.</i>	The proposed project would allow for a more cohesive and efficient development pattern and promote a continuous planned streetscape along LeJeune Road, and a public park in the heart of the MXD South Industrial District.
13.	<p>POLICY 1-2.4.1 – INDUSTRIAL USE (Northern & Southern Industrial Section): <i>The area depicted on map below, shall be subject to the following:</i></p> <ul style="list-style-type: none"> • <i>All uses permitted in Commercial and Industrial (M) Land Use categories shall be permitted.</i> • <i>Maximum FAR of 3.0; with architectural incentives and public realm improvements FAR of 3.5 may be permitted.</i> • <i>Maximum permitted height is six stories; with architectural incentives and public realm improvements eight stories may be permitted.</i> • <i>Properties may develop at higher intensities/densities pursuant to the Mixed Use Overlay District 3 (MXD3) as provided in Policy 1-2.17.</i> <p><i>Residential Uses shall only be permitted pursuant to the Mixed Use Overlay District 3 (MXD3) as provided in Policy 1</i></p>	The proposed project would result in the planned development of the underdeveloped property and a more efficient development pattern under these parameters.
14.	<p>POLICY 1-2.17 MIXED USE OVERLAY DISTRICT 3 (MXD3): <i>The general intent of the MXD3 is to include a number of places to go and things to do within walking distance, including an assortment of uses including the following:</i></p> <ul style="list-style-type: none"> • <i>Residential;</i> • <i>Retail/Commercial;</i> • <i>Office;</i> • <i>Industrial; and</i> • <i>Public Open Spaces.</i> <p><i>Provide a strong emphasis on aesthetics and architectural design through the use of the regulations and the planned mixing of uses to establish identity, diversity and focus to promote a pedestrian environment.</i></p> <p><i>Utilization of a variety of architectural attributes and street level pedestrian amenities to create a sense of place, including the spatial relationship of buildings and the characteristics created to ensure attractive and functional pedestrian areas.</i></p> <p><i>Properties assigned the MXD3 overlay, have the option of developing their property in accordance with the underlying land use.</i></p> <p><i>No single use may comprise of more than 85% of the MXD3 floor area ratio.</i></p>	This project was designed in accordance with this policy. The proposed project promotes the expressed vision of the MXD South Industrial District, including mixed-uses, pedestrian-friendly design, and public open space.

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Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency															
	<p><i>Land development regulations shall determine the MXD3 location and area; residential densities up to 125 units per acre; height up to a maximum of 125 feet, which includes up to a maximum of 100 feet of habitable space and up to 25 feet for rooftop architectural elements; floor area ratio up to 3.5 maximum; providing specific design criteria; and public realm improvements to promote street level pedestrian activity including, but not limited to public open space, landscaping, street lighting, right-of-way and streetscape improvements; pedestrian, transit, and bicycle access; and other regulations deemed necessary.</i></p> <p><i>Mix of Uses</i></p> <p><i>The proportionate mix of uses of uses shall be reviewed per development application. The following table establishes minimum and maximum thresholds based upon the FAR of the building.</i></p> <table border="1" data-bbox="282 869 787 1083"> <thead> <tr> <th>Type of Use</th> <th>Minimum % of FAR</th> <th>Maximum % of FAR</th> </tr> </thead> <tbody> <tr> <td>Residential</td> <td>0%</td> <td>85%</td> </tr> <tr> <td>Retail/Commercial</td> <td>8%</td> <td>40%</td> </tr> <tr> <td>Office</td> <td>0%</td> <td>85%</td> </tr> <tr> <td>Industrial</td> <td>0%</td> <td>5%</td> </tr> </tbody> </table> <p><i>A MXD3 may be permitted in Commercial Low Intensity (CL), Commercial Medium Intensity (CM), Commercial High Intensity (CH) and Industrial (I) land use categories.”</i></p>	Type of Use	Minimum % of FAR	Maximum % of FAR	Residential	0%	85%	Retail/Commercial	8%	40%	Office	0%	85%	Industrial	0%	5%	
Type of Use	Minimum % of FAR	Maximum % of FAR															
Residential	0%	85%															
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Office	0%	85%															
Industrial	0%	5%															
15.	<p>POLICY 2-1.2.6: INFILL AND REDEVELOPMENT IN APPROPRIATE PARTS OF THE CITY. As a vibrant mature City located in rapidly growing Dade County, Coral Gables shall pursue infill and redevelopment in appropriate parts of the City, especially the GRID. This has included or shall include: (3243)</p> <ul style="list-style-type: none"> • The Central Business District designation for the commercial core around Miracle Mile. • The City's sponsorship of a public-private venture for redevelopment of the Bus Terminal as a multi-use retail, office, and residential site. • The City's redevelopment of Lot 22 as an off-street parking structure with street level retail components. • The possible redevelopment of the City's equipment Yard into a mixed use village. • A possible light trolley system in the GRID area part of the City traveling approximately from the Douglas Entrance, a huge mixed use redevelopment project, to the Metrorail Station at Douglas Avenue and US 1. • Possible redevelopment incentives for the Douglas Apartment District. 	The proposed project would promote redevelopment of property within the GRID as part of a mixed-use village composed of mixed-uses, pedestrian-friendly design, and public open space.															

