



City of Coral Gables Planning and Zoning Staff Recommendation

Applicant:	University of Miami
Application:	Comprehensive Plan Map Amendment, Zoning Code Text Amendment and an Amendment to the University of Miami Development Agreement
Property:	University of Miami - Coral Gables, Florida Campus and Plumer Building (5915 Ponce de Leon Boulevard), Coral Gables, Florida
Public Hearing - Dates/Time/ Location:	Local Planning Agency (LPA)/Planning and Zoning Board, April 9, 2014, 6:00 – 9:00 p.m., City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134

Application Request.

The University of Miami is requesting a Comprehensive Plan map amendment, Zoning Code text amendment and an amendment to the 2010 University of Miami Development Agreement, as follows:

- 1. An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "University Campus" to "University Campus Multi-Use Area" for a parcel of land approximately 1.22 acres in size that would extend the existing designated University Campus Multi-Use Area south across the University Waterway Canal up to and including the Fred C. and Helen D. Flipse Building, located on the Coral Gables Campus, Coral Gables, Florida; and, providing for severability, repealer and an effective date. (Legal description on file at the City) (LPA review)*
- 2. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 4, "Zoning Districts", Division 2, "Overlay and Special Purpose Districts", Section 4-202, "University Campus District (UCD)", amending the UCD Frontage "C" provisions to establish height and setback requirements for a porte-cochere located along Ponce de Leon Boulevard; and providing for severability, repealer, codification, and an effective date. (PZB review)*
- 3. An Ordinance of the City Commission of Coral Gables amending the City of Coral Gables and University of Miami Development Agreement, adopted by Ordinance No. 2010-31 on 09.28.10, pursuant to Zoning Code Article 3, Division 19, entitled "Development Agreements", for the University of Miami, City of Coral Gables Campus, amending Paragraph 18 of the Development*

Agreement that governs the miscellaneous uses and temporary occupancies the University may make of property within the corporate limits of the City, and to include the property commonly known as the “Plumer Building”, and legally described as the northeast 25’ of Lot 9 and Lots 10-22, Block 196, Riviera Section 14 (5915 Ponce de Leon Boulevard), Coral Gables, Florida; and providing for severability, repealer and an effective date. (legal description on file) (PZB review)

Summary of Application.

The University of Miami (hereinafter referred to as “University”), has submitted a proposed Comprehensive Plan map Amendment, Zoning Code text amendment and an amendment to the University of Miami Development Agreement (hereinafter referred to as the “Amendments”). All three proposed amendments require public hearing review by the Planning and Zoning Board and City Commission review at two (2) public hearings (Ordinance format). The application package submitted by the University is provided as Attachment A.

