

City of Coral Gables
Planning Department Staff Report

To: Honorable Local Planning Agency (LPA) / Planning and Zoning Board Members

From: Planning Department

Date: September 15, 2010

Subject: **Application No. 07-10-111-P. Change of Land Use.** An Ordinance of the City Commission of Coral Gables, Florida amending the Future Land Use Map of the Coral Gables Comprehensive Plan pursuant to small scale amendment procedures subject to ss. 163.3187, Florida Statutes, from "Commercial Use, Mid-Rise Intensity" to "Commercial Use, High-Rise Intensity" for a 1.2 acre parcel legally described as Lots 1-9 and 37-46, Block 10, Crafts Section (272 Valencia Avenue), Coral Gables, Florida; and providing for severability, repealer, codification and an effective date.

Recommendation

The Planning Department, based upon the Findings of Fact contained herein, recommends approval of the following:

An Ordinance of the City Commission of Coral Gables, Florida amending the Future Land Use Map of the Coral Gables Comprehensive Plan pursuant to small scale amendment procedures subject to ss. 163.3187, Florida Statutes, from "Commercial Use, Mid-Rise Intensity" to "Commercial Use, High-Rise Intensity" for a 1.2 acre parcel legally described as Lots 1-9 and 37-46, Block 10, Crafts Section (272 Valencia Avenue), Coral Gables, Florida; and providing for severability, repealer, codification and an effective date.

Summary of the Basis for Approval

Staff's support of application for the change in land use is based on compliance with the Comprehensive Plan (CP) as enumerated in the complete Findings of Fact presented herein and the below listed considerations. The application provides the following:

1. Provides for greater opportunity for well designed infill development, thereby discouraging urban sprawl.
2. Promotes development of employment centers within walking distance of established residential neighborhoods, thereby reducing the need to drive.
3. Encourages balanced development in the central business district and adjoining commercial

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- areas to promote pedestrian activity, provide design excellence and long term economic and cultural vitality.
4. Provides greater opportunity for construction of quality development that would allow the integration of a variety of land uses and densities in the downtown area.
 5. Provides opportunity to more fully utilize the physical characteristics of the site through the planned development of the property.
 6. Allows for use and access to a diversity of uses within walking distance, which includes residential, offices, workplaces, downtown/neighborhood commercial, public parking and public open spaces.
 7. Provide for infill and redevelopment that provides the following:
 - a. A variety of uses in the area which can be traversed in a ten (10) minute walk which is an area roughly inscribed by a one thousand three hundred and twenty (1,320) foot (1/4 mile) radius from the center.
 - b. Bring within walking distance most of the activities of daily living, residents of all ages may gain independence of movement, thereby reducing the number and length of vehicular trips.
 - c. Provide architectural and design elements focused towards the pedestrian scale as well as an assortment of street level pedestrian amenities.
 - d. Allow for greater flexibility to create landmark opportunities, physically defined squares, plazas, urban passageways, paseos, parks, public open spaces, etc.

Request

The applicant is requesting a change of land use map designation from Commercial Use, Mid-Rise Intensity to Commercial Use, High-Rise Intensity to allow for the future construction of a commercial high-rise office building. No change in zoning is proposed from the current Commercial District (C) zoning designation.

Site plan review and recommendation is not being requested with this application. A conceptual site plan has been submitted with the application intended to provide a representative example of the potential massing for a commercial high-rise office building. However, the parcel can be developed pursuant to the permitted and conditional uses of the existing Commercial District, therefore no requirement exists to limit the parcel to be developed as an office building.

The application package including a statement of use, zoning analysis, location map and survey, existing/proposed land use maps, existing zoning map and a conceptual site plan is provided as Attachment A.

The subject property does have an existing alley bisecting the parcel. The property could be developed with the alley as presently located, however the development of the property would not be developed in manner providing for the highest and best use of the parcels. Future vacation/abandonment/relocation of the existing alley would require future public hearing review with an associated site plan before the Planning and Zoning Board and City Commission per Zoning Code Article 3, Division 12, "Abandonment and Vacations."

