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# **Annex Building at Douglas Entrance**

CORAL GABLES, FLORIDA 33134

**D R C Set**  
**September 9<sup>th</sup>, 2016**

# Annex Building at Douglas Entrance

## Development Review Committee

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City of  
Coral Gables,  
Florida

Level

**1**

Review

# Development Review Committee Application

Address: 427 Biltmore Way, 2<sup>nd</sup> Floor, Coral Gables, Florida 33134

Email: [planning@coralgables.com](mailto:planning@coralgables.com)

Phone: 305.460.5211

## Preamble

The Development Review Committee (DRC) is an administrative and technical committee which reviews policy and technical issues raised by a development project. The DRC is intended to streamline and coordinate the review of the development process by identifying, addressing, providing input, advice and comments regarding all applicable provisions and regulations. The review of the projects and comments on development proposals by the DRC shall not be construed to be an approval of any project presented to the Committee.

## Application review request

The undersigned applicant(s)/agent(s)/property owner(s) request(s) Level One (1) Development Review Committee consideration and review for the following application(s) (please check all that apply):

- Abandonment and Vacations
- Comprehensive Plan Map Amendment - Small Scale
- Comprehensive Plan Map Amendment - Large Scale
- Comprehensive Plan Text Amendment
- Conditional Use with Site Plan
- Conditional Use without Site Plan
- Coral Gables Mediterranean Architectural Design Special Locational Site Plan
- Development Agreement
- Development of Regional Impact
- Development of Regional Impact - Notice of Proposed Change
- Mixed Use Site Plan
- Planned Area Development Designation and Site Plan
- Planned Area Development Major Amendment
- Separation/Establishment of a Building Site
- Site Plan
- Subdivision Review for a Tentative Plat and Variance
- Transfer of Development Rights Receiving Site Plan
- University Campus District Modification to the Adopted Campus Master Plan
- Zoning Code Map Amendment
- Zoning Code Text Amendment
- Other: \_\_\_\_\_

## Property information

Street address of the subject property: \_\_\_\_\_

Property/project name: \_\_\_\_\_



Level  
**1**  
Review

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Email: [planning@coralgables.com](mailto:planning@coralgables.com) Phone: 305.460.5211

Current land use classification(s): \_\_\_\_\_

Current zoning classification(s): \_\_\_\_\_

Proposed land use classification(s) (if applicable): \_\_\_\_\_

Proposed zoning classification(s) (if applicable): \_\_\_\_\_

Previous use(s)/current use(s) of the property/building(s): \_\_\_\_\_

Proposed use(s) of the property/building(s): \_\_\_\_\_

Size of property (square feet/acres) \_\_\_\_\_

Total non-residential (i.e, commercial, office, etc.) floor area (total square feet/FAR): \_\_\_\_\_

Total number of residential units per acre and total number of unit's \_\_\_\_\_

Estimated cost of the existing/proposed building/project: \_\_\_\_\_

Application(s) and date(s) of all previous City of Coral Gables submittals and type of actions related to existing/proposed building/project:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Project Legal Description: Lot(s): \_\_\_\_\_

Block(s): \_\_\_\_\_

Section(s): \_\_\_\_\_

Listing of all folio numbers for subject property:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



City of  
Coral Gables,  
Florida

Level

**1**

Review

# Development Review Committee Application

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Email: [planning@coralgables.com](mailto:planning@coralgables.com)

Phone: 305.460.5211

## General information

Applicant(s)/Agent(s) Name(s): \_\_\_\_\_

Telephone Contact No: \_\_\_\_\_ Fax No. \_\_\_\_\_ Email \_\_\_\_\_@\_\_\_\_\_

Mailing Address: \_\_\_\_\_  
(City) (State) (ZIP Code)

Property Owner(s) Name(s): \_\_\_\_\_

Telephone Contact No: \_\_\_\_\_ Fax No. \_\_\_\_\_ Email \_\_\_\_\_@\_\_\_\_\_

Mailing Address: \_\_\_\_\_  
(City) (State) (ZIP Code)

Property Owner(s) Name(s): \_\_\_\_\_

Telephone Contact No: \_\_\_\_\_ Fax No. \_\_\_\_\_ Email \_\_\_\_\_@\_\_\_\_\_

Mailing Address: \_\_\_\_\_  
(City) (State) (ZIP Code)

Project Architect(s) Name(s): \_\_\_\_\_

Telephone Contact No: \_\_\_\_\_ Fax No. \_\_\_\_\_ Email \_\_\_\_\_@\_\_\_\_\_

Mailing Address: \_\_\_\_\_  
(City) (State) (ZIP Code)

Provide the date(s) and type(s) of application(s) previously filed with the City of Coral Gables and type of reviews, approvals, actions related to this request:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Level

1

Review

# Development Review Committee Application

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## Application requirements and supporting information

Application submittal dates and meeting dates. Applications for the DRC shall be submitted in no later the first Friday of each month to be scheduled for the same monthly DRC meeting. DRC meetings are held the last Friday of each month, 9:30 a.m. City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida 33134. Applicants and/or agents shall be required to attend the meeting to present the application request and respond to City Staff questions. All applications shall be complete at time of submittal.

Preapplication Conference Requirements. A Pre-application Conference is required with the Planning and Zoning Division in advance of application submittal to determine the information necessary to be filed with the application(s). The City reserves the right to request additional information as necessary.

Application submittal (order of documents). The order of the documents for the application submittal shall be as follows (required documents will be determined at pre-application meeting):

- Table of Contents with page numbers identifying all below documents.
- DRC Application.
- Statement of use and/or cover letter.
- Aerial.
- Photographs of property, adjacent uses and/or streetscape.
- Property survey and legal description.
- Zoning chart and supporting information.
- Site Plan.
- Landscape plan and vegetation assessment.
- Tree survey and relocation plan.
- Architectural/building elevations.
- Building floor plans.
- Pedestrian amenities and streetscape plan.
- On-street parking analysis.
- Art in Public Places plan and/or statement.
- Lighting plan and signage plan.
- Underground utilities plan and/or statement.
- Ordinances, resolutions, covenants, development agreements, etc. previously granted for the property.
- Historical significance letter.
- City Concurrency Impact Statement (CIS).
- Traffic study.
- Name and contact information for property owner, applicant, architect, attorney, etc.
- City of Coral Gables Annual Registration Application and Issue Application Lobbyist forms.
- Warranty deed.
- Application fee equal to one tenth of one percent (.001) of the estimated total building construction cost as determined by the City (\$100.00 minimum fee and \$10,000.00 maximum fee). Payment shall be in check form, payable to the City of Coral Gables.
- Other: \_\_\_\_\_



Level

**1**

Review

# Development Review Committee Application

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Posting of the property. The City will post the subject property with a sign in accordance with the requirements of the Zoning Code indicating the DRC meeting date and location. The sign will be installed ten (10) days prior to the meeting and shall not be removed until after the meeting has been held, at which time it is the applicant’s responsibility to remove the sign.

## Application submittal requirements

1. Hard copies. Three (3) hard copies of the entire application shall be submitted including all the items identified in the pre-application conference. Plans and drawings shall be in 11” x 17” format.
2. Electronic copy. One (1) PDF of the entire application shall be submitted including all items provided within the hard copies. The documents provided in the electronic copy shall be the same size (11” x 17” maximum for plans and drawings) and in the same order as the hard copy submittal. The total file size shall not exceed 30 MB.

## Applicant/agent/property owner/architect affirmation and consent

(I) (We) affirm and certify to all of the following:

1. Submission of the following:
  - a. Warranty deed/tax record as proof of ownership for all properties considered as a part of the application request; or
  - b. Authorized as the applicant(s)/agent(s) identified herein to file this application and act on behalf of all current property owner(s) and modify any valid City of Coral Gables entitlements in effect during the entire review process.
2. This request, application, application supporting materials and all future supporting materials complies with all provisions and regulations of the Zoning Code, Comprehensive Land Use Plan and Code of Ordinances of the City of Coral Gables unless identified and approved as a part of this application request or other previously approved applications. Applicant understands that any violation of these provisions renders the application invalid.
3. That all the information contained in this application and all documentation submitted herewith is true to the best of (my) (our) knowledge and belief.
4. Understand that the application, all attachments and fees become a part of the official records of the City of Coral Gables and are not returnable.
5. Failure to provide the information necessary pursuant to the established time frames included but not limited to application submittal, submission of revised documents, etc. for review by City Staff and the designated reviewing entity may cause application to be deferred without further review until such time the requested information is submitted.
6. All representatives of the application have registered with and completed lobbyist forms for the City of Coral Gables City Clerk’s office.
7. Understand that under Florida Law, all the information submitted as part of the application are public records.
8. The subject property will be posted by the City in accordance with Zoning Code requirements. The sign shall be installed by the City ten (10) days prior to the meeting and shall not be removed until after the meeting, at which time it is the applicant’s responsibility to remove the sign.
9. The application will not be heard unless the Applicant and/or agent is present at the DRC meeting.



Level  
**1**  
Review

# Development Review Committee Application

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Email: [planning@coralgables.com](mailto:planning@coralgables.com) Phone: 305.460.5211

Applicant(s)/Agent(s) Signature:

*Mario Garcia-Serra*

Applicant(s)/Agent(s) Print Name:

Mario Garcia-Serra, Esq.

Address: 600 Brickell Avenue, Suite 3500, Miami, Florida 33131

Telephone: 305-376-6061

Fax: 305-376-6010

Email: [MGarcia-Serra@gunster.com](mailto:MGarcia-Serra@gunster.com)

## NOTARIZATION

STATE OF FLORIDA/COUNTY OF

The foregoing instrument was acknowledged before me this 2nd day of September by Mario Garcia-Serra  
(Signature of Notary Public - State of Florida)

*[Handwritten Signature]*



(Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known OR  Produced Identification; Type of Identification Produced \_\_\_\_\_



Level

1

Review

# Development Review Committee Application

Address: 427 Biltmore Way, 2<sup>nd</sup> Floor, Coral Gables, Florida 33134

Email: [planning@coralgables.com](mailto:planning@coralgables.com)

Phone: 305.460.5211

|  |  |
|--|--|
| Property Owner(s) Signature:<br><i>Lorri Dunne, V.P.</i> | Property Owner(s) Print Name:<br>Banyan Street/GAP Douglas Entrance Owner, LLC |
| Property Owner(s) Signature:                             | Property Owner(s) Print Name:  |
| Property Owner(s) Signature:                             | Property Owner(s) Print Name:  |

Address: 80 SW 8 Street, Suite 2200, Miami, Florida 33130

Telephone: 305-722-9400 Fax:

Email: [zgruber@banyanstreet.com](mailto:zgruber@banyanstreet.com)

### NOTARIZATION

STATE OF FLORIDA/COUNTY OF

The foregoing instrument was acknowledged before me this 23 day of August by LORRI DUNNE  
(Signature of Notary Public - State of Florida)

*[Handwritten Signature]*  
Kelia Coto



(Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known OR  Produced Identification; Type of Identification Produced \_\_\_\_\_



Level  
**1**  
Review

# Development Review Committee Application

Address: 427 Biltmore Way, 2<sup>nd</sup> Floor, Coral Gables, Florida 33134  
Email: [planning@coralgables.com](mailto:planning@coralgables.com) Phone: 305.460.5211

Architect(s) Signature:

Architect(s) Print Name:

Hamed Rodriguez

Address: 3250 Mary Street, Suite 305, Coconut Grove, Florida

Telephone: 305-454-2483

Fax: 786-472-6812

Email: [hamed@hr-architects-inc.com](mailto:hamed@hr-architects-inc.com)



## NOTARIZATION

STATE OF FLORIDA/COUNTY OF

The foregoing instrument was acknowledged before me this 24th day of August 2016 by Hamed Rodriguez  
(Signature of Notary Public - State of Florida)



(Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known OR  Produced Identification; Type of Identification Produced FL Drivers License

# Exhibit A

## LEGAL DESCRIPTION

The land referred to herein below is situated in the County of MIAMI-DADE, State of FLORIDA, and is described as follows:

PARCEL I:

BEGINNING AT A POINT 35.00 FEET SOUTH OF AND 35.00 FEET WEST OF THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 54 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH 89 DEGREES 59 MINUTES 45 SECONDS WEST ALONG A LINE 35.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST  $\frac{1}{4}$  OF SAID SECTION 8, FOR A DISTANCE OF 633.75 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF GALIANO STREET AS SHOWN ON THE "THE REVISED PLAT OF BLOCKS 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A, AND 7-B, OF DOUGLAS SECTION OF CORAL GABLES", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34, AT PAGE 32, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN SOUTH 00 DEGREES 08 MINUTES 29 SECONDS EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID GALIANO STREET, FOR A DISTANCE OF 540.31 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF AVENUE CALABRIA AS SHOWN ON SAID REVISED PLAT OF DOUGLAS SECTION OF CORAL GABLES; THENCE RUN EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF AVENUE CALABRIA, FOR A DISTANCE OF 632.71 FEET TO A POINT OF INTERSECTION WITH A LINE 35 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST  $\frac{1}{4}$  OF SAID SECTION 8; THENCE RUN NORTH 00 DEGREES 01 MINUTES 51 SECONDS WEST ALONG SAID LINE FOR A DISTANCE OF 540.27 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

THE LAND CONVEYED TO THE STATE OF FLORIDA FOR THE USE AND BENEFIT OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, BY DEEDS RECORDED IN OFFICIAL RECORDS BOOK 12676, AT PAGE 110 AND OFFICIAL RECORDS BOOK 12676, AT PAGE 112.

ALSO DESCRIBED AS FOLLOWS:

BLOCKS 1, 2, 3, 4 AND LOT "K" OF "THE REVISED PLAT OF BLOCKS 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A, AND 7-B, OF DOUGLAS SECTION OF CORAL GABLES", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34, AT PAGE 32, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; TOGETHER WITH THE REVERSIONARY RIGHTS GRANTED TO DOUGLAS DEVELOPMENT CO., BY DEED FROM DOUGLAS ENTRANCE INC., CONVEYING THE FOLLOWING PROPERTY:

ALL THAT PART OF THE NORTH  $\frac{1}{2}$  OF THE NORTHEAST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$  OF SECTION 8, TOWNSHIP 54 SOUTH, RANGE 41 EAST THAT IS BOUNDED AS FOLLOWS: ON THE NORTH BY THE NORTH LINE OF THE SAID SECTION 8, ON THE EAST BY THE EAST LINE OF THE SAID SECTION 8, ON THE SOUTH BY THE CENTER LINE OF AVENUE CALABRIA AND ON THE WEST BY THE CENTER LINE OF GALIANO STREET (REFERENCE HEREIN TO AVENUE CALABRIA AND GALIANO STREET ARE AS

SAID STREET AND AVENUE ARE SHOWN ON THE REVISED PLAT OF DOUGLAS SECTION OF CORAL GABLES, PLAT BOOK 34, AT PAGE 32); AND ALSO THOSE CERTAIN RIGHTS OF WAY CLOSED BY ORDINANCE NO. 992 PASSED AND ADOPTED BY THE CITY OF CORAL GABLES, FLORIDA ON NOVEMBER 13, 1956.

LESS AND EXCEPT

THE LAND CONVEYED TO THE STATE OF FLORIDA FOR THE USE AND BENEFIT OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, BY DEEDS RECORDED IN OFFICIAL RECORDS BOOK 12676, AT PAGE 110 AND OFFICIAL RECORDS BOOK 12676, AT PAGE 112.

FURTHER LESS AND EXCEPT: (JEFFERSON AT DOUGLAS ENTRANCE LP LANDS)

A PORTION OF "THE REVISED PLAT OF BLOCKS, 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A, AND 7-B, OF DOUGLAS SECTION OF CORAL GABLES", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34, AT PAGE 32, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; A PORTION OF PONCE DE LEON BOULEVARD EAST AND CALABRIA COURT CLOSED BY ORDINANCE NO. 992 PASSED AND ADOPTED BY THE CITY OF CORAL GABLES, FLORIDA ON NOVEMBER 13, 1956, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK 3 THE SAME BEING A RECOVERED PERMANENT CONTROL POINT; THENCE RUN NORTH 00 DEGREES 01 MINUTES 51 SECONDS WEST ALONG A LINE 35 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST  $\frac{1}{4}$  OF SECTION 8, TOWNSHIP 54 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, OF A DISTANCE OF 169.29 FEET TO A SET PERMANENT CONTROL POINT; THENCE RUN WEST ALONG A LINE 169.29 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 3, OF A DISTANCE OF 323.36 FEET TO A SET PERMANENT CONTROL POINT; THENCE RUN SOUTH 44 DEGREES 01 MINUTES 41 SECONDS WEST FOR A DISTANCE OF 235.45 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF AVENUE CALABRIA AS SHOWN ON SAID REVISED PLAT OF DOUGLAS SECTION OF CORAL GABLES, THE SAME BEING A SET PERMANENT CONTROL POINT; THENCE RUN EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF AVENUE CALABRIA AND THE SOUTH LINE OF SAID BLOCK 3, FOR A DISTANCE OF 487.09 FEET TO THE POINT OF BEGINNING.