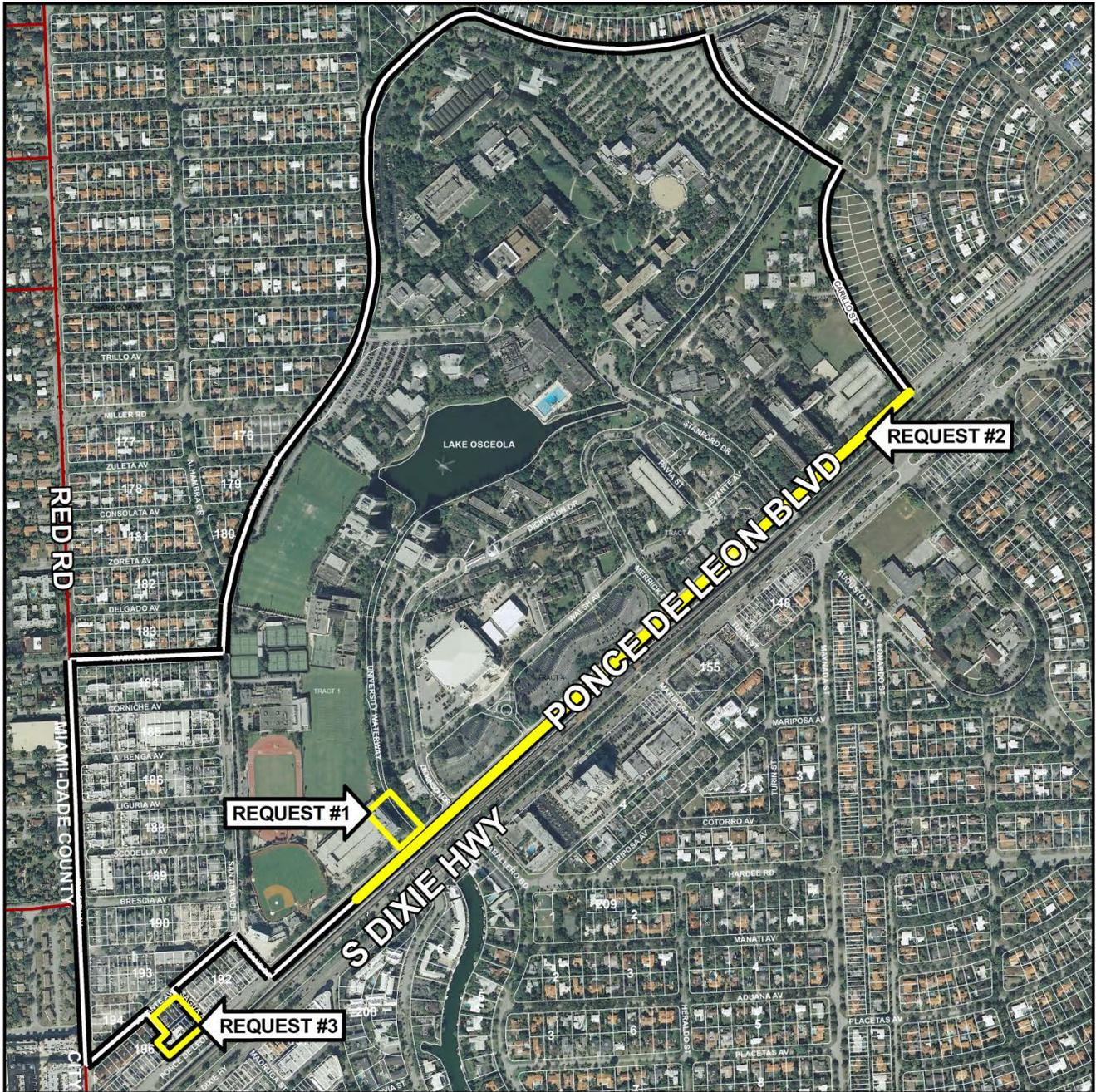
The Application includes three (3) requests, summarized as follows:

1. An amendment to the City’s Future Land Use Map designation from “University Campus” to “University Campus Multi-Use Area” for a parcel of land approximately 1.22 acres in size that would extend the existing designated University Campus Multi-Use Area south across the University Waterway Canal up to and including the Fred C. and Helen D. Flipse Building.
2. A Zoning Code text amendment to the Code’s “University Campus District (UCD)”, amending the UCD Frontage “C” provisions to establish height and setback requirements for a porte-cochere located along Ponce de Leon Boulevard.
3. Amend Paragraph 18 of the University of Miami Development Agreement that governs the miscellaneous and temporary uses the University may make of property within the corporate limits of the City, and to include the property commonly known as the “Plumer Building”, and legally described as the northeast 25’ of Lot 9 and Lots 10-22, Block 196, Riviera Section 14 (5915 Ponce de Leon Boulevard), Coral Gables, Florida.

Detailed maps and graphics showing the areas that are the subject of the proposed amendments are provided in the University’s application package with the submittal letter (see Attachment A).

The location of the areas that are the subject of the Application are along Ponce de Leon Boulevard, as shown on the following aerial/location map:

Aerial/Location Map



Timeline, Site Data and City Review .

The application has undergone the following City reviews:

Type of Review	Date
Development Review Committee	03.28.14
Residents’ meeting	03.26.14
Board of Architects	N/A
Historic Preservation Board	N/A
Planning and Zoning Board	04.09.14
City Commission, 1 st reading	TBD
City Commission, 2 nd reading	TBD

The following table and map identify the applicable property’s designations for the University campus and the Plumer Building:

University’s Property Designations

Comprehensive Plan Map designation	“University Campus” and “University Campus Multi-Use Area”
Zoning Map designation	University Campus District (UCD)
Within Coral Gables Redevelopment Infill District (GRID)	Yes

Plumer Building’s Property Designations

Comprehensive Plan Map designation	“Commercial Low-Rise Intensity”
Zoning Map designation	Commercial (C) District and Commercial Limited (CL) District
Within Coral Gables Redevelopment Infill District (GRID)	Yes

The existing land use and zoning designations for the University campus and Plumer Building are illustrated on the following maps:

Existing Future Land Use Map



Existing Zoning Map



Description of Proposed Amendments.