This application requires review and recommendation by the Local Planning Agency (Planning and Zoning Board) before consideration by the Commission. This proposal is considered a "small scale" amendment according to the Department of Community Affairs (DCA) thresholds. The DCA only requires submission of the small scale amendments and no formal review is conducted.

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Facts – Background and Proposal

Application	Request
Change of land use	Yes - Commercial Use, Mid-Rise Intensity to Commercial Use, High-Rise Intensity
Comprehensive Plan text amendment	N/A
Change of zoning	N/A - Property remains as Commercial District (C) zoning classification
Zoning Code text amendment	N/A
Site plan review	Future site plan review is required by the PZB/CC if the alley is vacated/abandoned/relocated
Mixed use site plan	N/A
Planned Area Development	N/A
Subdivision Review or Tentative Plat	N/A
Conditional uses	N/A

City Reviews:

City Reviews/Timeline	Date Scheduled/ Reviewed/Approved*
Development Review Committee	Required with application for public alleyway re-location
Board of Architects	Future site plan review is required
Board of Adjustment	N/A
Historic Preservation Board	N/A
Local Planning Agency	09.15.10
Planning and Zoning Board	09.15.10
Street and Alley Vacation Committee	N/A
Public rights-of-way encroachment	N/A
City Commission, 1 st reading	10.12.10
City Commission, 2 nd reading	TBD

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

Existing Property Designations:

Applicable Designations	
CLUP Map Designation	Commercial Use, Mid-Rise Intensity
Zoning Map Designation	Commercial District (C)
Within Central Business District	Yes
Mixed Use District ("C", Commercial only)	Permitted
Mediterranean Architectural District (citywide)	Permitted
Coral Gables Redevelopment Infill District (GRID) – TCEA	Yes

Surrounding Uses:

Location	Existing Land Uses	CLUP Designations	Zoning Designation
North	1 story US Post Office building	Commercial Use, Mid-Rise Intensity	Commercial District (C)
South	1-2 story commercial buildings	Commercial Use, Mid-Rise Intensity	Commercial District (C)
East	1-2 story commercial buildings	Commercial Use, Mid-Rise Intensity	Commercial District (C)
West	3 story commercial building and 4 level parking garage	Commercial Use, High-Rise Intensity	Commercial District (C)

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Previous City Approvals

The subject property underwent previous public hearing reviews for the following:

1. Ordinance No. 3315 (adopted 03.24.98) provided for the vacation of the west 100 feet of east/west public alleyway that bisects the property, subject to the relocation of a substitute public alleyway provided to the City.
2. Ordinance No. 3594 (adopted 09.24.02) rescinded Ordinance No. 3315 and rededicated the vacated alleyway for public use due to failure to comply with conditions of approval of Ordinance 3315.

Copies of the referenced Ordinances are provided as Attachment C.

City Department Review

This proposal was reviewed by City Staff at the Development Review Committee (DRC) meeting on 08.27.10. No comments were provided by the DRC. When the property proceeds forward with future development, future DRC review shall be required.

Zoning Code and Comprehensive Plan Analysis

Zoning Code Analysis

The subject property is currently zoned Commercial District (C). See Attachment B for a complete copy of Commercial District (C) Requirements.

Although the subject property is not undergoing a change in zoning or site plan review, please find listed below the Planning Department preliminary zoning analysis to identify future development parameters of the property:

Development requirements – Commercial District (C) provisions		
Zoning Code Provision	Category	
Sec. 4-302 D.1	Minimum parcel of land: Greater than forty-five (45) feet in height shall have a minimum of 200 feet of primary street frontage and minimum land area of 20,000 square feet	Complies
Sec. 4-302 D.2	Minimum parcel dimensions: a. Width. Twenty (25) feet b. Depth. One-hundred (100) feet	Complies
Sec. 4-302 D.4	Floor area ratio: 3.0 FAR without Med. Architectural style bonuses (sq. ft.)	51,982 sq. ft. x 3.0 Far = 155,946 sq. ft.
Sec. 5-604 C. and D.	Floor area ratio: 3.5 FAR with Med. Architectural style bonuses (sq. ft.)	51,982 sq. ft. x 3.5 FAR = 181,937 sq. ft.
Sec. 4-302 D.3	Minimum setbacks without	Front setback:

Development requirements – Commercial District (C) provisions		
Zoning Code Provision	Category	
	Med. Architectural style bonuses	1. Up to 15' feet in height: None 2. The portion of a building above 15' shall be set back 10' from the property line Side setback: 1. Interior side: Up to 45' in height – 0', greater than 45' in height – 15' plus 1' of additional setback for each 3' of height above 45' 2. Side street: 15' Rear setback: 1. Abutting a dedicated alley or street: None 2. Not abutting dedicated alley or street: 10'
Sec. 5-604 H.1	Minimum setbacks with Med. Architectural style bonuses	Front setback: 0' Side setback: 0' Rear setback: 0'
Sec. 4-302 D.3	Balconies	Cantilevered open balconies may project into the required setback areas a max. six (6) feet.
Sec. A-36 B.4 Sec. A-63 A.4 Sec. 5-604 C. and D.	Height. The maximum permitted height is as pursuant to the Comprehensive Land Use Plan Map designation and/or Site Specific Zoning regulations as provided for in Appendix A of the Zoning Code.	Zoning Code: 13 stories / max. 150' height Comp Plan: 150' height Med bonus allows up to 3 additional stories (13.5' each) for a maximum height of 190.5' height.
Sec. 5-1105 C.1	Required on-site landscaping: 10% of site area (sq. ft.)	51,982 sq. ft. x .10 = 5,198 sq. ft.
Sec. 4-302 D.6	Nighttime use requirements for properties adjacent to a residential district	Property is not adjacent to residential district

Listing of permitted and conditional uses - Commercial District (C)

The subject property could be developed as-of-right or would be required to undergo conditional use public hearing review dependent upon the future intended use of the property. A listing of the permitted use and conditional uses is as follows:

"B. Permitted uses. The following uses are permitted subject to the standards in this Section and other applicable regulations in Article 5:

1. Accessory uses.
2. Alcoholic beverage sales.
3. Animal grooming and boarding.
4. Assisted living facilities.
5. Automobile service station.
6. Camps.
7. Community center.
8. Congregate care.
9. Day care.

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10. Drive through facilities not abutting or adjacent to SFR, MF1, MF2, and MFSA zoning districts.
11. Educational facilities.
12. Funeral home.
13. Government uses.
14. Indoor recreation/entertainment.
15. Medical clinic.
16. Municipal facilities.
17. Nighttime uses.
18. Nursing homes.
19. Offices.
20. Overnight accommodations.
21. Parking garages.
22. Parking lots.
23. Public transportation facility.
24. Restaurants.
25. Restaurants, fast food.
26. Retail sales and services.
27. Swimming pools as an accessory use.
28. Temporary uses.
29. TV/radio studios.
30. Utility/infrastructure facilities.
31. Vehicle sales/displays.
32. Vehicle service, major.
33. Veterinary offices.”

“C. Conditional uses. The following uses are permitted as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:

1. Drive through facilities abutting and/or adjacent to SFR, MF1, MF2, and MFSA zoning districts.
2. Helistop.
3. Marina facilities
4. Mixed use building(s).
5. Outdoor recreation/entertainment.
6. Private yacht basin.”

Comprehensive Plan (CP) Analysis

This section evaluates the application for consistency with the CP. A comparison of the current Commercial Use, Mid-Rise Intensity to the proposed Commercial Use, High-Rise Intensity is as follows:

Current Comprehensive Plan Future Land Use Element designation parameters			
Commercial Mid-Rise Intensity.	This category is oriented to medium intensity pedestrian and neighborhood commercial uses, including residential, retail, services, office, and mixed use.	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). Residential use shall only be permitted as part of a mixed-use development as provided herein.	Up to 70’ maximum (no limitation on floors), or up to 97’ maximum (with a maximum 2 additional floors) with architectural incentives per the Zoning Code.

Proposed Comprehensive Plan Future Land Use Element designation parameters			
Commercial High-Rise Intensity.	This category is oriented to the highest intensity commercial uses, including residential, retail, services, office, and mixed use.	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). Residential use shall only be permitted as part of a mixed-use development as provided herein.	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.