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Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency
	<ul style="list-style-type: none"> <i>Maintaining the Mediterranean Design Ordinance, which awards density and height bonuses for developments in the Mediterranean Design District.</i> 	
16.	<p><i>POLICY 2-1.7.3: CONTROLLING THROUGH TRAFFIC MOVEMENTS. The City shall discourage through traffic in neighborhoods by use of traffic management techniques, including signage, landscape design and roadway design.</i></p>	<p>The applicant's plans provide public ROW improvements surrounding the project site in accordance with the City's Landscape Master Plan. The Public Works Department has recommended and the applicant has proffered provide two (2) signalized pedestrian crosswalks in Traffic Zone 3, which has been included as a condition of approval.</p>
17.	<p><i>POLICY 2-1.8.1: PROVIDE ROADWAY LANDSCAPING. The City shall provide landscaping along roadways to serve as visual and sound buffers and to maintain the quality of the environment within the City.</i></p>	<p>The proposed development provides streetscape improvements and landscaping around the perimeter of the project in accordance with the City's Master Landscape Plan.</p>
18.	<p><i>POLICY 3-1.2.6: COMPATIBILITY OF NEW DEVELOPMENT. New development shall be compatible with adjacent established residential areas.</i></p>	<p>The height of the project has been reduced along LeJeune Road across from the existing low-rise commercial businesses as required by the property's underlying commercial land use designation, and is similar in height, massing and mix of uses to the Gables Gateway project located to the south. The proposed project will result in the provision of streetscape and public realm improvements in accordance with the City's Master Landscape Plan. The dedication of a public park on the east side of the property will serve all the surrounding properties.</p>
19.	<p><i>POLICY 6-1.5.5: PROVIDE BEAUTIFICATION OF PUBLIC OPEN SPACE SYSTEMS. Provide continued beautification of streets, rights-of-way and public open spaces and facilities within Coral Gables.</i></p>	<p>The proposed project would allow for beautification of the MXD South Industrial District and provide streetscape improvements in compliance with the City's Landscape Master Plan and a new public park.</p>
20.	<p><i>POLICY 7-1.1.6: PLAYGROUND EQUIPMENT AND OPEN SPACE PARK SITES. Identify potential sites for playground equipment and open space parks</i></p>	<p>The proposed project would result in the City obtaining a desirable location for a new public park.</p>
21.	<p><i>OBJECTIVE 7-1.2: PUBLIC ACCESS TO RECREATION OPPORTUNITIES. Ensure public access to recreation programs and facilities.</i></p>	<p>The proposed development would provide the City with a desirable location for a new public park, which would provide surrounding residents with greater public access to recreation opportunities.</p>
22.	<p><i>POLICY 7-1.3.2: ADDITIONAL PUBLIC OPEN SPACE AND NATURAL RESERVATIONS. Additional public open space and natural reservations shall be designated and where feasible, acquired by the city.</i></p>	<p>The proposed development would provide the City with improved public right-of-ways in the MXD South Industrial District and a desirable location for a new public park.</p>
23.	<p><i>POLICY 7-1.4.3: IMPACTS OF NEW DEVELOPMENT ON PUBLIC OPEN SPACE AND PEDESTRIAN/BICYCLE CIRCULATION. New development shall be encouraged by the City Planning and Zoning Departments to provide for public open space, and accommodate pedestrian and bicycle circulation, during the development review process.</i></p>	<p>The proposed project would allow for a more cohesive and efficient development pattern which would provide for a new public park and enhance pedestrian/bicycle circulation. The Public Works Department has recommended and the applicant has proffered provide two (2) signalized pedestrian crosswalks in Traffic Zone 3, which has been included as a condition of approval.</p>