Proposed Amendments

A detailed description of the proposed Comprehensive Plan map amendment, Zoning Code text amendment and amendment to the University of Miami Development Agreement is presented in the University’s application package provided as Attachment A.

1. Comprehensive Plan map amendment. The proposed amendment to the City’s Future Land Use Map comprises 1.22 acres, and is classified as a small scale amendment (less than 10 acres in size). The amendment would extend the existing designated University Campus Multi-Use Area south across

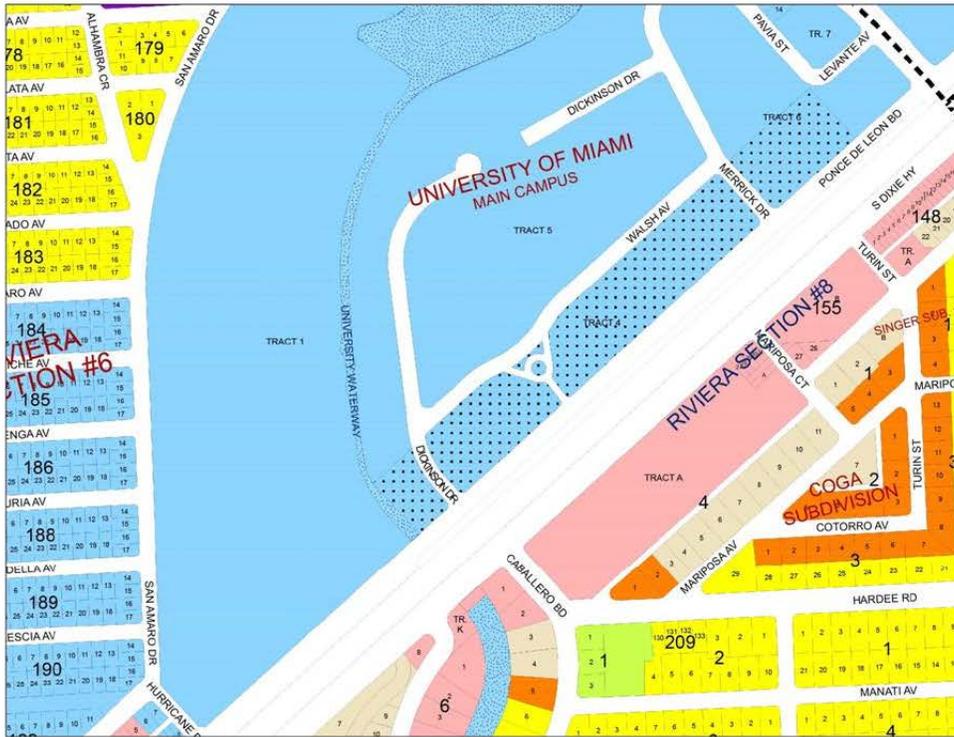
the University Waterway Canal up to and including the Flipse Building, which is attached to the Ponce Garage. The Flipse Building is located between the proposed UHealth Building and the Ponce Garage, which would serve the UHealth Building. The proposed amendment would include the Flipse Building within the Multi-Use Area, and would allow those uses permitted in the Multi-Use Area within the Flipse Building.

The following are the uses identified in the City’s Comprehensive Plan that are permitted within the University Campus Multi-Use Area:

Policy FLU-1.1.6. *Other land use classifications are as follows (Land use descriptions provided herein are general descriptions, refer to underlying/assigned Zoning Classification for the list of permitted uses):*