Planning Staff review finds the application is consistent and promotes the following CP elements: Future Land Use Element, Design Element, and Mobility Element. Specifically, Staff finds the requests are consistent with the following CP Goals, Objective and Policies;

"Future Land Use Element

Objective FLU-1.7. When amendments to the Zoning Code are processed, discourage the proliferation of urban sprawl by including 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.

Policy FLU-1.7.1. Encourage effective and proper high quality development of the Central Business District, the Industrial District and the University of Miami employment centers which offer potential for local employment in proximity to protected residential neighborhoods.

Policy FLU-1.7.2. The City shall continue to enforce the Mediterranean architectural provisions for providing incentives for infill and redevelopment that address, at a minimum, the impact on the following issues:

- *Surrounding land use compatibility.*
- *Historic resources.*
- *Neighborhood Identity.*
- *Public Facilities including roadways.*
- *Intensity/Density of the use.*
- *Access and parking.*
- *Landscaping and buffering.*

Objective FLU-1.8. Continue to ensure land and resources are made available which are suitable for utility facilities and other infrastructure required to support proposed development. This Objective shall be achieved through the implementation of the following policies:

Objective FLU-1.9. Encourage sound innovation in the development standards of the City's Zoning Code which provides a continuing process to respond to community needs.

Policy FLU-1.9.1. Encourage balanced mixed use development in the central business district and adjoining commercial areas to promote pedestrian activity and provide for specific commitments to design excellence and long term economic and cultural vitality.

Policy FLU-1.9.2. Encourage the detailed planning of downtown, which is defined as the central business district, to establish sound economic, aesthetic and land use principles for effective utilization of both public and private resources.

Goal FLU-3. The City as a part of its development review process shall engage public/community participation and collaboration to provide for a transparent development review process.

Objective FLU-3.1. The City shall continue its efforts to notify stakeholders, residents, property owners and neighborhood associations of pending development reviews to provide transparency within the development process.

Design Element

Goal DES-1. Maintain the City as a livable city, attractive in its setting and dynamic in its urban character.

Objective DES-1.1. Preserve and promote high quality, creative design and site planning that is compatible with the City's architectural heritage, surrounding development, public spaces and open spaces.

Policy DES-1.1.2. Provide for rigorous design guidelines, standards, and review processes via the City's Zoning Code that ensure high quality design of buildings and spaces.

Policy DES-1.1.5. Promote the development of property that achieves unified civic design and proper relationship between the uses of land both within zoning districts and surrounding districts, by regulating, limiting and determining the location, height, density, bulk and massing, access to light and air, area of yards, open space, vegetation and use of buildings, signs and other structures.

Objective DES-1.2. Preserve the Coral Gables Mediterranean design and architecture.

Policy DES-1.2.1. Continue the award of development bonuses and/or other incentives to promote Coral Gables Mediterranean design character providing for but not limited to the following: creative use of architecture to promote public realm improvements and pedestrian amenities; provide a visual linkage between contemporary architecture and the existing and new architectural fabric; encourage landmark opportunities; and creation of public open spaces.

Policy DES-1.2.2. Require that private development and public projects are designed consistent with the City's unique and historical Mediterranean appearance in balance with contemporary architecture.

Mobility Element

Goal MOB-1. Provide accessible, attractive, economically viable transportation options that meet the needs of the residents, employers, employees and visitors through a variety of

methods.

Objective MOB-1.1. Provide solutions to mitigate and reduce the impacts of vehicular traffic on the environment, and residential streets in particular with emphasis on alternatives to the automobile including walking, bicycling, public transit and vehicle pooling.

Policy MOB-1.1.1. Promote mixed use development to provide housing and commercial services near employment centers, thereby reducing the need to drive.

Policy MOB-1.1.2. Encourage land use decisions that encourage infill, redevelopment and reuse of vacant or underutilized parcels that support walking, bicycling and public transit use.

Policy MOB-1.1.3. Locate higher density development along transit corridors and near multimodal stations.