Staff Comments: Staff's determination that this application is "consistent" with the CLUP's goals, objectives and policies that are identified is based upon compliance with conditions of approval recommended by Staff and site plan provisions incorporated by the applicant which address the City objectives for encouraging mixed use development in the Industrial Section, and the creation of an Industrial Design Center Village.

Summary of Findings of Fact

The findings of fact that support the approval of the application include the following:

1. The proposed MXD project is “consistent” with the CLUP Goals, Policies and Objectives, as identified and presented in this report.
2. The project satisfies the site plan review criteria and the requirements and performance standards for a proposed MXD project as specified in the Zoning Code.
3. The proposal satisfies the standards for review for the vacation of a public alleyway as specified in the Zoning Code.
4. The property owner has proffered funds for the design and improvement of a public park, and the installation of two signalized pedestrian crosswalks.
5. Public ROW/public realm improvements are provided on streets adjoining the property in compliance with the City’s Master Landscape Plan.
6. Additional off site improvements have been provided by the property owner which include installation of landscaping, public realm improvements, lighting, re-paving and curbing, crosswalks, drainage and under-grounding of utility lines along the right-of-way adjoining the property, as well as along both sides of Greco Avenue to Ponce de Leon Boulevard.
7. The project adds a residential component and future Public City Park to support the adjoining commercial uses, and promotes a “walk-able” pedestrian environment, which are City objectives for the MXD District.
8. The project is designed in a manner that all activities related to the delivery of goods and services, trash pick-up, valet drop-off and vehicular circulation are maintained and conducted internal to the structure or entirely within the confines of the structure.
9. The proposed project satisfies all applicable concurrency standards such as water, sewer, open space and recreational facilities.
10. The property owner has secured Board of Architects architectural review and approval which includes granting of Mediterranean bonuses.
11. No variances are required for this project.
12. The applicant has satisfactorily addressed all comments provided by City Departments via the Development Review Committee process.
13. The property shall assist the City efforts in the promotion of attainable housing whereby the City can achieve its state mandated requirements for providing attainable housing.

Public Notification/Comments

A petition was received by the City Clerk’s Office on 07.01.08 in opposition to the project and vacation of public alleyway. A copy of that petition and signatures are provided as Attachment D.

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

Type	Explanation
Neighborhood meeting completed	Completed 09.04.08
Courtesy notification of all property owners within 1,500 feet of the MXD Industrial Section District	Completed 09.16.08 and 10.09.08
Newspaper ad published	Completed 09.18.08
Posted property	Completed 09.18.08

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Type	Explanation
Posted agenda on City web page/City Hall	Completed 10.03.08
Posted staff report on City web page	Completed 10.03.08

The listing of property owners who returned the notification/comment form, including the date received, property owner's name, address, object/no objection/no comment and verbatim comments is provided as Attachment E.

Respectfully submitted,

Eric Riel, Jr.
Planning Director

Attachments:

- A. Applicant's submittal package.
- B. 03.11.07 Building and Zoning Department Preliminary Zoning Analysis.
- C. Planning Department MXD Compliance Table.
- D. Petition and signatures received by City Attorney's Office on 07.01.08.
- E. Synopsis of comments received from property owners within 1,500 feet.

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