PARCEL II:

FOR THE BENEFIT OF PARCEL I, THOSE CERTAIN EASEMENTS AS CREATED BY THAT DECLARATION OF COVENANTS AND EASEMENTS RECORDED NOVEMBER 17, 2000 IN OFFICIAL RECORDS BOOK 19369, AT PAGE 1858; AND RE-RECORDED IN OFFICIAL RECORDS BOOK 19571, AT PAGE 1238; AS AFFECTED BY AMENDMENT TO DECLARATION FILED NOVEMBER 7, 2001 IN OFFICIAL RECORDS BOOK 20004, PAGE 4378, FOR INGRESS, EGRESS, PARKING AND SIGNAGE, AS APPLICABLE, OVER, UNDER AND ACROSS THE LANDS DESCRIBED IN SAID EASEMENTS.

September 6, 2016

**VIA HAND DELIVERY**

Mr. Ramon Trias  
Chairman  
Development Review Committee  
City of Coral Gables  
427 Biltmore Way, 2<sup>nd</sup> Floor  
Coral Gables, FL 33134

**Re: Douglas Entrance / Annex Building / Conditional Use Approval for Educational Facility / Statement of Use for Development Review Committee Application**

Dear Mr. Trias:

On behalf of Banyan Street/Gap Douglas Entrance Owner LLC, (the "Applicant"), we respectfully submit this Letter of Intent/Statement of Use in connection with the Development Review Committee's consideration of a conditional use application for an educational facility of more than 50 students, pursuant to Section 4-301.C.5 of the Zoning Code, for the property at 800 Douglas Road (the "Property"), also known as "Douglas Entrance." The Property is designated Commercial High-Rise Intensity on the Future Land Use Map and its existing Zoning designation is Commercial Limited (CL) District.

The Property is approximately 270,200 square-feet and—except for a parcel on the southeast corner of the block—occupies nearly the entire block west of 37<sup>th</sup> Avenue and east of Galiano Street, south of SW 8<sup>th</sup> Street and north of Calabria Avenue. The Property has been historically designated because it includes La Puerta del Sol, one of the grand original signature buildings dating from the original planning and development of Coral Gables, which also served as the major entrance into the planned City of Coral Gables from Miami and is reminiscent of walled Spanish hilled towns. La Puerta del Sol was to be a part of a larger complex which was never completed. Instead, many years later, modern office towers were developed at the site and joined with a pre-existing non-descript office building at 3790 SW 8<sup>th</sup> Street (the "Annex Building") to create what we know today as the Douglas Entrance office complex. The Applicant intends to renovate the Annex Building, which has been declared as non-contributing to the Property's historic designation by the City's Historic Resources Department, so as to better fit with the historical integrity of the rest of the Property and revive the original intent for the Property as a focal entrance point to the City Beautiful. The redesign of this building will be compatible in design, function and aesthetics, with the historically significant Puerta del Sol building and its more modern counterparts. The Applicant proposes improvements to the façade of the Annex building, as well as open space and public realm improvements. Along with these

proposed improvements, the Applicant has identified a new tenant for the Annex Building which will revive the complex with a new and different use while activating the pedestrian activity on site. The University of St. Augustine is a nationally recognized educational institution dedicated to the allied medical fields, offering degrees ranging from associate degrees to post-doctoral degrees in areas such as physical and occupational therapy, nursing and health administration. Since the University of St. Augustine anticipates an enrollment in excess of 50 students, conditional use approval is required.

The proposed conditional use complies with the following standards and criteria applicable to the conditional use as set forth in Section 3-408:

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

The future land use category of the parcel proposed for development is Commercial High-Rise Intensity, which permits educational facilities in excess of 50 students. The densities and intensities proposed comply with the future land use category. As such the proposed conditional use is consistent with the goals, policies and objectives of the Comprehensive Plan.

*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.*

The property that is subject to the proposed conditional use is situated at the intersection of two major streets—Douglas Road and SW 8<sup>th</sup> Street—and is a major office center of City-wide significance, rendering the property appropriate for an educational facility and compatible with the existing and planned uses in the area.

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

The proposed educational facility does not conflict with the needs and character of the neighborhood and the City. George Merrick himself envisioned the City as a place to foster education when he donated over 600 acres of land to what became the University of Miami. In keeping with Merrick's vision of Coral Gables as a center for higher education, the proposed educational facility is consistent with the character of the City, with its many educational facilities, as well as the original village type vision for Douglas Entrance.

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

The proposed educational facility will not adversely or unreasonably affect the use of other property in the area; on the contrary it will make use of the underused existing office building and provide customers for the surrounding commercial properties, thereby enhancing the use of the surrounding properties without interfering with the neighboring residential areas.

*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.*

The proposed educational facility is compatible and complimentary to the adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings and structures. Given that the Property is on SW 8<sup>th</sup> Street and all the properties on the south side of SW 8<sup>th</sup> Street in Coral Gables are zoned Commercial, which would permit this use, this proposed conditional use is reasonable and consistent with the its surroundings.

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

At 270,200 square feet and with courtyards and green space, the parcel is adequate in size and shape to accommodate all development features.

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

The nature of the proposed development is not detrimental to the health, safety and general welfare of the community; on the contrary, the proposed development will improve the general welfare of the community by making use of the existing underused office building and updating it and by providing a new educational option for the City's residents. The proposed development also intends to reinvent the landscaping to highlight the prominent entrance that this property was intended to be. The proposed development represents a significant improvement to the area as well as the property's existing condition.

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

Architects and engineers have carefully designed the proposed driveways, circulation patterns and parking so that they promote vehicular and pedestrian circulation and the Applicant has a parking management plan in place to accommodate this proposed change in use as indicated by the concurrency impact statement to be issued by the City.

*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.*

The proposed conditional use satisfies the concurrency standards and will not adversely burden public facilities in an unreasonable or disproportionate manner.

The Annex building was originally built for a single tenant, the Federal Reserve, and a return to that original intent—a single tenant—would be made possible by approving this conditional use request for an educational facility with more than 50 students. We are confident that the proposed enhanced Douglas Entrance will be a welcomed evolution to this historically significant Property that will again make it the marquee entrance to the City Beautiful, brimming

Mr. Ramon Trias  
September 6, 2016  
Page 4

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with activity of both professionals and students, which it was intended to be and respectfully request your favorable consideration of this application. If you have any questions, please do not hesitate to contact me at (305) 376-6061.

Sincerely,

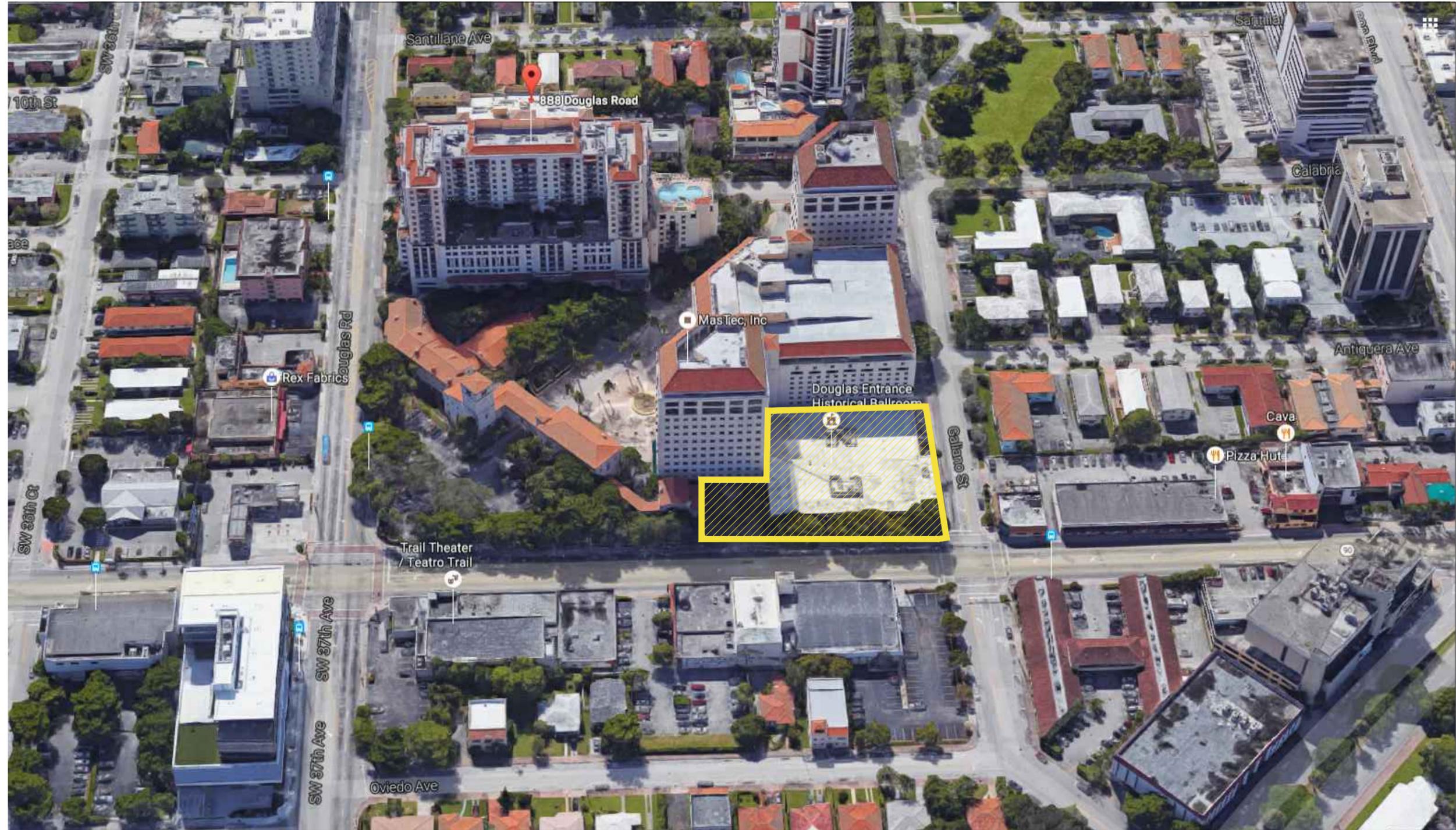


Mario Garcia-Serra

Enclosures

MIA\_ACTIVE 4452950.3

THESE DESIGNS AND DRAWINGS ARE THE COPYRIGHTED PROPERTY OF HAMED RODRIGUEZ ARCHITECTS AND THE FULLERTON GROUP AND MAY NOT BE REPRODUCED EXCEPT WITH SPECIFIC WRITTEN CONSENT OF THE ARCHITECT. THE CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS OF THE JOB AND BE RESPONSIBLE FOR SAME. REPORTING ANY DISCREPANCIES TO THE ARCHITECT BEFORE COMMENCING WORK. DRAWINGS NOT TO BE SCALED.



AERIAL LOOKING SOUTH



**Hamed Rodriguez**  
architects  
3250 Mary Street # 305  
Coral Gables, FL 33134  
305.229.9987  
hamed@hramd.com

IN COLLABORATION WITH:



**THE FULLERTON GROUP**  
ARCHITECTURE  
DEVELOPMENT CONSULTING  
INTERIOR DESIGN  
LAND PLANNING

**ANNEX BUILDING**  
3777 SW 8TH STREET  
CORAL GABLES, FLORIDA 33134

**OWNER:**  
Barry Street Capital  
80 SW 26th Street Suite 2200  
Miami, FL 33130  
305-722-9400

PROJECT NUMBER:

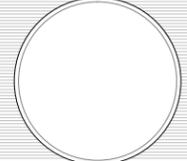
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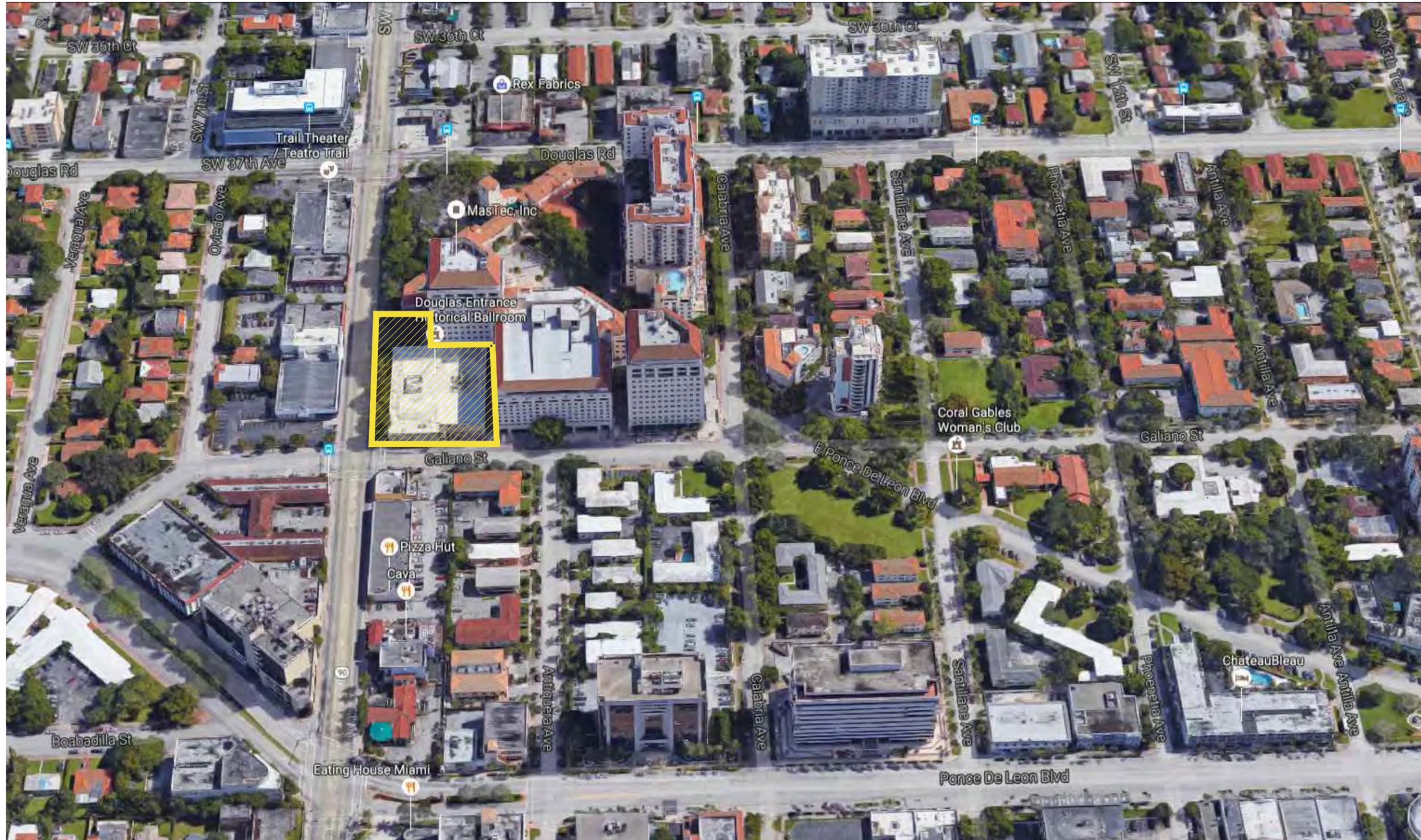
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AR 93261



