

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2024-75

A RESOLUTION OF THE CITY COMMISSION AMENDING RESOLUTION NO. 2023-196 WHICH GRANTED REMOTE PARKING CONDITIONAL USE APPROVAL FOR THE MIXED-USE PROJECT REFERRED TO AS “THE AVENUE” HOTEL AND RESIDENCES ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 8 THROUGH 11, BLOCK 9, REVISED PLAT OF CORAL GABLES INDUSTRIAL SECTION (351 SAN LORENZO AVENUE), CORAL GABLES, FLORIDA TO REPLACE THE REQUIREMENT THAT ALL OVERHEAD UTILITIES ALONG THE ENTIRE ALLEY BE UNDERGROUND WITH AN OBLIGATION TO CONSTRUCT CERTAIN PUBLIC REALM IMPROVEMENTS IN THE VICINITY OF THE PROJECT.

WHEREAS, pursuant to Resolution No. 2023-196, the City Commission granted remote parking conditional use approval for the mixed-use project referred to as The Avenue (the “Project”) to be located at 351 San Lorenzo; and

WHEREAS, Resolution No. 2023-196 contains the following conditions:

2. Prior to issuance of the first Building Permit, Applicant shall:

...

f. Underground overhead utilities. Applicant shall provide all necessary plans and documents to underground all utilities along the entire alleyway, subject to review and approval by the Directors of Public Works, Landscape Services and Planning and Zoning.

...

3. Prior to issuance of the first Certificate of Occupancy or Temporary Certificate of Occupancy, Applicant shall:

...

a. Underground utilities. Complete the undergrounding of all new utilities along the entire alley, subject to review and approval by the Directors of Public Works, Landscape Services, and Planning and Zoning.

WHEREAS, the property owner has submitted a written request to amend Resolution No. 2023-196 to modify the conditions of approval to remove the requirement that all overhead utilities along the entire alleyway be underground and instead, be replaced with an obligation to construct certain public realm improvements in the vicinity of the project; and

WHEREAS, the cost of the improvement and replacement of the existing sidewalk and streetscape along Laguna Avenue is estimated to be \$146,000.00; and

WHEREAS, the City Commission has reviewed and considered the request and finds that given the uniqueness of the situation, the request to amend Resolution No. 2023-196 is reasonable;

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

SECTION 1. That the foregoing "**WHEREAS**" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon the adoption hereof.

SECTION 2. That Resolution No. 2023-196 is amended to remove the requirement that all overhead utilities along the entire alley be underground and instead require that the Applicant supervise and undertake the improvement and replacement of the existing sidewalk and streetscape along Laguna Avenue as indicated in the plan submitted along with Applicant's request and to contribute \$50,000 of such work with the balance being the responsibility of the City, provided that any change orders or changes to the scope of work that would result in the cost of the project exceeding the cost estimate of \$146,000 shall be subject to approval by the City Manager or designee.

SECTION 3. That the City Commission finds that it is in the best interest of the City to waive the competitive process of the Procurement Code for such sidewalk and streetscape improvements along Laguna Avenue and further authorizes the City Manager and City Attorney to negotiate and execute an agreement with the Applicant for the coordination and construction of the off-site work along Laguna Avenue with a \$50,000 contribution by the Applicant and including terms and conditions for reimbursement by the City, providing that any change orders or changes to the scope of work that would result in the cost of the project exceeding the cost estimate be subject to approval by the City Manager or designee, and other terms consistent with the Commission's intent.

SECTION 4. That the City Commission authorizes the City Manager and the City Attorney to approve an amended restrictive covenant consistent with the amended conditions approved in this resolution, if necessary.

SECTION 5. That this Resolution shall become effective immediately upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS SIXTEENTH DAY OF APRIL, A.D., 2024.

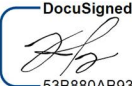
(Moved: Anderson / Seconded: Castro)

(Yeas: Castro, Fernandez, Menendez, Anderson, Lago)

(Unanimous: 5-0 Vote)

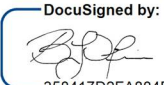
(Agenda Item: E-11)

APPROVED:

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VINCE LAGO
MAYOR

ATTEST:

DocuSigned by:

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BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

DocuSigned by:

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CRISTINA M. SUÁREZ
CITY ATTORNEY