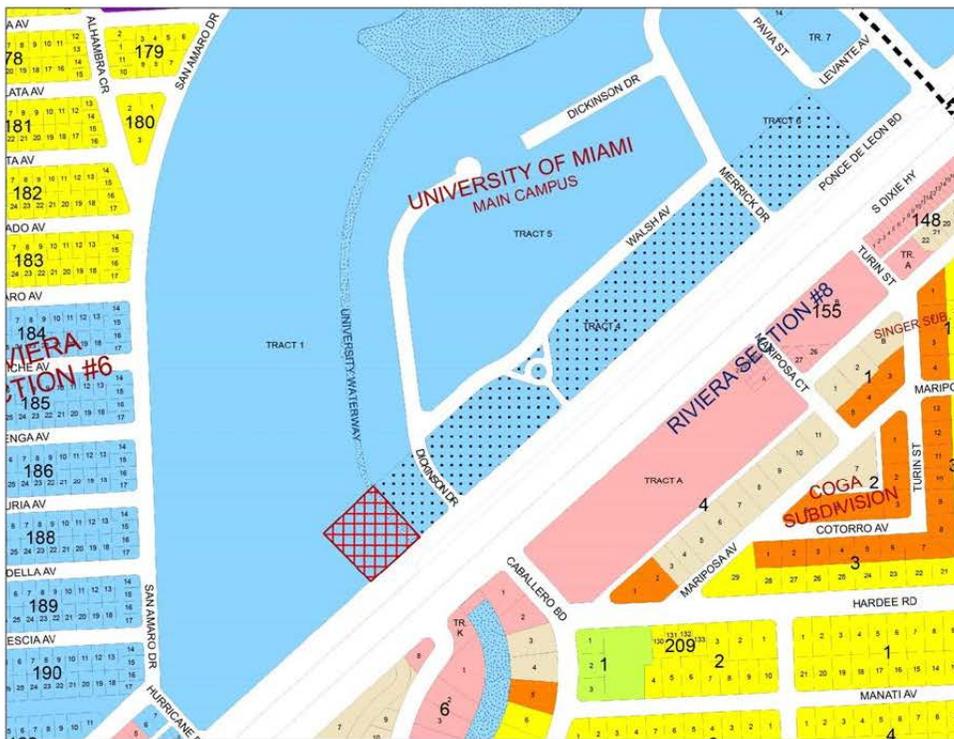
<i>Table FLU-5. Other Land Uses.</i>				
<i>Classification</i>	<i>Description</i>		<i>Density / Intensity</i>	<i>Height</i>
<i>University Campus</i>	<i>Land uses for learning, research, living and other uses which are ancillary to a university campus.</i>		<i>Maximum F.A.R. of 0.7 for the entire campus as a planned development site.</i>	<i>Per the Zoning Code.</i>
	<i>Sub Category</i>			
	<i>University Campus Multi-use Area</i>	<i>In addition to the uses in Table FLU-5 hereinabove, this category shall include other land uses that are associated or affiliated with the university, or directly supportive of the university’s mission to educate and nurture students, to create knowledge, and to provide service to the community. Such other uses shall include lodging, conference center, governmental/public sector, research, office, and medical/ healthcare uses. Retail uses ancillary to or which serve the other use(s) permitted in the University Campus and University Campus Multi-Use Area may be integrated in an amount not to exceed fifteen percent (15%) of the total floor area.</i>		

The following maps showing the existing land use designations and the proposed Comprehensive Plan Map amendment:



Existing Multi-use Area

EXISTING UNIVERSITY OF MIAMI MULTI-USE AREA
CITY OF CORAL GABLES FUTURE LAND USE MAP



Proposed Amendment Area

PROPOSED AMENDMENT TO UNIVERSITY OF MIAMI MULTI-USE AREA
CITY OF CORAL GABLES FUTURE LAND USE MAP

2. Zoning Code text amendment. The proposed text amendment amends Section 4-202(G) of the Zoning Code which establishes the height and setback performance standards for University development around the perimeters of the Campus. The proposal is to amend University Campus District (UCD) Frontage C to establish height and setback requirements for a porte-cochere. UCD Frontage C is located only along Ponce de Leon Boulevard, and does not front onto any residentially zoned districts. The existing Zoning Code provisions currently do not sufficiently address the use of porte-cocheres for buildings on the non-residential perimeter of the University campus. The proposed amendments would establish height and setback standards for a porte-cochere located on the University Campus along Ponce de Leon Boulevard.

The following is the specific text amendment proposed by the University (shown in underline format):

G. Performance Standards.

Heights and setbacks of buildings. All new proposed structures and buildings within the UCD District shall comply with the following height and setback requirements. In the event, more restrictive provisions have been approved or a part of the Campus Master Plan, the provisions of the Campus Master Plan shall control.

c. UCD Frontage C.