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AERIAL LOOKING EAST



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**ANNEX BUILDING**  
3777 SW 8TH STREET  
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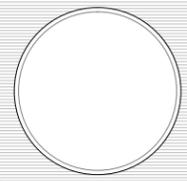
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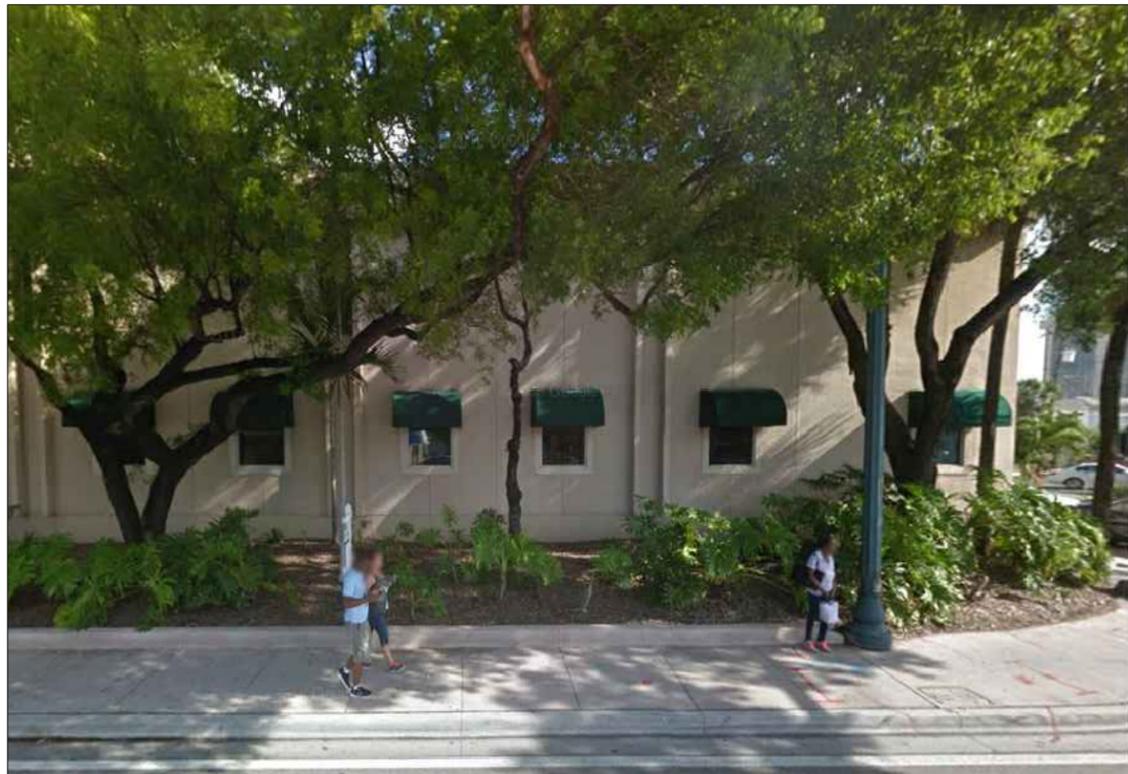
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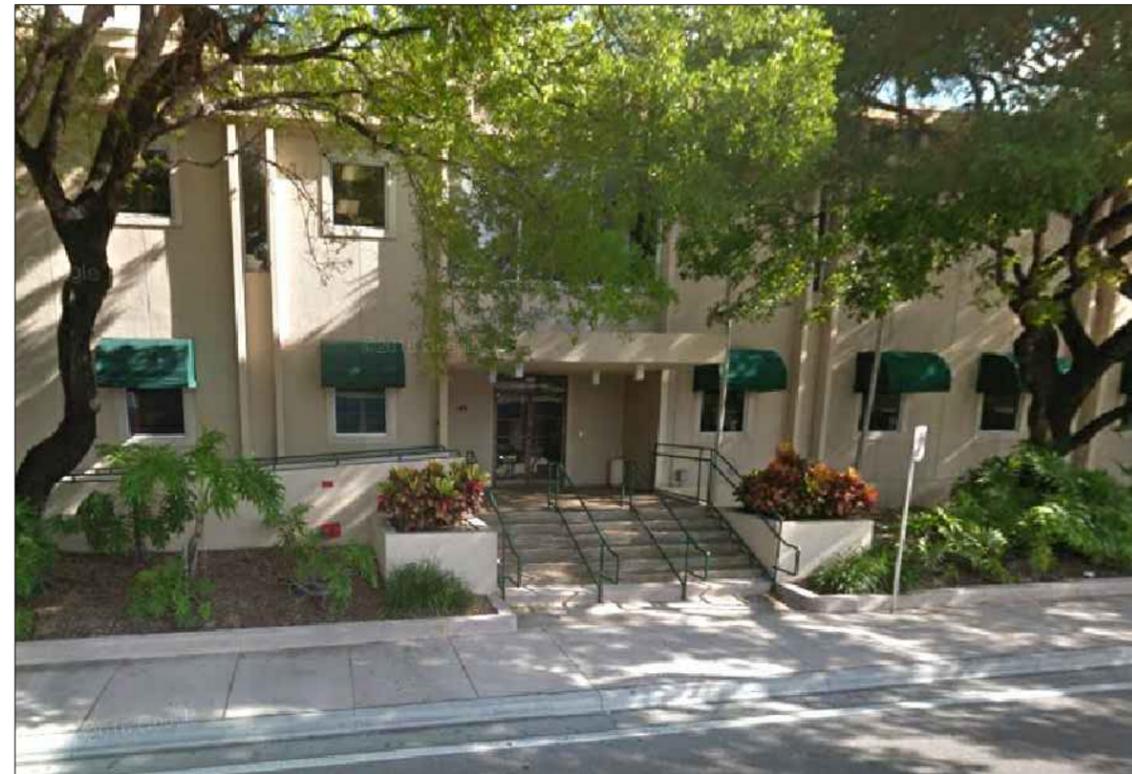
8TH ST + DOUGLAS ROAD AERIAL



AERIAL PHOTOGRAPH LOOKING EAST



ANNEX BUILDING - EXISTING ELEVATION 8TH ST + GALIANO



ANNEX BUILDING - EXISTING ENTRANCE 8TH STREET



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IN COLLABORATION WITH:



**THE FULLERTON GROUP**  
ARCHITECTURE  
DEVELOPMENT CONSULTING  
INTERIOR DESIGN  
LAND PLANNING

ANNEX BUILDING  
3777 SW 8TH STREET  
CORAL GABLES, FLORIDA 33134

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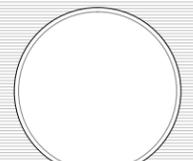
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ANNEX BUILDING COURTYARD - 8TH STREET



EXISTING COURTYARD



ANNEX BUILDING - EXISTING ADA RAMP



ANNEX BUILDING - EXISTING EAST ELEVATION



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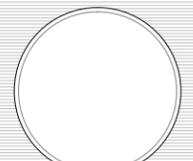
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DOUGLAS ENTRANCE - 8TH ST + 37TH AVE (DOUGLAS ROAD)



EXISTING PARKING LOT AT HISTORIC ENTRANCE



HISTORIC ENTRANCE



ENTRANCE AT GALIANO ST + CALABRIA AVE



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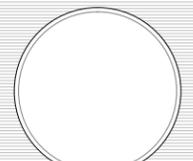
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EXISTING OFFICE BUILDINGS



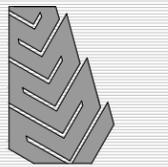
EXISTING PARKING LOT AT HISTORIC ENTRANCE



CONDOMINIUM BUILDING AT DOUGLAS ROAD + CALABRIA AVE, PUERTA DE PALMAS



HISTORIC NEIGHBORING STRUCTURE- CORAL GABLES WOMEN'S CLUB



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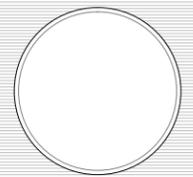
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**A1.5**

SHEET NUMBER:

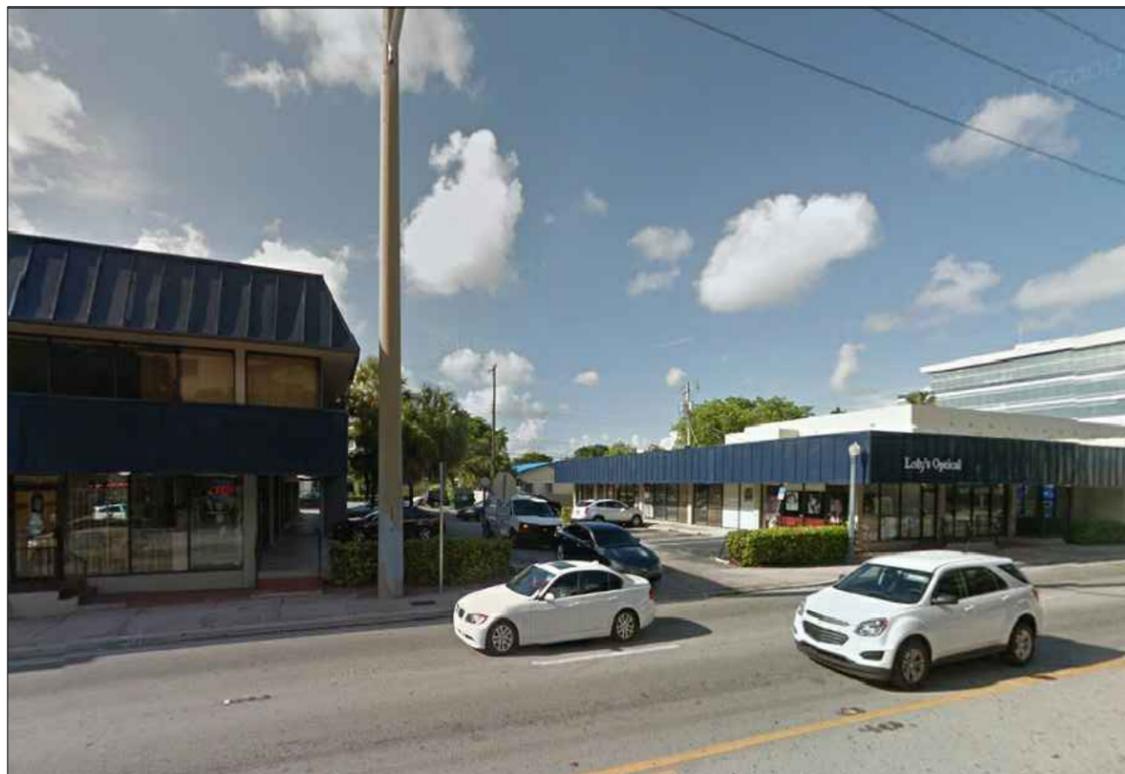
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COMMERCIAL BUILDINGS AT GALIANO + 8TH STREET INTERSECTION



COMMERCIAL BUILDINGS AT GALIANO + 8TH STREET INTERSECTION



COMMERCIAL BUILDINGS AT NORTH SIDE OF 8TH STREET



OFFICE BUILDING AT 8TH STREET + DOUGLAS ROAD INTERSECTION



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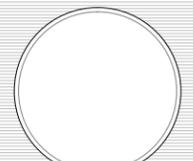
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GAS STATION AT 8TH STREET + DOUGLAS INTERSECTION



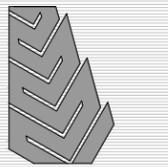
APARTMENT BUILDING AT GALIANO ST



APARTMENT BUILDING AT GALIANO ST



APARTMENT BUILDING AT GALIANO ST



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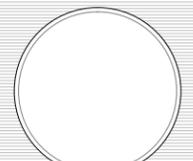
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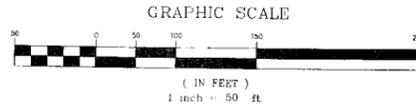
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**A1.7**

SHEET NUMBER:

# MAP OF SURVEY ALTA/ACSM LAND TITLE SURVEY



### SURVEYOR'S NOTES:

Bearings are based on an assumed meridian where Avenue Calabria bears East. All distances are shown as based on the US Survey foot.

Elevations are referred to the National Geodetic Vertical Datum, 1929 (NGVD). Elevations are based on a US Coast and Geodetic Survey Benchmark No. C-238, the same being a US C & G brass disc set vertically in the Northeast face at North corner of Tower Building located 135 feet South of South edge of pavement SW 8th Street (Tamiami Trail) and 110 feet West of West edge of pavement of SW 37th AVE. Elevation 15.59 feet.

The accuracy obtained for all horizontal control measurements and office calculations of staked geometric figures, meets or exceeds the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers as contained in Chapter 5J-17.05(1)(b)15 b.1 of 1 foot in 10,000 feet for Commercial Areas. The elevations as shown are based on a closed level loop to benchmark noted above, and meets or exceeds the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers as contained in Chapter 5J-17.05(1)(b)15 a. of a closure in feet of plus or minus 0.05 feet times the square root of the distance in miles.