Policy MOB-1.1.4. Support incentives that promote walking, bicycling and public transit and those that improve pedestrian and bicycle access to/and between local destinations such as public facilities, governmental facilities, schools, parks, open space, employment centers, downtown, commercial centers, high concentrations of residential, private/public schools, University of Miami and multimodal transit centers/stations.

Policy MOB-1.1.5. Improve amenities within public spaces, streets, alleys and parks to include the following improvements: seating; art; architectural elements (at street level); lighting; bicycle parking; street trees; improved pedestrian crossing with bulbouts, small curb radii, on-street parking along sidewalks, pedestrian paths and bicycle paths to encourage walking and cycling with the intent of enhancing the feeling of safety.

Policy MOB-2.2.5. As a vibrant mature City located in rapidly growing Miami-Dade County, the City shall continue to pursue and promote infill and redevelopment in appropriate parts of the City, especially within the City's GRID. – The City shall research the following:

- *The possible expansion and upgrade of the current trolley system to other destinations within the City which may include a northern extension beyond 8th Street and connection to the University of Miami campus.*
- *Potential development incentives and/or economic incentives to promote trolley ridership.*
- *Maintain the existing Coral Gables Mediterranean Style Design Standards, which awards density and height bonuses for developments which provide pedestrian amenities thereby encouraging walkability.*

Objective MOB-2.8. The City shall plan and ensure development of a transportation system that preserves environmentally sensitive areas, conserves energy and natural resources, and maintains and enhances community aesthetic values.

Policy MOB-2.8.1. The City shall continue implementation and further strengthen the City's existing land development regulations requiring the placement of landscaping within rights-of-way to complete the following:

- *Promote expansion of the City's existing tree canopy.*
- *Provide screening of potentially objectionable uses.*
- *Serve as visual and sound buffers.*

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- *Provide a comfortable environment for pedestrian walking (walkability) and other activities.*
- *Improve the visual attractiveness of the urban and residential areas (neighborhoods).*

Policy MOB-2.8.2. The City in its development of the downtown and and/or central business district shall promote the installation of landscaping within the rights-of-way and private properties since the urban fabric will be transformed into a significant urban center as buildout continues pursuant to the established Comprehensive Plan and Map.”

Findings of Facts

Staff analysis of the application finds the request is in conformance with the Comprehensive Plan. Staff’s conclusion is based upon the following “Findings of Fact”:

1. The proposal is consistent with and furthers the Goals, Policies and Objectives of the Comprehensive Plan and furthers the purpose of these regulations and other City ordinances and actions designed to implement the Comprehensive Plan.
2. The proposed future use of the property is consistent with the property’s existing Commercial District (C) zoning designation is compatible with existing and planned uses in the Central Business District.
3. The development of this property as “infill” is in character with surrounding commercial uses of the Central Business District.
4. The proposed use will not adversely or unreasonably affect the use of other properties in the area.
5. 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.
6. The proposed development of this property will allow for commercial uses consistent with neighboring Central Business District properties.
7. The nature of the proposed development is not detrimental to the health, safety and general welfare of the community.
8. The proposed future use will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner.
9. Future vacation/abandonment/relocation of the existing alley would require future public hearing review with an associated site plan before the Planning and Zoning Board and City Commission per Zoning Code Article 3, Division 12, “Abandonment and Vacations.”

Public Notification/Comments

A total of 513 courtesy notices were mailed within 1,000 feet of the subject property. In addition, the following has been completed to solicit input and provide notice of the application:

Type	Explanation
Courtesy notification to property owners within 1,000 feet of the property	08.25.10
Newspaper ad published	09.03.10
Posted property	09.02.10
Posted agenda on City web page/City Hall	08.31.10
Posted Staff report on City web page	09.10.10

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The listing of property owners who returned the notification/comment form, including the date received, property owners name, address, object/no objection/no comment and verbatim comments are attached as Attachment D.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'ERJ', written over the text 'Respectfully submitted,'.

Eric Riel, Jr.
Planning Director

Attachments:

- A. Applicant's submittal package
- B. Commercial District (C) zoning regulations
- C. Copies of Ordinances No. 3315 and 3594
- D. Public comments