- i. A masonry wall with a maximum height of four (4) feet shall be setback at least fifteen (15) feet from the front property line.*
- ii. A masonry wall with a maximum height of six (6) feet shall be setback at least twenty-five (25) feet from the front property line.*
- iii. Surface parking spaces shall be setback at least twenty-five (25) feet from the front property line.*
- iv. No building shall be permitted within fifty (50) feet of the front property line.*
- v. The maximum permitted building height within one hundred (100) feet of the front property line is ninety (90) feet.*
- vi. The maximum permitted building height between one hundred (100) and one hundred and sixty (160) feet from the front property line shall increase above ninety (90) feet by one (1) foot in height for every one (1) foot of additional setback from the front property line.*
- vii. The maximum permitted height shall be one hundred and fifty (150) feet, or thirteen (13) stories.*
- viii. A porte-cochere may be extended into a required setback, provided that it does not exceed thirty (30) feet in height and provided that it is set back at least twenty (20) feet from the property line.*

3. Amend University of Miami Development Agreement. The current Development Agreement between the City of Coral Gables and the University of Miami was adopted by Ordinance No. 2010-31 on 09.28.10. A copy of the Development Agreement is provided with the University's submittal package (see Attachment A). The proposal is to amend Paragraph 18 of the Development Agreement that governs the miscellaneous uses and temporary occupancies the University may make of property within the corporate limits of the City, and to include the Plumer Building (5915 Ponce de Leon Boulevard) for campus serving uses. The University leases space within the Plumer Building, and has occupied just under half of the building since 1989. The space is used for academic instruction and faculty and administrative offices.

The existing provisions in the Development Agreement governing miscellaneous use and temporary uses are inconsistent with a use that was in existence at the time of adoption of the Development Agreement. The following are the proposed amendments to Paragraph 18 of the Development Agreement that are intended to correct that oversight (shown in ~~strike through~~/underline format):

18. Miscellaneous Uses and Temporary Occupancies

The City and University agree that within the corporate limits of the City:

(a) Unless expressly approved by an amendment to this agreement, ~~the~~ University's Campus Serving Uses, including but not limited to: academic programs, academic uses and activities; instructional uses and activities, and student housing facilities (collectively, "University Academic Uses") shall be permitted to be established only within the boundaries of the UM Campus. In the event that this Agreement is amended to authorize University Campus Serving Uses, including but not limited to University Academic Uses, outside of the UM Campus, such University Campus Serving Use and the property to be used shall be listed in subparagraph (a) of this Paragraph. In the event that the University no longer owns or leases the property listed in subparagraph (a) the authorization shall be deemed to be terminated and to be of no further legal force and effect.

(a) The University is authorized to use the following property for University Campus Serving Uses, including but not limited to Academic Uses together with all permitted uses under the City Code: (1) 5915 Ponce de Leon Boulevard Coral Gables FL 33146 (Metro Tax Assessor Folio No. 03-4130-009-0250).

Findings of Fact.

This section of the report presents City Staff's evaluation of the application and Findings of Facts. The City's responsibility is to review the Amendments for consistency with the City's Comprehensive Plan (CP) Goals, Objectives and Policies, compliance with the Zoning Code and compliance with other

applicable portions of the City Code.

Comprehensive Plan Map Amendment

The City's responsibility is to evaluate the application for the Comprehensive Plan map amendment with the appropriate provisions of the Zoning Code, and for "Consistency" with the Comprehensive Plan Goals, Objectives and Policies. The proposal is requesting an amendment to the City's Future Land Use Map designation from "University Campus" to "University Campus Multi-Use Area" in order to extend the existing designated University Campus Multi-Use Area south to include an additional parcel of land approximately 1.22 acres in size.