This Sketch of Boundary Survey is based on (i) recovered monumentation and (ii) the aforementioned plat of REVISSED PLAT OF BLOCKS 4, 4A, 4B, 5, 5A, 5-B, 5-C, 5-D, 5-E, 5-F, 5-G, 5-H, 5-I, 5-J, 5-K, 5-L, 5-M, 5-N, 5-O, 5-P, 5-Q, 5-R, 5-S, 5-T, 5-U, 5-V, 5-W, 5-X, 5-Y, 5-Z, 5-AA, 5-AB, 5-AC, 5-AD, 5-AE, 5-AF, 5-AG, 5-AH, 5-AI, 5-AJ, 5-AL, 5-AM, 5-AN, 5-AO, 5-AP, 5-AQ, 5-AR, 5-AS, 5-AT, 5-AU, 5-AV, 5-AW, 5-AX, 5-AY, 5-AZ, 5-BA, 5-BB, 5-BC, 5-BD, 5-BE, 5-BF, 5-BG, 5-BH, 5-BI, 5-BJ, 5-BK, 5-BL, 5-BM, 5-BN, 5-BO, 5-BP, 5-BQ, 5-BR, 5-BS, 5-BT, 5-BU, 5-BV, 5-BW, 5-BX, 5-BY, 5-BZ, 5-CA, 5-CB, 5-CC, 5-CD, 5-CE, 5-CF, 5-CG, 5-CH, 5-CI, 5-CJ, 5-CK, 5-CL, 5-CM, 5-CN, 5-CO, 5-CP, 5-CQ, 5-CR, 5-CS, 5-CT, 5-CU, 5-CV, 5-CW, 5-CX, 5-CY, 5-CZ, 5-DA, 5-DB, 5-DC, 5-DD, 5-DE, 5-DF, 5-DG, 5-DH, 5-DI, 5-DJ, 5-DK, 5-DL, 5-DM, 5-DN, 5-DO, 5-DP, 5-DQ, 5-DR, 5-DS, 5-DT, 5-DU, 5-DV, 5-DW, 5-DX, 5-DY, 5-DZ, 5-EA, 5-EB, 5-EC, 5-ED, 5-EE, 5-EF, 5-EG, 5-EH, 5-EI, 5-EJ, 5-EK, 5-EL, 5-EM, 5-EN, 5-EO, 5-EP, 5-EQ, 5-ER, 5-ES, 5-ET, 5-EU, 5-EV, 5-EW, 5-EX, 5-EY, 5-EZ, 5-FA, 5-FB, 5-FC, 5-FD, 5-FE, 5-FF, 5-FG, 5-FH, 5-FI, 5-FJ, 5-FK, 5-FL, 5-FM, 5-FN, 5-FO, 5-FP, 5-FQ, 5-FR, 5-FS, 5-FT, 5-FU, 5-FV, 5-FW, 5-FX, 5-FY, 5-FZ, 5-GA, 5-GB, 5-GC, 5-GD, 5-GE, 5-GF, 5-GG, 5-GH, 5-GI, 5-GJ, 5-GK, 5-GL, 5-GM, 5-GN, 5-GO, 5-GP, 5-GQ, 5-GR, 5-GS, 5-GT, 5-GU, 5-GV, 5-GW, 5-GX, 5-GY, 5-GZ, 5-HA, 5-HB, 5-HC, 5-HD, 5-HE, 5-HF, 5-HG, 5-HI, 5-HJ, 5-HK, 5-HL, 5-HM, 5-HN, 5-HO, 5-HP, 5-HQ, 5-HR, 5-HS, 5-HT, 5-HU, 5-HV, 5-HW, 5-HX, 5-HY, 5-HZ, 5-IA, 5-IB, 5-IC, 5-ID, 5-IE, 5-IF, 5-IG, 5-IH, 5-II, 5-IJ, 5-IK, 5-IL, 5-IM, 5-IN, 5-IO, 5-IP, 5-IQ, 5-IR, 5-IS, 5-IT, 5-IU, 5-IV, 5-IW, 5-IX, 5-IY, 5-IZ, 5-JA, 5-JB, 5-JC, 5-JD, 5-JE, 5-JF, 5-JG, 5-JH, 5-JI, 5-JJ, 5-JK, 5-JL, 5-JM, 5-JN, 5-JO, 5-JP, 5-JQ, 5-JR, 5-JS, 5-JT, 5-JU, 5-JV, 5-JW, 5-JX, 5-JY, 5-JZ, 5-KA, 5-KB, 5-KC, 5-KD, 5-KE, 5-KF, 5-KG, 5-KH, 5-KI, 5-KJ, 5-KL, 5-KM, 5-KN, 5-KO, 5-KP, 5-KQ, 5-KR, 5-KS, 5-KT, 5-KU, 5-KV, 5-KW, 5-KX, 5-KY, 5-KZ, 5-LA, 5-LB, 5-LC, 5-LD, 5-LE, 5-LF, 5-LG, 5-LH, 5-LI, 5-LJ, 5-LK, 5-LL, 5-LM, 5-LN, 5-LO, 5-LP, 5-LQ, 5-LR, 5-LS, 5-LT, 5-LU, 5-LV, 5-LW, 5-LX, 5-LY, 5-LZ, 5-MA, 5-MB, 5-MC, 5-MD, 5-ME, 5-MF, 5-MG, 5-MH, 5-MI, 5-MJ, 5-MK, 5-ML, 5-MN, 5-MO, 5-MP, 5-MQ, 5-MR, 5-MS, 5-MT, 5-MU, 5-MV, 5-MW, 5-MX, 5-MY, 5-MZ, 5-NA, 5-NB, 5-NC, 5-ND, 5-NE, 5-NF, 5-NG, 5-NH, 5-NI, 5-NJ, 5-NK, 5-NL, 5-NM, 5-NO, 5-NP, 5-NQ, 5-NR, 5-NS, 5-NT, 5-NU, 5-NV, 5-NW, 5-NX, 5-NY, 5-NZ, 5-OA, 5-OB, 5-OC, 5-OD, 5-OE, 5-OF, 5-OG, 5-OH, 5-OI, 5-OJ, 5-OK, 5-OL, 5-OM, 5-ON, 5-OO, 5-OP, 5-OQ, 5-OR, 5-OS, 5-OT, 5-OU, 5-OV, 5-OW, 5-OX, 5-OY, 5-OZ, 5-PA, 5-PB, 5-PC, 5-PD, 5-PE, 5-PF, 5-PG, 5-PH, 5-PI, 5-PJ, 5-PK, 5-PL, 5-PM, 5-PN, 5-PO, 5-PP, 5-PQ, 5-PR, 5-PS, 5-PT, 5-PU, 5-PV, 5-PW, 5-PX, 5-PY, 5-PZ, 5-QA, 5-QB, 5-QC, 5-QD, 5-QE, 5-QF, 5-QG, 5-QH, 5-QI, 5-QJ, 5-QK, 5-QL, 5-QM, 5-QN, 5-QO, 5-QP, 5-QL, 5-QM, 5-QN, 5-QO, 5-QP, 5-QR, 5-QS, 5-QT, 5-QU, 5-QV, 5-QW, 5-QX, 5-QY, 5-QZ, 5-RA, 5-RB, 5-RC, 5-RD, 5-RE, 5-RF, 5-RG, 5-RH, 5-RI, 5-RJ, 5-RK, 5-RL, 5-RM, 5-RN, 5-RO, 5-RR, 5-RS, 5-RT, 5-RU, 5-RV, 5-RW, 5-RX, 5-RY, 5-RZ, 5-SA, 5-SB, 5-SC, 5-SD, 5-SE, 5-SF, 5-SG, 5-SH, 5-SI, 5-SJ, 5-SK, 5-SL, 5-SM, 5-SN, 5-SO, 5-SP, 5-SQ, 5-SR, 5-SS, 5-ST, 5-SU, 5-SV, 5-SW, 5-SX, 5-SY, 5-SZ, 5-TA, 5-TB, 5-TC, 5-TD, 5-TE, 5-TF, 5-TG, 5-TH, 5-TI, 5-TJ, 5-TK, 5-TL, 5-TM, 5-TN, 5-TO, 5-TP, 5-TQ, 5-TR, 5-TS, 5-TU, 5-TV, 5-TW, 5-TX, 5-TY, 5-TZ, 5-UA, 5-UB, 5-UC, 5-UD, 5-UE, 5-UF, 5-UG, 5-UH, 5-UI, 5-UJ, 5-UK, 5-UL, 5-UM, 5-UN, 5-UO, 5-UP, 5-UQ, 5-UR, 5-US, 5-UT, 5-UU, 5-UV, 5-UW, 5-UX, 5-UY, 5-UZ, 5-VA, 5-VB, 5-VC, 5-VD, 5-VE, 5-VF, 5-VG, 5-VH, 5-VI, 5-VJ, 5-VK, 5-VL, 5-VM, 5-VN, 5-VO, 5-VP, 5-VQ, 5-VR, 5-VS, 5-VT, 5-VU, 5-VV, 5-VW, 5-VX, 5-VY, 5-VZ, 5-WA, 5-WB, 5-WC, 5-WD, 5-WE, 5-WF, 5-WG, 5-WH, 5-WI, 5-WJ, 5-WK, 5-WL, 5-WM, 5-WN, 5-WO, 5-WP, 5-WQ, 5-WR, 5-WS, 5-WT, 5-WU, 5-WV, 5-WX, 5-WY, 5-WZ, 5-XA, 5-XB, 5-XC, 5-XD, 5-XE, 5-XF, 5-XG, 5-XH, 5-XI, 5-XJ, 5-XK, 5-XL, 5-XM, 5-XN, 5-XO, 5-XP, 5-XQ, 5-XR, 5-XS, 5-XT, 5-XU, 5-XV, 5-XW, 5-XY, 5-XZ, 5-YA, 5-YB, 5-YC, 5-YD, 5-YE, 5-YF, 5-YG, 5-YH, 5-YI, 5-YJ, 5-YK, 5-YL, 5-YM, 5-YN, 5-YO, 5-YP, 5-YQ, 5-YR, 5-YS, 5-YT, 5-YU, 5-YV, 5-YW, 5-YX, 5-YY, 5-YZ, 5-ZA, 5-ZB, 5-ZC, 5-ZD, 5-ZE, 5-ZF, 5-ZG, 5-ZH, 5-ZI, 5-ZJ, 5-ZK, 5-ZL, 5-ZM, 5-ZN, 5-ZO, 5-ZP, 5-ZQ, 5-ZR, 5-ZS, 5-ZT, 5-ZU, 5-ZV, 5-ZW, 5-ZX, 5-ZY, 5-ZZ.

A comparison between measured (M) plat (P) record and/or deed (D) dimensions is delineated herein. Measured dimensions (M) are based directly on the recovered monumentation. There was no measurable difference between the record and/or deed dimensions and the measured dimensions based directly on the recovered monumentation, except as noted herein. The measured right of ways for Ponce de Leon Boulevard East, Galiano Court and Calabria Court as shown are based on the record description. Ordinance 992 and information obtained by the Surveyor from the City of Coral Gables Public Works Department.

Any notorious evidence of occupation and/or use of the described parcel for Right-of-Way, Ingress or Egress are shown on this survey drawing. However, this survey does not purport to reflect any recorded instruments or Right-of-Way other than as shown on this survey drawing and are not stated in the legal description or as noted in the recorded documents provided to the Surveyor.

The Subject Property does not lie within a Special Flood Hazard Area (SFHA) as shown on the National Flood Insurance Program's Flood Insurance Rate Map for Miami-Dade County, Florida September 11, 2009. Said map identifies the parcel described land to be situated within Zone X, an area determined to be outside of the 0.2% annual chance floodplain.

The Subject Property described herein contains 270,427 square feet, more or less (6,206 Acres more or less).

The Subject Property lies within the (CL) Commercial Limited District based on the City of Coral Gables Planning and Zoning Division, Zoning Map of 2013 (Final) available on line at [www.cityofcoralgables.com](http://www.cityofcoralgables.com). Verify with the City of Coral Gables Planning and Zoning Division for specific requirements as to dimensional regulations, definitions and permitted uses. See City of Coral Gables Ordinance No. 2463 and 2562 for additional site specific information.

The gross floor areas at ground level are shown herein and are not the gross building areas. There are 1,295 total parking spaces lying within "Parcel I" including 42 standard surface parking spaces and 4 handicap surface parking spaces together with 81 standard parking spaces, 395 compact parking spaces and 23 handicap parking spaces in the Parking Garage.

Underground information is taken from the best available sources that should be verified by owner or his agent. Only the surface indications of underground utilities have been physically located. The Surveyor provided no subsurface investigation. The underground features shown herein are based on limited utility company records provided by the owner and/or agent. The Surveyor is not responsible for the accuracy of the utility company records and is not warranted by the agency providing the data. There may be other underground utilities in addition to those evidenced by visible appearances as shown on this sketch. The owner or his agent should verify all utility locations with the appropriate utility provider before utility. Underground features have not been located.

The names of the adjoining owners and the associated tax folio number are based on the best based the Miami-Dade County Property Appraiser's Property Search Summary Report.

There is no observable evidence of earth moving work, building construction or building additions within recent months.

There are no proposed changes in the adjacent rights of way made known to the Surveyor. There is no observable evidence of recent street or sidewalk construction or repairs.

There is no observable evidence of the site being used as a solid waste dump, sump or sanitary landfill.

There is no observable evidence that any portion of site lies within a wetland area, nor was there any evidence provided to the surveyor that the site was delineated as a wetland area by the appropriate authorities.

The property described herein is the same as the property described in Exhibit "A" to Schedule A of the First American Title Insurance Company, Policy No. 1923-1115700, with an effective date of February 11, 2014, and all the easements, covenants and restrictions evidenced by Recorded Documents and/or other title evidences provided to the Surveyor as noted in Schedule B-1. Exceptions of the said title commitment or apparent from a physical inspection of site or otherwise known to me have been plotted herein or otherwise noted as to their effect on the subject property below.

- 9) INTENTIONALLY DELETED
- 10) The East 370 feet of the lands described lie within the lands described in that certain Agreement for Construction of Water Facilities recorded in Official Records Book 11942, Page 2784 and is not plotted.
- 11) The lands described herein lie within the lands described in that certain Declaration of Restrictive Covenant recorded in Official Records Book 12449, Page 1446 and is subject to all of the terms and conditions set forth in said covenant.
- 12) The lands described herein lie within the lands described in that certain Declaration of Restrictive Covenant recorded in Official Records Book 12468, Page 1621 and is subject to all of the terms and conditions set forth in said covenant.
- 13) The lands described herein lie within the lands described in that certain Declaration of Restrictive Covenant recorded in Official Records Book 12468, Page 1621 and is subject to all of the terms and conditions set forth in said covenant.
- 14) The Subject Property lies within the area designated "Historic Landmark" per City of Coral Gables Ordinance No. 2563 recorded in Official Records Book 12620, Page 153.
- 15) INTENTIONALLY DELETED
- 16) INTENTIONALLY DELETED
- 17) The easement recorded in Deed Book 839, Page 106, dated April 3, 1926, to South Atlantic Telephone & Telegraph Company is not plotted. The easement was in, not defined and runs upon, across, over and under the rear property lines of the lots, including along the side line of the lots wherever necessary to reach said rear lines.
- 18) INTENTIONALLY DELETED
- 19) The lands described herein lie within the lands described in that certain Declaration of Restrictive Covenant recorded in Official Records Book 19369, Page 1833 and is subject to all of the terms and conditions set forth in said covenant.
- 20) The lands described herein as Parcel I are one and the same lands as described in Exhibit A of that certain Declaration of Covenants and Easement recorded in Official Records Book 19369, Page 1836 and re-recorded in Official Records Book 19371, Page 1236 and validated by the instrument in Official Records Book 20004, Page 4378 is subject to all of the terms and conditions set forth in said covenant. The Temporary Exclusive Parking Easement, the Access Easement (Exhibit D, Parcel), the Landscape Easement (Exhibit C

Parcel) and the Signage Easement (Exhibit E, Parcel) as described in Section IV under subparagraphs (A), (F), (G) and Section X of said Declaration are located herein. The Exclusive Parking Easement, the Non-Exclusive Parking Easement, designating parking spaces, the Non-Exclusive Parking Easement, additional spaces, and the Access Easement as described in Section IV under subparagraphs (B), (C), (D), and (E) of said Declaration are proposed easements which cannot be specifically located until completion of construction of the proposed Parking Garage. The "Excluded Parcel" is one and the same lands described in Exhibit B of said Declaration.

- 21) INTENTIONALLY DELETED
- 22) The lands described herein lie wholly within the lands described in Exhibit A of the Notice of Lease recorded in Official Records Book 14524, Page 2988, as affected by the Notice to Survey recorded in Official Records Book 26602, Page 2983. The Notice is a matter of Survey and is not plotted.
- 23) INTENTIONALLY DELETED
- 24) The lands described herein as Parcel I are one and the same lands as the lands described in Exhibit A of the Easement, recorded in Official Records Book 26146, Page 4325. The "sub-plat" plan for the System and a survey of the Easement Area depicted on Exhibit B-1 and Exhibit B-2 (the Exhibits do not provide dimensional information for plotting) as required were not available to the Surveyor; the Easement Area cannot be plotted. The Ingress/Egress described therein is blanket in nature and cannot be plotted.

- 26) The lands described herein lie wholly within the lands described in the Notice of Commencement, recorded in Official Records Book 26990, Page 3294 as evidenced by the Miami-Dade County Property Appraiser's Property Search Summary Report for Tax Folio No. 03-41087-040-020 and the Special Warranty Deed recorded in Official Records Book 25454 at Page 4361, as referenced therein. The Notice is not a matter of Survey and is not plotted.
- 27) The lands described herein lie wholly within the lands described in the Notice of Commencement, recorded in Official Records Book 28879, Page 4553 as evidenced by the Miami-Dade County Property Appraiser's Property Search Summary Report for Tax Folio No. 03-41087-040-020 and the Special Warranty Deed recorded in Official Records Book 25454 at Page 4361, as referenced therein. The Notice is not a matter of Survey and is not plotted.
- 28) The lands described herein lie wholly within the lands described in the Notice of Commencement, recorded in Official Records Book 28713, Page 990 as evidenced by the Miami-Dade County Property Appraiser's Property Search Summary Report for Tax Folio No. 03-41087-040-020 and the Special Warranty Deed recorded in Official Records Book 25454 at Page 4361, as referenced therein. The Notice is not a matter of Survey and is not plotted.

NOTE: All recording references noted herein, refer to the Public Records of Miami-Dade County, Florida, unless otherwise noted.

This sketch shown herein in its graphic form is the record depiction of the surveyed lands and in no circumstances be supplied in authority by any other graphic or digital format of this Survey. This map is intended to be displayed at a scale of 1"=50' or smaller.

