



To: Carmen Olazabal; Mario Garcia-Serra

From: Craig E. Leen, City Attorney for the City of Coral Gables 

RE: Legal Opinion Regarding Amending An Existing Ordinance

Date: June 25, 2014

I recall providing an opinion on this at the P&Z Board public hearing when this issue came up with the remainder of the application. It is my understanding that the proposal is merely a modification of an existing easement (not a vacation or abandonment), that the modification is necessary for the application, and that the modification will not harm the public interest (as a sufficient easement will be retained). The matter was also discussed at P&Z Board as a necessary part of the application (the application received a positive recommendation). It is my opinion that this ordinance amendment can now go directly to the Commission with the rest of the application. The ordinance amendment would take two readings and should include the strike outs and additions to the provisions relating to the easement being modified. I would also need a revised easement/covenant for recording. Mario, please advise as to whether you view this the same way on behalf of your client.

Parramore, Carol

From: Leen, Craig
Sent: Sunday, June 29, 2014 11:42 PM
To: Parramore, Carol
Cc: Osle, Zilma
Subject: FW: 100 Alhambra (Phase 2 of Columbus Center) / Request to Amend Ordinance No. 2854

Importance: High

Carol, please place this in the opinion folder.

Craig E. Leen
City Attorney

From: Leen, Craig
Sent: Wednesday, June 25, 2014 10:29 AM
To: Olazabal, Carmen; 'Garcia-Serra, Mario'
Cc: Birdsill, Cynthia; Tompkins, Jane; Wu, Charles; Trias, Ramon; Carlson, Walter; Kephart, Glenn; Hickman, Lina
Subject: RE: 100 Alhambra (Phase 2 of Columbus Center) / Request to Amend Ordinance No. 2854
Importance: High

I recall providing an opinion on this at the P&Z Board public hearing when this issue came up with the remainder of the application. It is my understanding that the proposal is merely a modification of an existing easement (not a vacation or abandonment), that the modification is necessary for the application, and that the modification will not harm the public interest (as a sufficient easement will be retained). The matter was also discussed at P&Z Board as a necessary part of the application (the application received a positive recommendation). It is my opinion that this ordinance amendment can now go directly to the Commission with the rest of the application. The ordinance amendment would take two readings and should include the strike outs and additions to the provisions relating to the easement being modified. I would also need a revised easement/covenant for recording. Mario, please advise as to whether you view this the same way on behalf of your client.

Craig E. Leen
City Attorney

From: Olazabal, Carmen
Sent: Tuesday, June 24, 2014 6:00 PM
To: 'Garcia-Serra, Mario'
Cc: Leen, Craig; Birdsill, Cynthia; Tompkins, Jane; Wu, Charles; Trias, Ramon; Carlson, Walter; Kephart, Glenn; Hickman, Lina
Subject: RE: 100 Alhambra (Phase 2 of Columbus Center) / Request to Amend Ordinance No. 2854

Craig,

Please advise as to the process for amending an existing ordinance.

lane/Glenn,

Please review and advise.

Carmen Olazabal, P.E.

Interim City Manager

City of Coral Gables

05 Biltmore Way

Coral Gables, Florida 33134

Office: (305) 460-5201

colazabal@coralgables.com

From: Garcia-Serra, Mario [<mailto:MGarcia-Serra@gunster.com>]

Sent: Tuesday, June 24, 2014 5:20 PM

To: Olazabal, Carmen

Cc: Leen, Craig; Birdsill, Cynthia; Tompkins, Jane; Wu, Charles; Trias, Ramon; Carlson, Walter; Kephart, Glenn; Hickman, Lina

Subject: 100 Alhambra (Phase 2 of Columbus Center) / Request to Amend Ordinance No. 2854

Dear Carmen,

Hope that you are doing well. Please see my attached letter regarding my request for an amendment to Ordinance No. 2854. This Ordinance vacated part of the alley which previously bisected the site of the Columbus Center office building. One of the conditions of Ordinance No. 2854 was the granting of a substitute alley easement connecting Minorca Avenue with the remaining alley. As part of the new 100 Alhambra project, we are proposing to build over this easement area which requires slight modifications to Ordinance No. 2845 which are further described in my attached letter. The Planning Division is most familiar with the project and can provide you with additional information. Thanks for your attention to this matter.

Best regards,

Mario



Mario Garcia-Serra | Shareholder

2 South Biscayne Boulevard, Suite #3400

Miami, FL 33131-1897

After 28 years at our same office in Miami, please note we're moving!

Starting June 2 our New Address will be:

600 Brickell Avenue

Brickell World Plaza

Suite 3500

Miami, Florida 33131

P 305-376-6061 F 786-425-4104

[gunster.com](http://www.gunster.com)

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