Zoning Code Section 3-1506 provides the standards for Comprehensive Plan Map amendments, as follows:

"A. Proposed amendments to the Text and Maps of the Comprehensive Land Use Plan shall be reviewed pursuant to the following standards:

- 1. Whether it specifically advances any objective or policy of the Comprehensive Land Use Plan.*
- 2. Whether it is internally consistent with Comprehensive Land Use Plan.*
- 3. Its effect on the level of service of public infrastructure.*
- 4. Its effect on environmental resources.*
- 5. Its effect on the availability of housing that is affordable to people who live or work in the City of Coral Gables.*
- 6. Any other effect that the City determines is relevant to the City Commission's decision on the application."*

Staff comments: The standards identified in Section 3-1506 for the proposed CP map amendment are satisfied. The project is consistent with the CP Goals, Objectives and Policies in the Future Land Use, Mobility and Design Elements of the City's Comprehensive Plan as provided herein.

Zoning Code Text Amendment

The provisions within the Zoning Code establish procedures for zoning district boundary changes (map amendments) and for Zoning Code text amendments. The Zoning Code provisions apply to all such amendments, whether initiated by the City or by one (1) or more private property owners. The Zoning Code states the primary concern when making zoning changes shall be given to protection of residential uses, where occupancy is generally for twenty-four (24) hours per day and seven (7) days per week, than to other types of uses; and primary consideration shall be given to protection of established investments than to projected investments.

Zoning Code Section 3-1405 provides the standards for Zoning Code text amendments, as follows:

"The Planning and Zoning Board shall not recommend adoption of, and the City Commission shall not adopt, text amendments to these land development regulations or City-initiated district boundary changes unless the text amendment or City-initiated district boundary change:

- A. *Promotes the public health, safety, and welfare.*
- B. *Does not permit uses the Comprehensive Plan prohibits in the area affected by the district boundary change or text amendment.*
- C. *Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property.*
- D. *Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less the minimum requirements of the Comprehensive Plan.*
- E. *Does not directly conflict with an objective or policy of the Comprehensive Plan.”*

Staff comments: The standards identified in Section 3-1405 for the proposed Zoning Code text amendment are satisfied. The proposed amendment to the Zoning Code does not allow a prohibited use, increase allowed densities or intensities, will not cause a decline in level of service and does not conflict with any objective or policy of the Comprehensive Plan. The proposed amendment to the Zoning Code does allow for the inclusion of porte-cocheres in the design of buildings fronting onto Ponce de Leon Boulevard in the Multi-Use Zone of the UCD, which will promote better urban design.

Amendment of Development Agreement

The City Commission may enter into development agreements in accordance with the provisions of Zoning Code Article 3, Division 19, “Development Agreements” and Chapter 163, Florida Statutes to encourage a stronger commitment to comprehensive and capital facilities planning, ensure the provision of adequate public facilities for development, encourage the efficient use of resources, and reduce the economic cost of development.

Zoning Code Section 3-1906 provides the standards for review of a development agreement, as follows:

“In reaching a decision as to whether or not the development agreement should be approved, approved with changes, approved with conditions, or disapproved, the City Commission and the Planning and Zoning Board shall determine whether the development agreement is consistent with and furthers the goals, policies and objectives of the Comprehensive Plan.”

Staff comments: The standards identified in Section 3-1906 for the proposed Zoning Code text amendment are satisfied. The proposed amendment to the Development Agreement is consistent with and furthers the Goals, Objectives and Policies of the Comprehensive Plan as have been specified and identified in the following section of this report. The proposed amendment to the Development Agreement will correct an existing inconsistency in existence at the date of inception of the Agreement that was not contemplated in the Development Agreement.

Consistency Evaluation of the Comprehensive Plan Goals, Objectives and Policies

This section provides a detailed analysis of the Comprehensive Plan providing a basis of consistency, and finds the following CP Goals, Objectives and Policies are applicable.

Consistent CP Goals, Objectives and Policies are as follows:

Ref. No.	Comprehensive Plan Goals, Objectives and Policies	Staff Review
1.	Policy GOV-1.1.4. Encourage the formation of neighborhood and civic organizations to facilitate effective participation in the community; build relationships between City staff and organizations to enhance communication between the parties with the intent of providing an additional opportunity to communicate with City staff, applicable boards/committees, and the City Commission.	Complies
2.	Policy GOV-1.1.5. Ensure that resident’s concerns regarding incompatible or inconsistent development are addressed in conformance with established provisions of the City Code, Comprehensive Plan, and Zoning Code provisions; and coordinate with established neighborhood organizations in the planning and implementation of neighborhood improvements – such as historic preservation, infrastructure, traffic calming, landscaping, public safety, and other quality of life issues.	Complies
3.	Policy FLU-1.1.7. A concurrency impact analysis is completed for all development orders issued by the City. This includes changes in use, building permits, and change in zoning or conditional use applications. Applicants are required to satisfy all concurrency conditions prior to issuance of a building permit.	Complies
4.	Objective FLU-1.2. Efforts shall continue to be made to control blighting influences, and redevelopment shall continue to be encouraged in areas experiencing deterioration.	Complies
5.	Objective FLU-1.3. By the year 2015 the City shall endeavor to reduce the number of inconsistencies between the Future Land Use Map and the actual land uses from 40 to 20.	Complies
6.	Policy FLU-1.3.1. Private properties desiring to develop or seek City development order reviews which have inconsistent land use and zoning classifications shall, as a part of the City’s development review process, be required to undergo applicable City review for a change in land use and/or zoning to provide for consistent land and zoning designations. The determination as to the proper assignment of land use and/or zoning to correct the inconsistency shall be based on conformance with the goals, objective and polices of the City’s Comprehensive Plan and Zoning Code regulations.	Complies
7.	Policy FLU-1.3.3. Non-residential uses designated in the Comprehensive Plan which cause significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic, shall provide buffering such as landscaping, walls and setbacks, when located adjacent to or across the street from incompatible uses such	Complies

Ref. No.	Comprehensive Plan Goals, Objectives and Policies	Staff Review
	as residential uses.	
8.	Objective FLU-1.4. Provide for protection of natural and historic resources from development and/or redevelopment together with continued maintenance.	Complies
9.	Policy FLU-1.4.3. Historic sites shall be identified and protected, and performance standards for development and sensitive reuse of historic resources shall be established.	Complies
10.	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.	Complies
11.	Policy FLU-1.11.1. Maintain and enforce effective development and maintenance regulations through site plan review, code enforcement, and design review boards and committees.	Complies
12.	Objective FLU-1.12. The City shall enforce the recently adopted Zoning Code which maintains the high aesthetic community design standards.	Complies
13.	Objective FLU-1.13. The City shall enforce the recently adopted Zoning Code which creates, preserves and maintains scenic vistas in keeping with the classic traditions as embodied in the original city plan.	Complies
14.	Policy FLU-1.14.1. The City shall enforce Zoning Code provisions which continue to address the location and extent of residential and non-residential land uses consistent with the Future Land Use Map in order to preserve the character of existing neighborhoods.	Complies
15.	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.	Complies
16.	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.	Complies
17.	Policy DES-1.1.6. Maintain the character of the residential and nonresidential districts, and their peculiar suitability for particular uses.	Complies
18.	Policy DES-1.1.7. Preserve residential properties to assure that future development will be in conformity with the foregoing distinctive character, with respect to type, intensity, design and appearance.	Complies
19.	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.	Complies
20.	Policy MOB-1.1.3. Locate higher density development along transit corridors and near multimodal stations.	Complies
21.	Policy MOB-1.1.8. Protect residential areas from parking impacts of nearby nonresidential uses and businesses and discourage parking facilities that intrude,	Complies

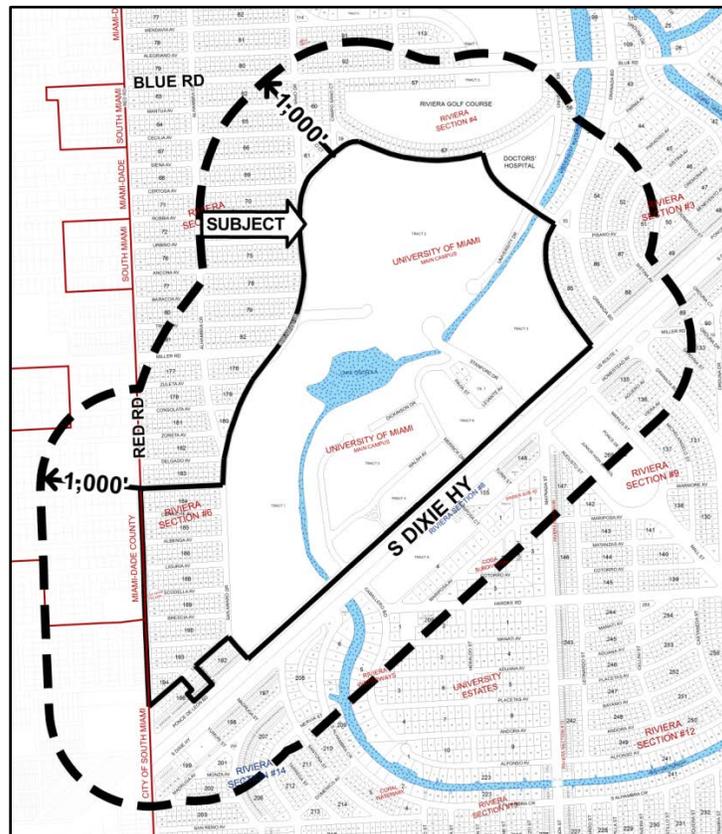
Ref. No.	Comprehensive Plan Goals, Objectives and Policies	Staff Review
	impact and increase traffic into adjacent residential areas.	
22.	Objective MOB-2.7. The City’s Comprehensive Plan, this element and all applicable plans and programs shall protect and minimize any potential traffic impacts to the community and residential neighborhoods.	Complies