### LEGAL DESCRIPTION:

PARCEL I

Beginning at a point 35.00 feet South of and 35.00 feet West of the Northeast corner of Section 8, Township 54 South, Range 41 East, Dade County, Florida; thence run North 89°54'45" West along a line 35.00 feet South of and parallel with the North line of the Northeast 1/4 of said Section 8, for a distance of 632.71 feet to a point of intersection with the Eastern Right-of-Way line of Galiano Street as shown on the REVISED PLAT OF BLOCKS 4, 4A, 4B, 5, 5A, 5-B, 5-C, 5-D, 5-E, 5-F, 5-G, 5-H, 5-I, 5-J, 5-K, 5-L, 5-M, 5-N, 5-O, 5-P, 5-Q, 5-R, 5-S, 5-T, 5-U, 5-V, 5-W, 5-X, 5-Y, 5-Z, 5-AA, 5-AB, 5-AC, 5-AD, 5-AE, 5-AF, 5-AG, 5-AH, 5-AI, 5-AJ, 5-AL, 5-AM, 5-AN, 5-AO, 5-AP, 5-AQ, 5-AR, 5-AS, 5-AT, 5-AU, 5-AV, 5-AW, 5-AX, 5-AY, 5-AZ, 5-BA, 5-BB, 5-BC, 5-BD, 5-BE, 5-BF, 5-BG, 5-BH, 5-BI, 5-BJ, 5-BK, 5-BL, 5-BM, 5-BN, 5-BO, 5-BP, 5-BQ, 5-BR, 5-BS, 5-BT, 5-BU, 5-BV, 5-BW, 5-BX, 5-BY, 5-BZ, 5-CA, 5-CB, 5-CC, 5-CD, 5-CE, 5-CF, 5-CG, 5-CH, 5-CI, 5-CJ, 5-CK, 5-CL, 5-CM, 5-CN, 5-CO, 5-CP, 5-CQ, 5-CR, 5-CS, 5-CT, 5-CU, 5-CV, 5-CW, 5-CX, 5-CY, 5-CZ, 5-DA, 5-DB, 5-DC, 5-DD, 5-DE, 5-DF, 5-DG, 5-DH, 5-DI, 5-DJ, 5-DK, 5-DL, 5-DM, 5-DN, 5-DO, 5-DP, 5-DQ, 5-DR, 5-DS, 5-DT, 5-DU, 5-DV, 5-DW, 5-DX, 5-DY, 5-DZ, 5-EA, 5-EB, 5-EC, 5-ED, 5-EE, 5-EF, 5-EG, 5-EH, 5-EI, 5-EJ, 5-EK, 5-EL, 5-EM, 5-EN, 5-EO, 5-EP, 5-EQ, 5-ER, 5-ES, 5-ET, 5-EU, 5-EV, 5-EW, 5-EX, 5-EY, 5-EZ, 5-FA, 5-FB, 5-FC, 5-FD, 5-FE, 5-FF, 5-FG, 5-FH, 5-FI, 5-FJ, 5-FK, 5-FL, 5-FM, 5-FN, 5-FO, 5-FP, 5-FQ, 5-FR, 5-FS, 5-FT, 5-FU, 5-FV, 5-FW, 5-FX, 5-FY, 5-FZ, 5-GA, 5-GB, 5-GC, 5-GD, 5-GE, 5-GF, 5-GG, 5-GH, 5-GI, 5-GJ, 5-GK, 5-GL, 5-GM, 5-GN, 5-GO, 5-GP, 5-GQ, 5-GR, 5-GS, 5-GT, 5-GU, 5-GV, 5-GW, 5-GX, 5-GY, 5-GZ, 5-HA, 5-HB, 5-HC, 5-HD, 5-HE, 5-HF, 5-HG, 5-HI, 5-HJ, 5-HK, 5-HL, 5-HM, 5-HN, 5-HO, 5-HP, 5-HQ, 5-HR, 5-HS, 5-HT, 5-HU, 5-HV, 5-HW, 5-HX, 5-HY, 5-HZ, 5-IA, 5-IB, 5-IC, 5-ID, 5-IE, 5-IF, 5-IG, 5-IH, 5-II, 5-IJ, 5-IK, 5-IL, 5-IM, 5-IN, 5-IO, 5-IP, 5-IQ, 5-IR, 5-IS, 5-IT, 5-IU, 5-IV, 5-IW, 5-IX, 5-IY, 5-IZ, 5-JA, 5-JB, 5-JC, 5-JD, 5-JE, 5-JF, 5-JG, 5-JH, 5-JI, 5-JJ, 5-JK, 5-JL, 5-JM, 5-JN, 5-JO, 5-JP, 5-JQ, 5-JR, 5-JS, 5-JT, 5-JU, 5-JV, 5-JW, 5-JX, 5-JY, 5-JZ, 5-KA, 5-KB, 5-KC, 5-KD, 5-KE, 5-KF, 5-KG, 5-KH, 5-KI, 5-KJ, 5-KL, 5-KM, 5-KN, 5-KO, 5-KP, 5-KQ, 5-KR, 5-KS, 5-KT, 5-KU, 5-KV, 5-KW, 5-KX, 5-KY, 5-KZ, 5-LA, 5-LB, 5-LC, 5-LD, 5-LE, 5-LF, 5-LG, 5-LH, 5-LI, 5-LJ, 5-LK, 5-LL, 5-LM, 5-LN, 5-LO, 5-LP, 5-LQ, 5-LR, 5-LS, 5-LT, 5-LU, 5-LV, 5-LW, 5-LX, 5-LY, 5-LZ, 5-MA, 5-MB, 5-MC, 5-MD, 5-ME, 5-MF, 5-MG, 5-MH, 5-MI, 5-MJ, 5-MK, 5-ML, 5-MN, 5-MO, 5-MP, 5-MQ, 5-MR, 5-MS, 5-MT, 5-MU, 5-MV, 5-MW, 5-MX, 5-MY, 5-MZ, 5-NA, 5-NB, 5-NC, 5-ND, 5-NE, 5-NF, 5-NG, 5-NH, 5-NI, 5-NJ, 5-NK, 5-NL, 5-NM, 5-NO, 5-NP, 5-NQ, 5-NR, 5-NS, 5-NT, 5-NU, 5-NV, 5-NW, 5-NX, 5-NY, 5-NZ, 5-OA, 5-OB, 5-OC, 5-OD, 5-OE, 5-OF, 5-OG, 5-OH, 5-OI, 5-OJ, 5-OK, 5-OL, 5-OM, 5-ON, 5-OO, 5-OP, 5-OQ, 5-OR, 5-OS, 5-OT, 5-OU, 5-OV, 5-OW, 5-OX, 5-OY, 5-OZ, 5-PA, 5-PB, 5-PC, 5-PD, 5-PE, 5-PF, 5-PG, 5-PH, 5-PI, 5-PJ, 5-PK, 5-PL, 5-PM, 5-PN, 5-PO, 5-PP, 5-PQ, 5-PR, 5-PS, 5-PT, 5-PU, 5-PV, 5-PW, 5-PX, 5-PY, 5-PZ, 5-QA, 5-QB, 5-QC, 5-QD, 5-QE, 5-QF, 5-QG, 5-QH, 5-QI, 5-QJ, 5-QK, 5-QL, 5-QM, 5-QN, 5-QO, 5-QP, 5-QR, 5-QS, 5-QT, 5-QU, 5-QV, 5-QW, 5-QX, 5-QY, 5-QZ, 5-RA, 5-RB, 5-RC, 5-RD, 5-RE, 5-RF, 5-RG, 5-RH, 5-RI, 5-RJ, 5-RK, 5-RL, 5-RM, 5-RN, 5-RO, 5-RR, 5-RS, 5-RT, 5-RU, 5-RV, 5-RW, 5-RX, 5-RY, 5-RZ, 5-SA, 5-SB, 5-SC, 5-SD, 5-SE, 5-SF, 5-SG, 5-SH, 5-SI, 5-SJ, 5-SK, 5-SL, 5-SM, 5-SN, 5-SO, 5-SP, 5-SQ, 5-SR, 5-SS, 5-ST, 5-SU, 5-SV, 5-SW, 5-SX, 5-SY, 5-SZ, 5-TA, 5-TB, 5-TC, 5-TD, 5-TE, 5-TF, 5-TG, 5-TH, 5-TI, 5-TJ, 5-TK, 5-TL, 5-TM, 5-TN, 5-TO, 5-TP, 5-TQ, 5-TR, 5-TS, 5-TU, 5-TV, 5-TW, 5-TX, 5-TY, 5-TZ, 5-UA, 5-UB, 5-UC, 5-UD, 5-UE, 5-UF, 5-UG, 5-UH, 5-UI, 5-UJ, 5-UK, 5-UL, 5-UM, 5-UN, 5-UO, 5-UP, 5-UQ, 5-UR, 5-US, 5-UT, 5-UU, 5-UV, 5-UW, 5-UX, 5-UY, 5-UZ, 5-VA, 5-VB, 5-VC, 5-VD, 5-VE, 5-VF, 5-VG, 5-VH, 5-VI, 5-VJ, 5-VK, 5-VL, 5-VM, 5-VN, 5-VO, 5-VP, 5-VQ, 5-VR, 5-VS, 5-VT, 5-VU, 5-VV, 5-VW, 5-VX, 5-VY, 5-VZ, 5-WA, 5-WB, 5-WC, 5-WD, 5-WE, 5-WF, 5-WG, 5-WH, 5-WI, 5-WJ, 5-WK, 5-WL, 5-WM, 5-WN, 5-WO, 5-WP, 5-WQ, 5-WR, 5-WS, 5-WT, 5-WU, 5-WV, 5-WX, 5-WY, 5-WZ, 5-XA, 5-XB, 5-XC, 5-XD, 5-XE, 5-XF, 5-XG, 5-XH, 5-XI, 5-XJ, 5-XK, 5-XL, 5-XM, 5-XN, 5-XO, 5-XP, 5-XQ, 5-XR, 5-XS, 5-XT, 5-XU, 5-XV, 5-XW, 5-XY, 5-XZ, 5-YA, 5-YB, 5-YC, 5-YD, 5-YE, 5-YF, 5-YG, 5-YH, 5-YI, 5-YJ, 5-YK, 5-YL, 5-YM, 5-YN, 5-YO, 5-YP, 5-YQ, 5-YR, 5-YS, 5-YT, 5-YU, 5-YV, 5-YW, 5-YX, 5-YY, 5-YZ, 5-ZA, 5-ZB, 5-ZC, 5-ZD, 5-ZE, 5-ZF, 5-ZG, 5-ZH, 5-ZI, 5-ZJ, 5-ZK, 5-ZL, 5-ZM, 5-ZN, 5-ZO, 5-ZP, 5-ZQ, 5-ZR, 5-ZS, 5-ZT, 5-ZU, 5-ZV, 5-ZW, 5-ZX, 5-ZY, 5-ZZ.

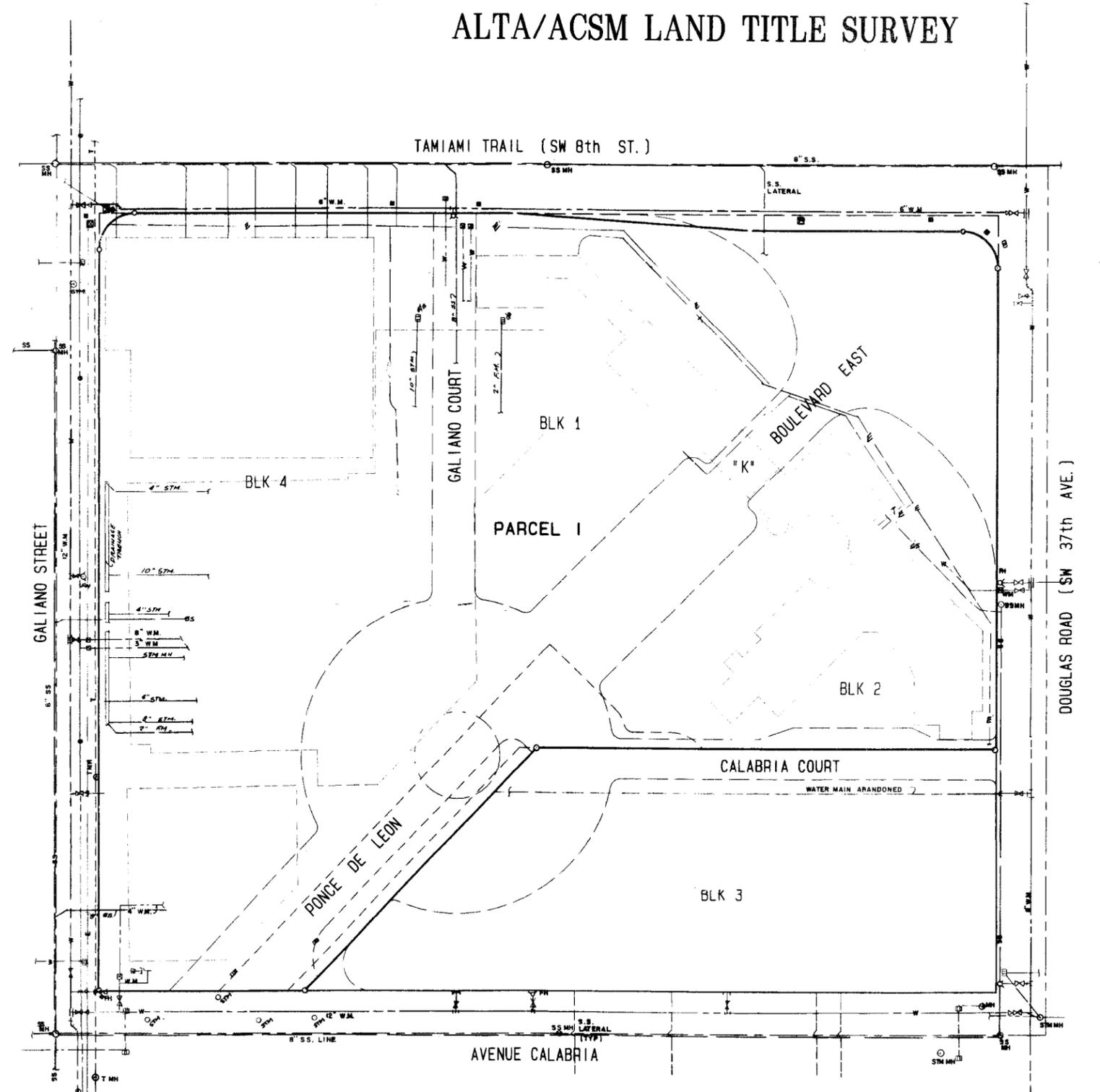
LESS AND EXCEPT

The land conveyed to the State of Florida for the use and benefit of the State of Florida Department of Transportation, by Deeds recorded in Official Records Book 12676, at Page 110 and in Official Records Book 12676, at Page 112.