Staff Comments: Staff has determined that the Application is “consistent” with the CP’s Goals, Objectives and Policies identified herein.

Public Notification and Comments.

The Zoning Code requires that a courtesy notification be provided to all property owners within 1,000 feet of the campus boundaries. The notice lists the type of applications filed, proposed public hearing dates/time and location where the application files can be reviewed. The notice also provides for an opportunity to submit comments on pending applications. Approximately 1,199 notices were mailed. No public comments were received. A Copy of the legal advertisement and courtesy notice are provided as Attachments B and C.

A map of the notice radius is as follows:



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

Public Notice

Type	Date
Courtesy notification - 1,000 feet of the campus boundary	03.27.14
Posting of property	03.27.14
Legal advertisement	03.27.14
Posted agenda on City web page/City Hall	04.04.14
Posted Staff report on City web page	04.04.14

Staff Recommendation.

The Planning and Zoning Division based upon the complete Findings of Fact contained within this Report recommends **approval** of the following as specified herein:

1. *An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from “University Campus” to “University Campus Multi-Use Area” for a parcel of land approximately 1.22 acres in size that would extend the existing designated University Campus Multi-Use Area south across the University Waterway Canal up to and including the Fred C. and Helen D. Flipse Building, located on the Coral Gables Campus, Coral Gables, Florida; and, providing for severability, repealer and an effective date. (Legal description on file at the City) (LPA review)*
2. *An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 4, “Zoning Districts”, Division 2, “Overlay and Special Purpose Districts”, Section 4-202, “University Campus District (UCD)”, amending the UCD Frontage “C” provisions to establish height and setback requirements for a porte-cochere located along Ponce de Leon Boulevard; and providing for severability, repealer, codification, and an effective date. (PZB review)*
3. *An Ordinance of the City Commission of Coral Gables amending the City of Coral Gables and University of Miami Development Agreement, adopted by Ordinance No. 2010-31 on 09.28.10, pursuant to Zoning Code Article 3, Division 19, entitled “Development Agreements”, for the University of Miami, City of Coral Gables Campus, amending Paragraph 18 of the Development Agreement that governs the miscellaneous uses and temporary occupancies the University may make of property within the corporate limits of the City, and to include the property commonly known as the “Plumer Building”, and legally described as the northeast 25’ of Lot 9 and Lots 10-22, Block 196, Riviera Section 14 (5915 Ponce de Leon Boulevard), Coral Gables, Florida; and providing for severability, repealer and an effective date. (legal description on file) (PZB review)*

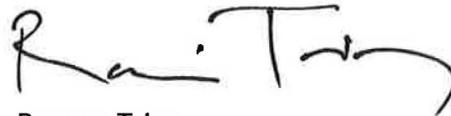
Attachments.

The following attachments are included as background information:

- A. University's submittal package.
- B. 03.27.14 Legal notice published.
- C. 03.27.14 Courtesy notice mailed to all property owners within 1,000 feet.

Please visit the City's webpage at www.coralgables.com to view all application materials. The complete application also is on file and available for examination during business hours at the Planning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134.

Respectfully submitted,



Ramon Trias
Director of Planning and Zoning
City of Coral Gables, Florida