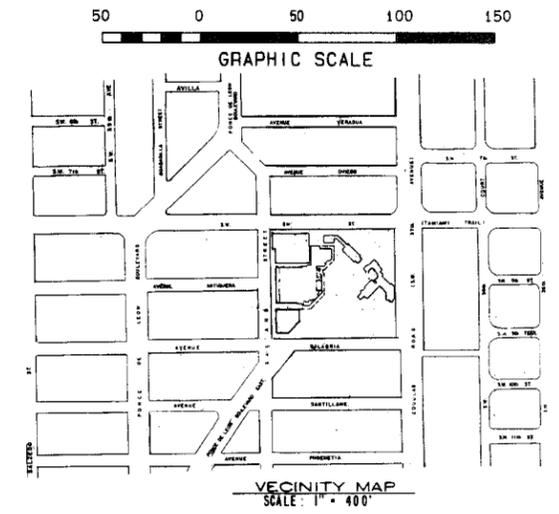
ALSO DESCRIBED AS FOLLOWS:

Blocks 1, 2, 3, 4 and Lot "K" of THE REVISED PLAT OF BLOCKS 4, 4A, 4B, 5, 5A, 5-B, 5-C, 5-D, 5-E, 5-F, 5-G, 5-H, 5-I, 5-J, 5-K, 5-L, 5-M, 5-N, 5-O, 5-P, 5-Q, 5-R, 5-S, 5-T, 5-U, 5-V, 5-W, 5-X, 5-Y, 5-Z, 5-AA, 5-AB, 5-AC, 5-AD, 5-AE, 5-AF, 5-AG, 5-AH, 5-AI, 5-AJ, 5-AL, 5-AM, 5-AN, 5-AO, 5-AP, 5-AQ, 5-AR, 5-AS, 5-AT, 5-AU, 5-AV, 5-AW, 5-AX, 5-AY, 5-AZ, 5-BA, 5-BB, 5-BC, 5-BD, 5-BE, 5-BF, 5-BG, 5-BH, 5-BI, 5-BJ, 5-BK, 5-BL, 5-BM, 5-BN, 5-BO, 5-BP, 5-BQ, 5-BR, 5-BS, 5-BT, 5-BU, 5-BV, 5-BW, 5-BX, 5-BY, 5-BZ, 5-CA, 5-CB, 5-CC, 5-CD, 5-CE, 5-CF, 5-CG, 5-CH, 5-CI, 5-CJ, 5-CK, 5-CL, 5-CM, 5-CN, 5-CO, 5-CP, 5-CQ, 5-CR, 5-CS, 5-CT, 5-CU, 5-CV, 5-CW, 5-CX, 5-CY, 5-CZ, 5-DA, 5-DB, 5-DC, 5-DD, 5-DE, 5-DF, 5-DG, 5-DH, 5-DI, 5-DJ, 5-DK, 5-DL, 5-DM, 5-DN, 5-DO, 5-DP, 5-DQ, 5-DR, 5-DS, 5-DT, 5-DU, 5-DV, 5-DW, 5-DX, 5-DY, 5-DZ, 5-EA, 5-EB, 5-EC, 5-ED, 5-EE, 5-EF, 5-EG, 5-EH, 5-EI, 5-EJ, 5-EK, 5-EL, 5-EM, 5-EN, 5-EO, 5-EP, 5-EQ, 5-ER, 5-ES, 5-ET, 5-EU, 5-EV, 5-EW, 5-EX, 5-EY, 5-EZ, 5-FA, 5-FB, 5-FC, 5-FD, 5-FE, 5-FF, 5-FG, 5-FH, 5-FI, 5-FJ, 5-FK, 5-FL, 5-FM, 5-FN, 5-FO, 5-FP, 5-FQ, 5-FR, 5-FS, 5-FT, 5-FU, 5-FV, 5-FW, 5-FX, 5-FY, 5-FZ, 5-GA, 5-GB, 5-GC, 5-GD, 5-GE, 5-GF, 5-GG, 5-GH, 5-GI, 5-GJ, 5-GK, 5-GL, 5-GM, 5-GN, 5-GO, 5-GP, 5-GQ, 5-GR, 5-GS, 5-GT, 5-GU, 5-GV, 5-GW, 5-GX, 5-GY, 5-GZ, 5-HA, 5-HB, 5-HC, 5-HD, 5-HE, 5-HF, 5-HG, 5-HI, 5-HJ, 5-HK, 5-HL, 5-HM, 5-HN, 5-HO, 5-HP, 5-HQ, 5-HR, 5-HS, 5-HT, 5-HU, 5-HV, 5-HW, 5-HX, 5-HY, 5-HZ, 5-IA, 5-IB, 5-IC, 5-ID, 5-IE, 5-IF, 5-IG, 5-IH, 5-II, 5-IJ, 5-IK, 5-IL, 5-IM, 5-IN, 5-IO, 5-IP, 5-IQ, 5-IR, 5-IS, 5-IT, 5-IU, 5-IV, 5-IW, 5-IX, 5-IY, 5-IZ, 5-JA, 5-JB, 5-JC, 5-JD, 5-JE, 5-JF, 5-JG, 5-JH, 5-JI, 5-JJ, 5-JK, 5-JL, 5-JM, 5-JN, 5-JO, 5-JP, 5-JQ, 5-JR, 5-JS, 5-JT, 5-JU, 5-JV, 5-JW, 5-JX, 5-JY, 5-JZ, 5-KA, 5-KB, 5-KC, 5-KD, 5-KE, 5-KF, 5-KG, 5-KH, 5-KI, 5-KJ, 5

# MAP OF SURVEY ALTA/ACSM LAND TITLE SURVEY



## UTILITY LOCATIONS



THIS IS A COMPILED DRAWING BASED ON THE FOLLOWING SOURCES:

- a) Spillis Candela DMJM (formerly known as, Ferendina Grafton Spillis and Candela/ Spillis Candela and Partners, Inc.)  
800 Douglas Entrance  
Coral Gables, FL 33134-3119
- b) City of Coral Gables, Florida  
285 Aragon Avenue  
Coral Gables, FL 33146
- c) Miami-Dade Water and Sewer Department  
3575 South LeJeune Road  
Miami, FL 33146
- d) BellSouth Telecommunications, Inc.  
7325 SW 48<sup>th</sup> Street  
Miami, FL 33155

**LEGEND:**

- ▣ C/B Catch Basin
- Concrete Pole
- ⊕ Electrical
- ⊕ FH Fire Hydrant
- ⊕ Gas
- ⊕ MH Manhole
- Reducer
- S.S. Sanitary Sewer
- T Telephone
- ▣ Traffic Control Box
- W.M. W Water Main
- Water Meter
- ⊕ Water Valve
- STM Storm
- FM Force Main
- Typ. Typical

| No. | Date     | Apvd | J.N.  | F.B. | Revision Description         |
|-----|----------|------|-------|------|------------------------------|
| 10  | 1/13/14  | TB   | 57720 |      | Rev. to Update               |
| 9   | 3/19/07  | TB   | 56674 |      | Rev. Notes                   |
| 8   | 1/06/07  | TB   | 56674 |      | Rev. to Update               |
| 7   | 8/16/06  | TB   | 55126 |      | Rev. Update                  |
| 6   | 2/05/04  | TB   | 55126 |      | Rev. Certification           |
| 5   | 2/02/04  | TB   | 55126 |      | Rev. Certification and Notes |
| 4   | 1/21/04  | TB   | 55126 |      | Rev. to show Lot Area        |
| 3   | 1/09/04  | TB   | 55126 |      | Additional Certifications    |
| 2   | 1/05/04  | TB   | 55126 |      | Rev. to Update               |
| 1   | 10/22/01 | TB   | 56559 |      | Rev. Certification           |



Prepared for: **Bayan Street/GAP Douglas Entrance Owner, LLC.**

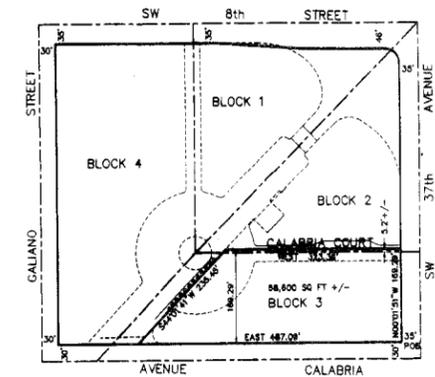
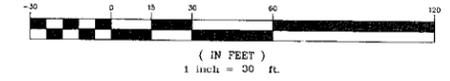
**E.R. Brownell & Assoc., Inc.**  
CONSULTING ENGINEERS PLANNERS SURVEYORS & MAPPERS  
2434 SW 28 LANE Miami, Florida, 33133  
PHONE: 305.860.3866 www.erbrownell.com 305.860.3870 (FAX)

|                                     |                     |                                     |                |
|-------------------------------------|---------------------|-------------------------------------|----------------|
| Professional Land Surveyor No. 2891 | Drawn by: TB        | Ref. 54441 53762 LS-2137/2003 55046 | Sheet: 2 OF 3  |
| Professional Engineer No.           | Des. by: J.N. 55126 | F.B.                                | Sk. No.        |
| State of Florida LB 761 EB 00761    | Chk. by: TB         | Scale: 1:40'                        | Date: 08/27/01 |

LS-2003B

# MAP OF SURVEY ALTA/ACSM LAND TITLE SURVEY

GRAPHIC SCALE



THE REVISED PLAT OF BLOCKS  
4, 4-A, 4-B, 4-C, 4-D, 4-E, 4-F, 4-G, 4-H, 4-I, 4-J, 4-K, 4-L, 4-M, 4-N, 4-O, 4-P, 4-Q, 4-R, 4-S, 4-T, 4-U, 4-V, 4-W, 4-X, 4-Y, 4-Z  
DOUGLAS SECTION OF CORAL GABLES  
(PG 34 PG 35)

LOCATION SKETCH  
Scale: 1" = 150'

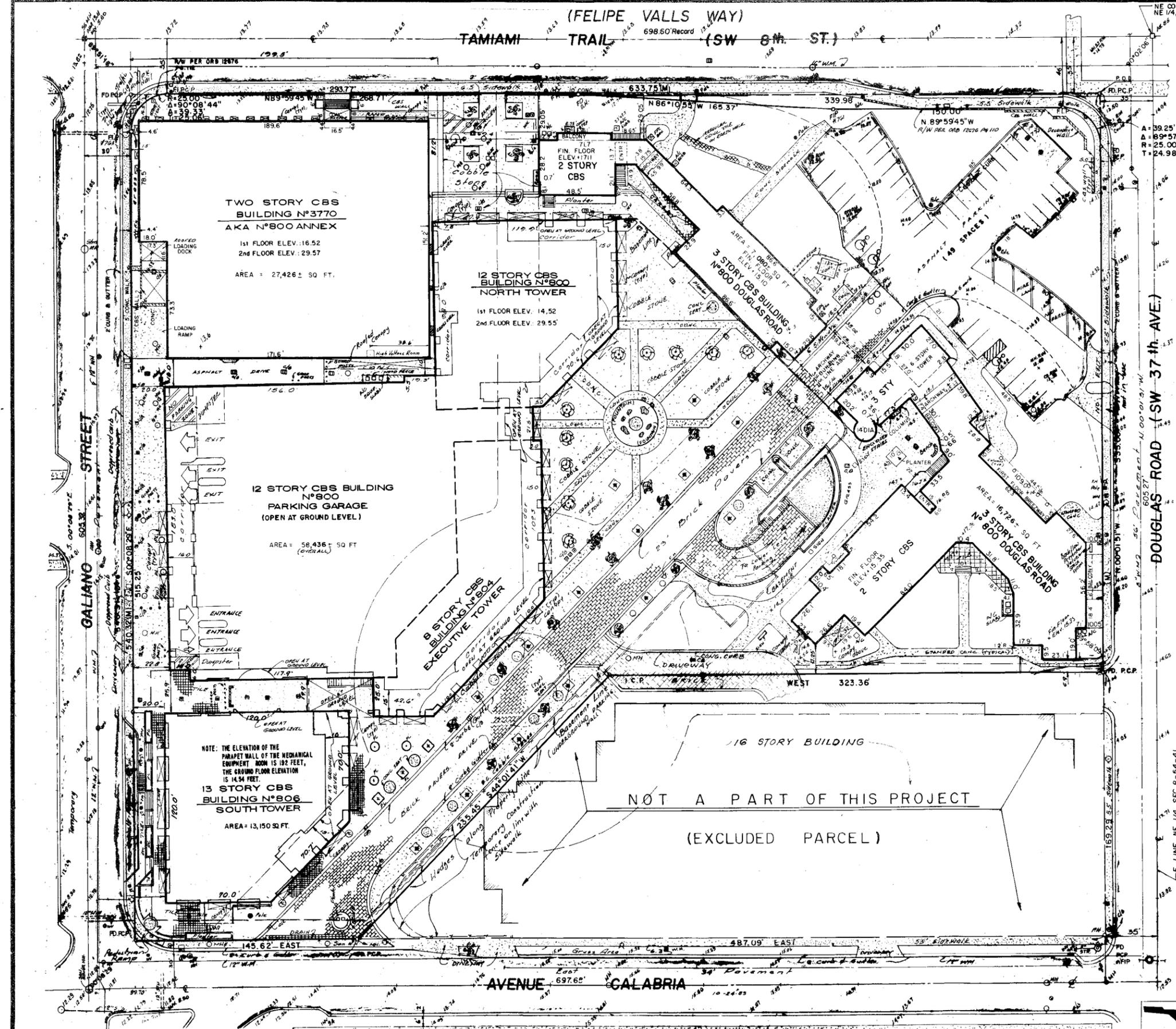
- LEGEND:**
- |            |                                 |         |                           |
|------------|---------------------------------|---------|---------------------------|
| (D)        | = Deed                          | FPL     | = Florida Power & Light   |
| (M)        | = Measured                      | INV     | = Invert                  |
| (TYP)      | = Typical                       | M.H.    | = Manhole                 |
| A, Δ, R, T | = Arc, Delta, Radius, Tangent   | ORB     | = Official Records Book   |
| A/C        | = Air Conditioner               | P.C.P.  | = Permanent Control Point |
| BLDG.      | = Building                      | P.O.B.  | = Point of Beginning      |
| BST        | = Bell South Telecommunications | PG      | = Page                    |
| C          | = Centerline                    | R/W     | = Right-of-Way            |
| C.B.S.     | = Concrete Block Stucco         | SAN     | = Sanitary                |
| C.L.F.     | = Chain Link Fence              | SEC     | = Section                 |
| C/B        | = Catch Basin                   | SQ. FT. | = Square Feet             |
| CONC.      | = Concrete                      | ST LT   | = Street Light Pole       |
| D.H.       | = Drill Hole                    | STM     | = Storm                   |
| ELEC.      | = Electric                      | STY.    | = Story                   |
| F.H.       | = Fire Hydrant                  | TEMP.   | = Temporary               |
| F.I.P.     | = Found 1/2" Iron Pipe          | UIG     | = Underground             |
| FD         | = Found                         | W.M.    | = Water Meter             |
| FIN. ELEV. | = Finish Floor Elevation        | W.V.    | = Water Valve             |

| No. | Date     | App'd | J.N.  | F.B. | Revision Description         |
|-----|----------|-------|-------|------|------------------------------|
| 10  | 1/13/14  | TB    | 57720 |      | Rev. to Update               |
| 9   | 3/19/07  | TB    | 56674 |      | Rev. Notes                   |
| 8   | 1/06/07  | TB    | 56674 |      | Rev. to Update               |
| 7   | 8/16/06  | TB    | 55126 |      | Rev. Update                  |
| 6   | 2/05/04  | TB    | 55126 |      | Rev. Certification           |
| 5   | 2/02/04  | TB    | 55126 |      | Rev. Certification and Notes |
| 4   | 1/21/04  | TB    | 55126 |      | Rev. to show Lot Area        |
| 3   | 1/09/04  | TB    | 55126 |      | Additional Certifications    |
| 2   | 1/06/04  | TB    | 55126 |      | Rev. to Update               |
| 1   | 10/22/01 | TB    | 56559 |      | Rev. Certification           |

Prepared for: **Bayan Street/GAP Douglas Entrance Owner, LLC.**

**E.R. Brownell & Assoc., Inc.**  
CONSULTING ENGINEERS PLANNERS SURVEYORS & MAPPERS  
2434 SW 28 LANE Miami, Florida, 33133  
PHONE: 305.860.3866 www.erbrownell.com 305.860.3870 (FAX)

|                                     |               |                |              |       |                  |
|-------------------------------------|---------------|----------------|--------------|-------|------------------|
| Professional Land Surveyor No. 2891 | Ref. 54441    | 53762          | LS-2137/2003 | 55046 | Sheet: 30F3      |
| Professional Engineer No.           | J.N. 55126    | F.B.           |              |       | Sk. No. LS-2003B |
| State of Florida LB 761 EB 00761    | Scale: 1"=30' | Date: 08/27/01 |              |       |                  |



(FELIPE VALLS WAY)  
TAMIAMI TRAIL (SW 8th ST.)

DOUGLAS ROAD (SW 37th AVE.)

GALIANO STREET

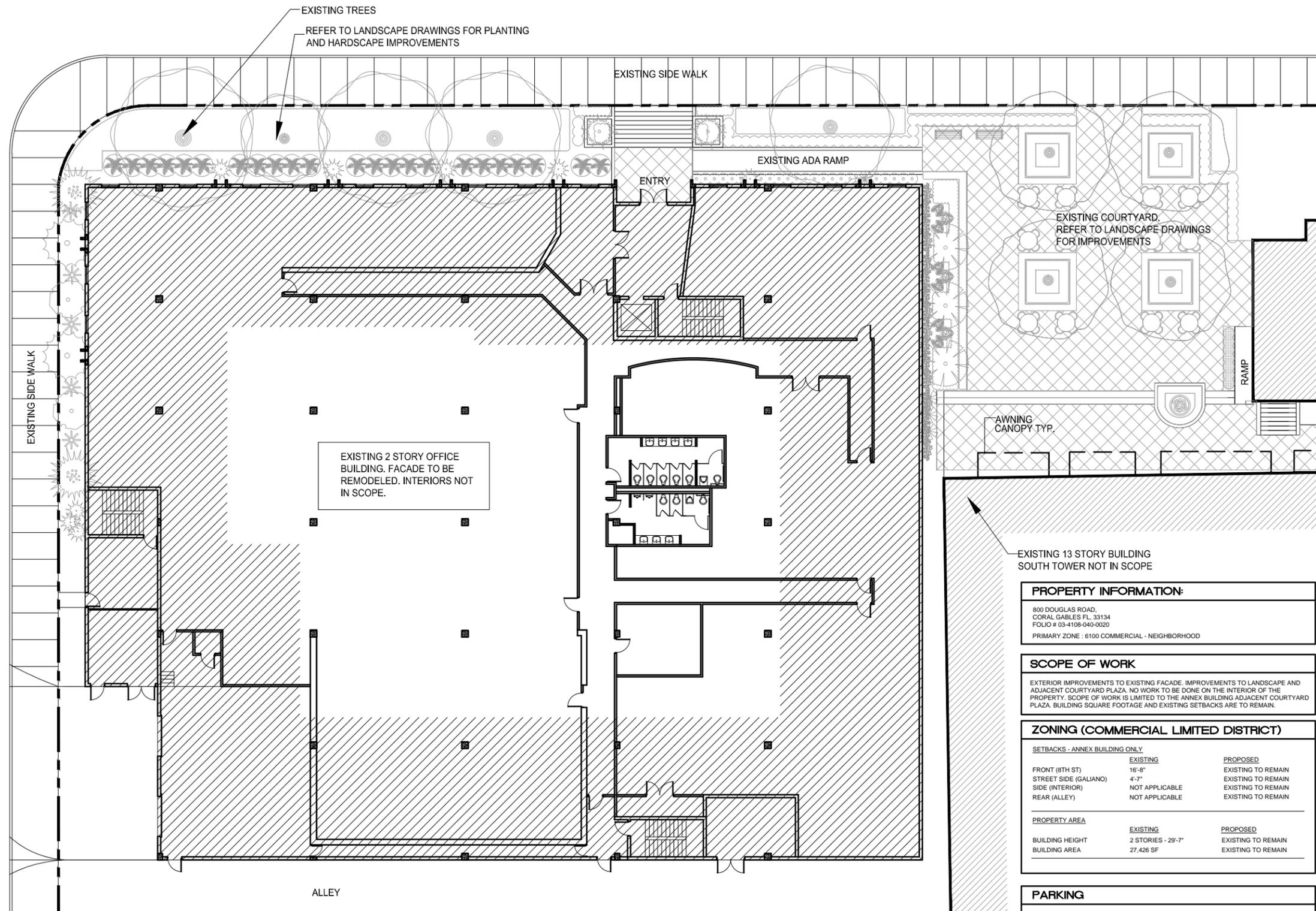
AVENUE GALABRIA

NOT A PART OF THIS PROJECT  
(EXCLUDED PARCEL)



TAMIAMI TRAIL SW 8TH STREET

GALIANO STREET



EXISTING 2 STORY OFFICE BUILDING. FACADE TO BE REMODELED. INTERIORS NOT IN SCOPE.

EXISTING COURTYARD. REFER TO LANDSCAPE DRAWINGS FOR IMPROVEMENTS

AWNING CANOPY TYP.

EXISTING 13 STORY BUILDING SOUTH TOWER NOT IN SCOPE

**PROPERTY INFORMATION:**

800 DOUGLAS ROAD,  
CORAL GABLES FL, 33134  
FOLIO # 03-1108-040-0020  
PRIMARY ZONE : 6100 COMMERCIAL - NEIGHBORHOOD

**SCOPE OF WORK**

EXTERIOR IMPROVEMENTS TO EXISTING FACADE. IMPROVEMENTS TO LANDSCAPE AND ADJACENT COURTYARD PLAZA. NO WORK TO BE DONE ON THE INTERIOR OF THE PROPERTY. SCOPE OF WORK IS LIMITED TO THE ANNEX BUILDING ADJACENT COURTYARD PLAZA. BUILDING SQUARE FOOTAGE AND EXISTING SETBACKS ARE TO REMAIN.

**ZONING (COMMERCIAL LIMITED DISTRICT)**

| SETBACKS - ANNEX BUILDING ONLY |                |                    |
|--------------------------------|----------------|--------------------|
|                                | EXISTING       | PROPOSED           |
| FRONT (8TH ST)                 | 16'-8"         | EXISTING TO REMAIN |
| STREET SIDE (GALIANO)          | 4'-7"          | EXISTING TO REMAIN |
| SIDE (INTERIOR)                | NOT APPLICABLE | EXISTING TO REMAIN |
| REAR (ALLEY)                   | NOT APPLICABLE | EXISTING TO REMAIN |

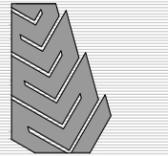
| PROPERTY AREA   |                    |                    |
|-----------------|--------------------|--------------------|
|                 | EXISTING           | PROPOSED           |
| BUILDING HEIGHT | 2 STORIES - 29'-7" | EXISTING TO REMAIN |
| BUILDING AREA   | 27,426 SF          | EXISTING TO REMAIN |

**PARKING**

|   |              |
|---|--------------|
| PARKING SPACES REQUIRED = (AT 1 SPACE /STUDENT STATION) | 1,852 SPACES |
| PARKING SPACES PROVIDED =                               | 1,879 SPACES |
| SURPLUS PARKING =                                       | 27 SPACES    |

N  
GROUND FLOOR PLAN  
SCALE NT8

THESE DESIGNS AND DRAWINGS ARE THE COPYRIGHTED PROPERTY OF HAMED RODRIGUEZ ARCHITECTS AND THE FULLERTON GROUP AND MAY NOT BE REPRODUCED EXCEPT WITH SPECIFIC WRITTEN CONSENT OF THE ARCHITECT. THE CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS OF THE JOB AND BE RESPONSIBLE FOR SAME. REPORTING ANY DISCREPANCIES TO THE ARCHITECT BEFORE COMMENCING WORK. DRAWINGS NOT TO BE SCALED.



**Hamed Rodriguez**  
ARCHITECTS  
3250 Mary Street # 305  
Coral Gables, FL 33133  
305-722-9400  
hamed@hr-architects.com

IN COLLABORATION WITH:



**THE FULLERTON GROUP**  
ARCHITECTURE  
DEVELOPMENT CONSULTING  
LAND PLANNING

ANNEX BUILDING  
3777 SW 8TH STREET  
CORAL GABLES, FLORIDA 33134

**OWNER:**  
Banyan Street Capital  
80 SW 1st Street Suite 2200  
Miami, FL 33130  
305-722-9400

PROJECT NUMBER:

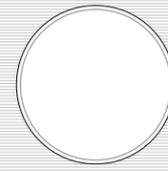
DATE OF ISSUE:  
SEPTEMBER 8, 2016

FOR:

| NO. | DESCRIPTION | DATE |
|-----|-------------|------|
|     |             |      |
|     |             |      |
|     |             |      |

DRAWING HISTORY

REGISTRATION: AA 26002034  
 HAMED RODRIGUEZ  
AR 93261

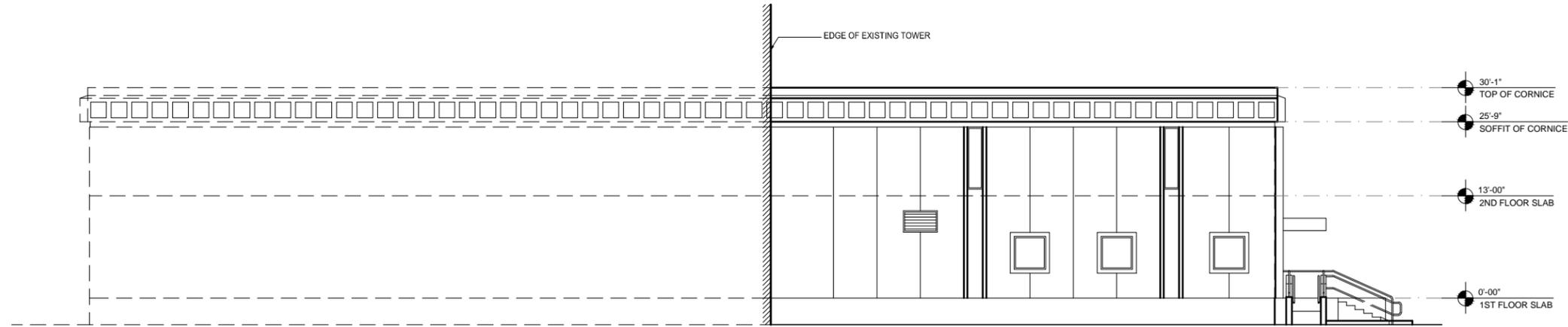


A2.1

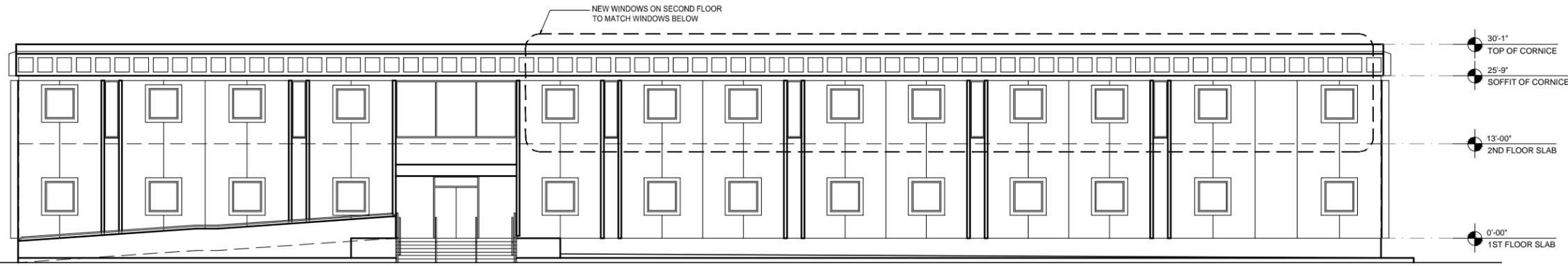
SHEET NUMBER:



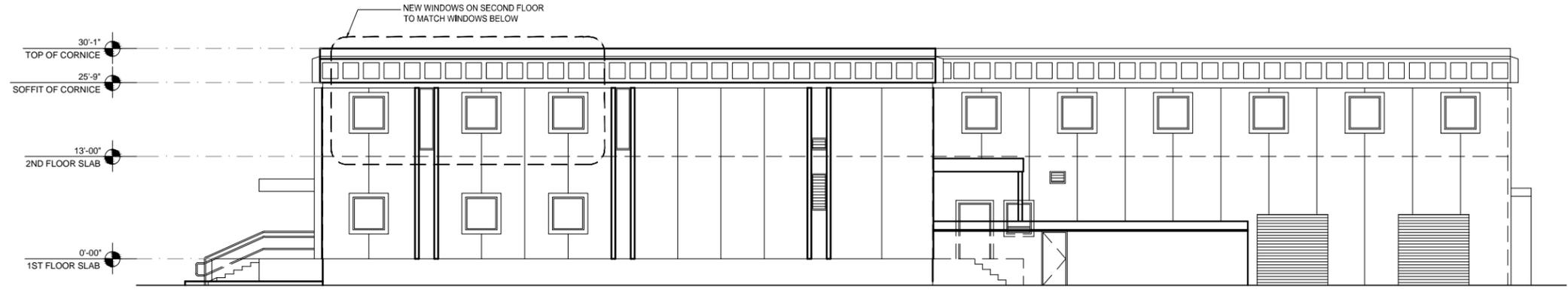
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**PROPOSED EAST ELEVATION**  
SCALE: 1/8" = 1'-0"



**PROPOSED NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"



**PROPOSED WEST ELEVATION**  
SCALE: 1/8" = 1'-0"



**Hamed Rodriguez**  
ARCHITECTS  
3250 Mary Street # 305  
Coral Gables, FL 33133  
305.228.9967  
hamed@hr-architects.com

IN COLLABORATION WITH:  
**THE FULLERTON GROUP**  
ARCHITECTURE  
DEVELOPMENT CONSULTING  
INTERIOR DESIGN  
LAND PLANNING

**ANNEX BUILDING**  
3777 SW 8TH STREET  
CORAL GABLES, FLORIDA 33134

**OWNER:**  
Bryan Street Capital  
80 SW 8th Street Suite 2200  
Miami, FL 33130  
305-722-9400

PROJECT NUMBER:

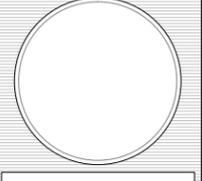
DATE OF ISSUE:  
**SEPTEMBER 8, 2016**

FOR:

| NO. | DESCRIPTION | DATE |
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|     |             |      |
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DRAWING HISTORY

REGISTRATION: AA 26002034  
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AR 93261



**A2.3**  
SHEET NUMBER:

# Conceptual Test Fit Layout – Level 1



# Conceptual Test Fit Layout: Level 2



# Existing Conditions



DRAFT

# Proposed Improvements



DRAFT

# Existing Conditions

**DRAFT**



# Proposed Improvements

DRAFT



# Proposed Improvements

DRAFT

Overhead lighting

Optional water feature

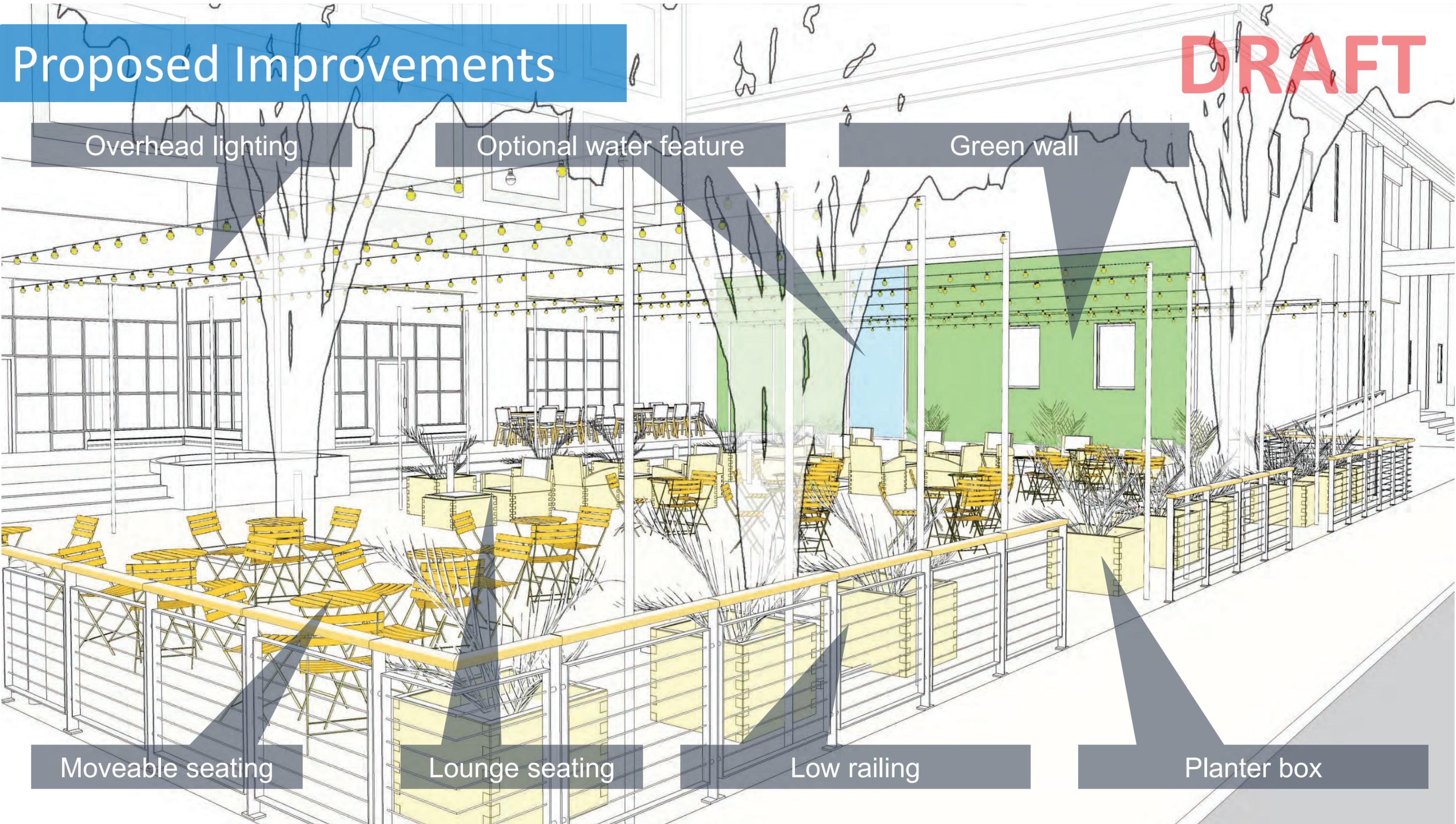
Green wall

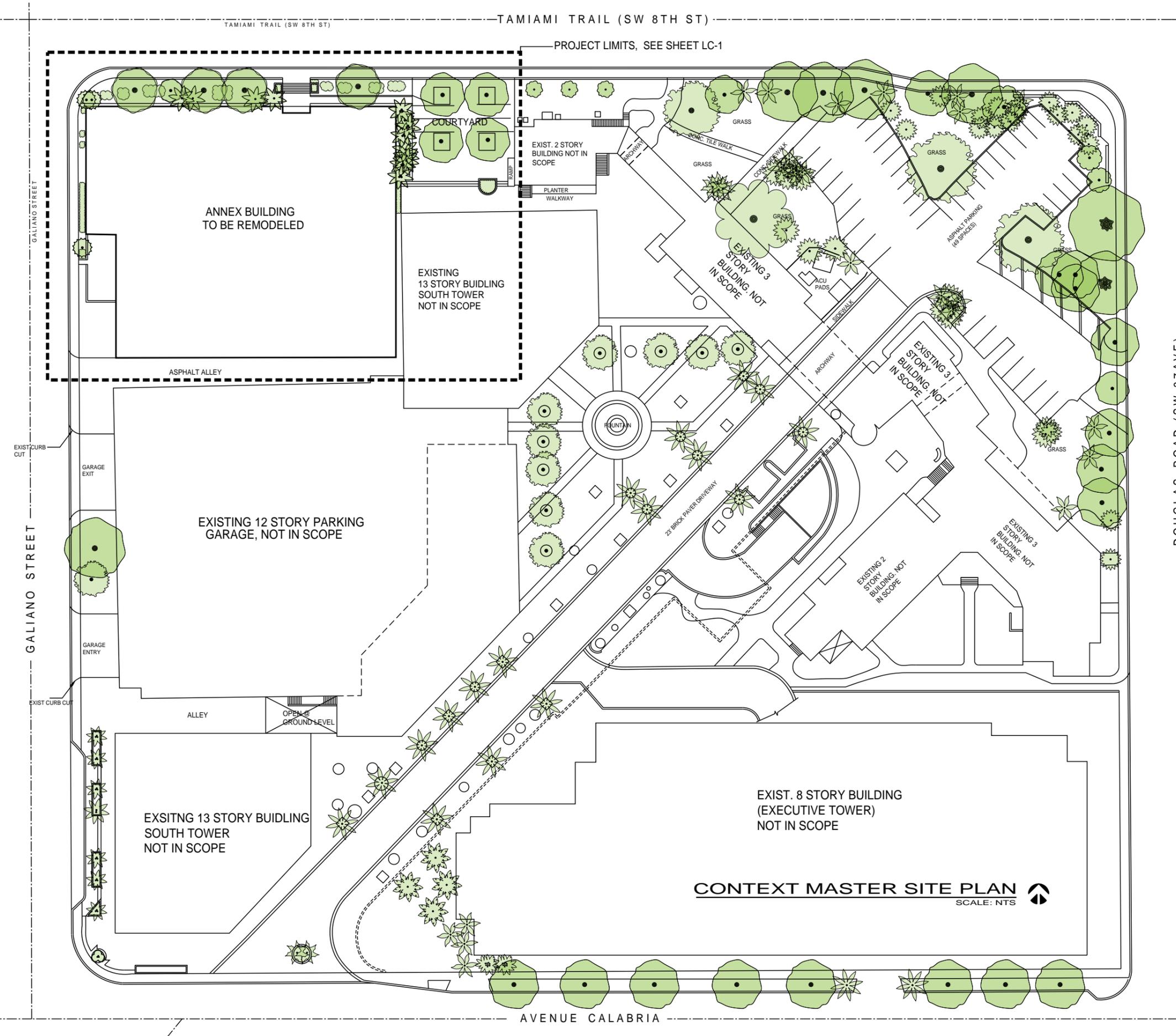
Moveable seating

Lounge seating

Low railing

Planter box





**CONTEXT MASTER SITE PLAN**  
SCALE: NTS

**LANDSCAPE SHEET INDEX:**

|      |                                       |
|------|---------------------------------------|
| L-1  | CONTEXT MASTER SITE PLAN              |
| LE-1 | EXISTING LANDSCAPE - DISPOSITION PLAN |
| LE-2 | EXISTING LANDSCAPE IMAGES             |
| LC-1 | CONCEPT LANDSCAPE MASTER PLAN         |
| LC-2 | CONCEPT ANNEX BUILDING PLAN           |
| LC-3 | CONCEPT COURTYARD PLAN                |
| LC-4 | CONCEPT PLANTING IMAGES               |
| LC-5 | CONCEPT PLANTING IMAGES               |

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ROBERT PARSLEY A.S.L.A.  
6805 S.W. 41 STREET MIAMI, FL 33143  
PHONE: 305-665-9688 FAX: 305-668-8426

**LANDSCAPE SHEET INDEX:**

**PROJECT TITLE**  
ANNEX BUILDING  
377 SW 8TH STREET, CORAL GABLES, 33134

**SHEET TITLE**  
LANDSCAPE  
CONTEXT MASTER SITE PLAN

**DATE**  
9/8/16

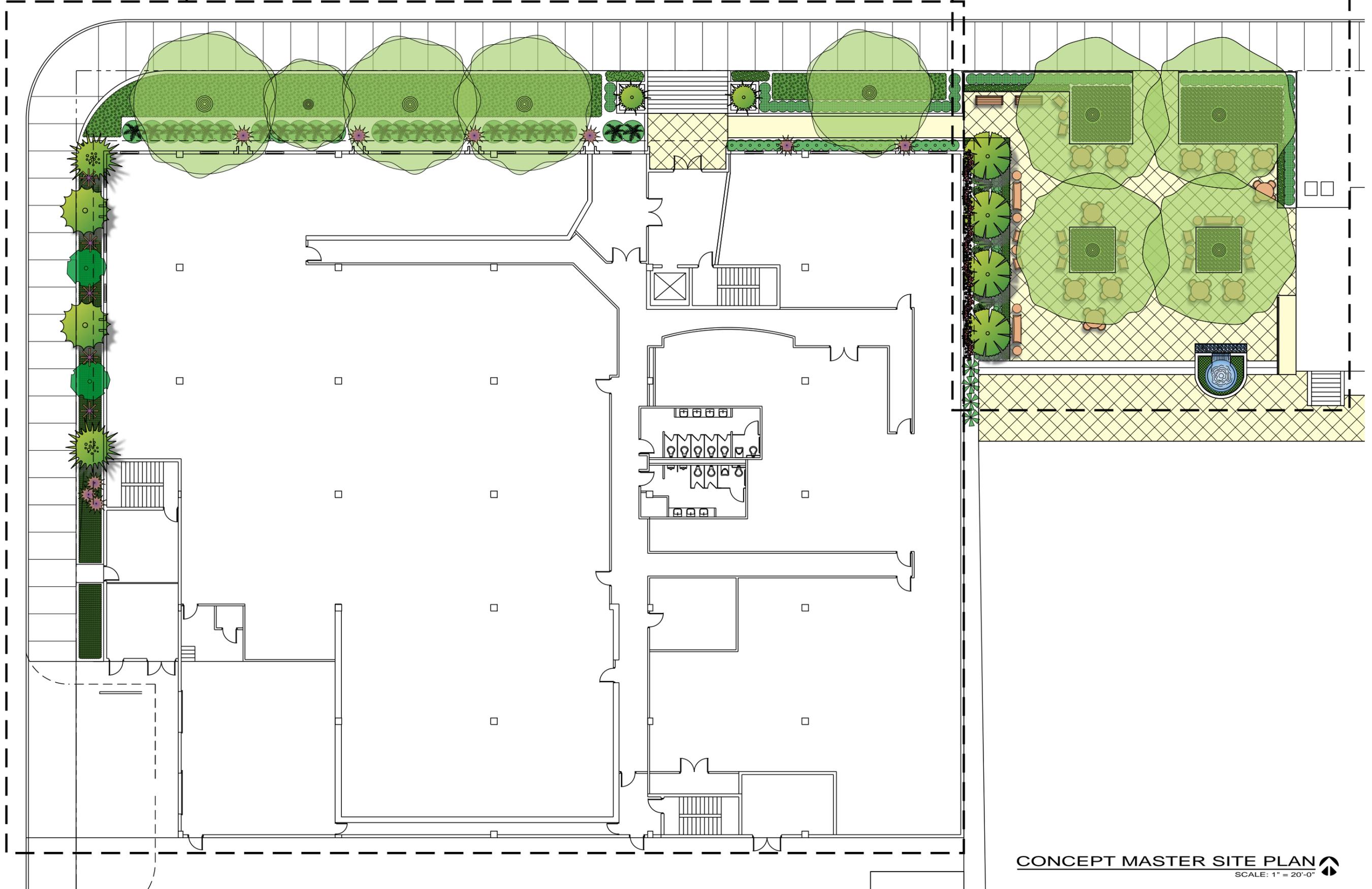
**SHEET**  
L-1

SEE SHEET LC-2  
ANNEX BUILDING

COURTYARD  
SEE SHEET LC-3

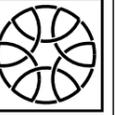
SW 8TH STREET

GALIANO STREET



CONCEPT MASTER SITE PLAN  
SCALE: 1" = 20'-0"

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6805 S.W. 81 STREET MIAMI, FL 33143  
PHONE: 305-665-9688 FAX: 305-668-8426



SEAL

LANDSCAPE  
CONCEPT MASTER SITE PLAN

SHEET TITLE

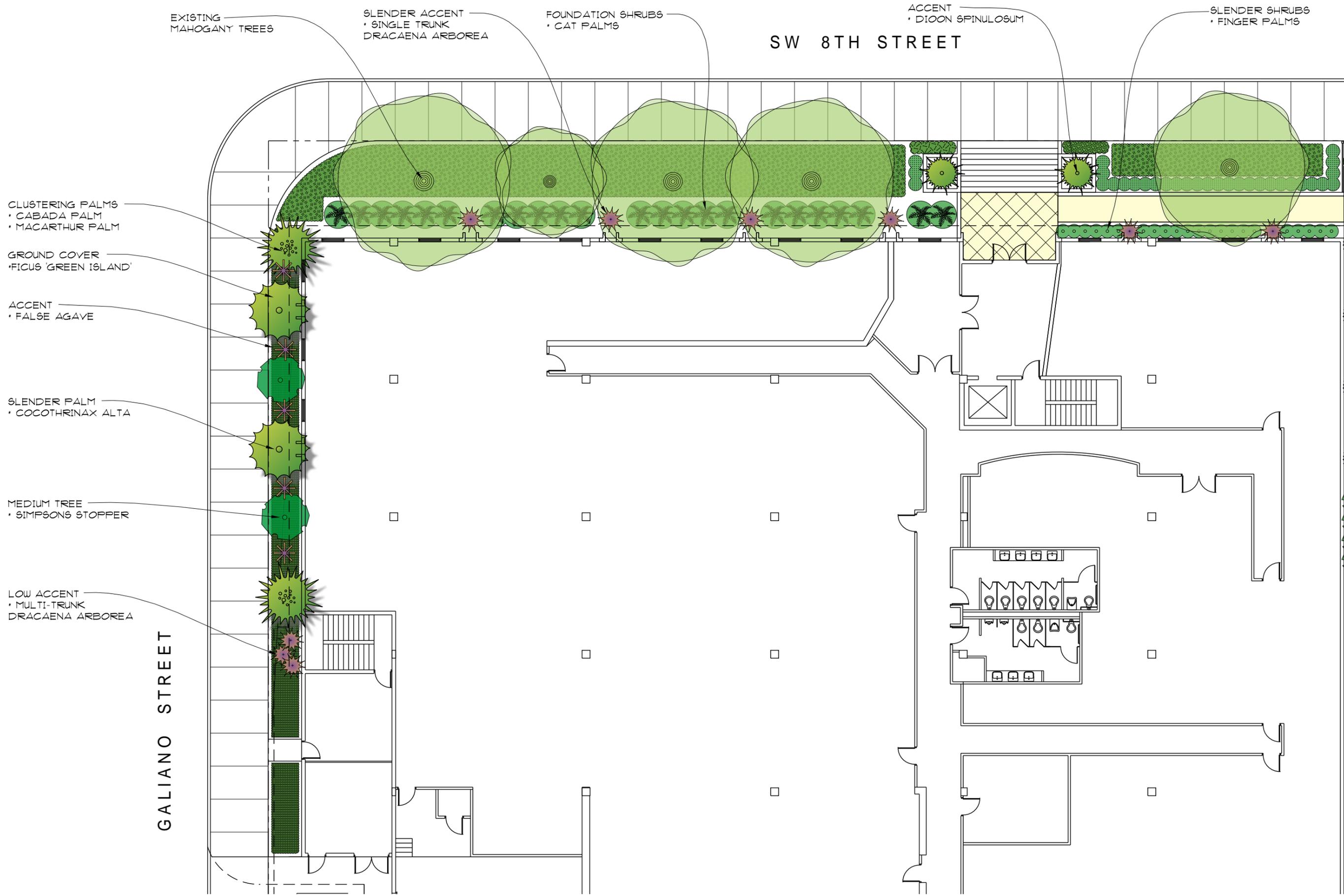
ANNEX BUILDING  
3777 SW 8TH STREET, CORAL GABLES, 33134

PROJECT TITLE

DATE  
9/8/16

SHEET  
LC-1

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CONCEPT ANNEX BUILDING PLAN  
SCALE: 1/8" = 1'-0"

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LANDSCAPE ARCHITECTURE  
ROBERT PARSLEY A.S.L.A.  
6805 SW 81 STREET MIAMI FL 33143  
PHONE: 305-665-9688 FAX: 305-668-8426

SEAL

PROJECT TITLE  
**ANNEX BUILDING**  
3777 SW 8TH STREET, CORAL GABLES, 33134

SHEET TITLE  
**LANDSCAPE BUILDING PLAN**  
CONCEPT ANNEX BUILDING PLAN

DATE  
9/8/16

SHEET  
LC-2

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ACCENT PALMS  
 \*LICUALA GRANDIS  
 \*LICUALA RAMSAYII  
 \*COCOTRHINAX ALTA

GROUNDCOVER  
 \*AGLAONEMA  
 \*HOLLY FERN

GREEN WALL  
 \*EPIPHYTES  
 \*FERNS  
 \*VINES

ACCENT SHRUBS  
 \*PHILODENDRON  
 RED HYBRID  
 \*PHILODENDRON  
 GIGANTIUM

LADY PALMS

ORNAMENTAL  
 LOW RAILING

PRIVACY HEDGE  
 \*BAHAMA WILD COFFEE  
 \*PODOCARPUS

BORDER GROUNDCOVER  
 \*FOXTAIL FERNS  
 \*MONDO GRASS  
 \*PILEA 'STOPLIGHT'

A/C A/C

EXISTING OAK TREES

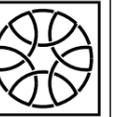
GROUNDCOVER AROUND  
 EXISTING OAK TREE ROOTS  
 \*WART FERN

WATER FEATURE  
 OVERFLOWING LOW BOWL  
 WEIR WATER WALL INTO  
 LOWER COLLECTION TROUGH  
 WITH GRATE COVERED WITH  
 DECORATIVE PEBBLES.

RAMP



CONCEPT COURTYARD PLAN  
 SCALE: 1/8" = 1'-0"



SEAL

LANDSCAPE  
 CONCEPT COURTYARD PLAN

SHEET TITLE

PROJECT TITLE  
 ANNEX BUILDING  
 3777 SW 8TH STREET, CORAL GABLES, 33134

DATE

9/8/16

SHEET

LC-3

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CAT PALMS



AGLAONEMA



DIOON SPINULOSUM



PHILODENDRON 'RED HYBRID'



WART FERN



BOWL WATER FEATURE



LICUALA RAMSAYI



CABADA PALM



DRACAENA ARBOREA



DRACAENA ARBOREA



FOXTAIL FERN



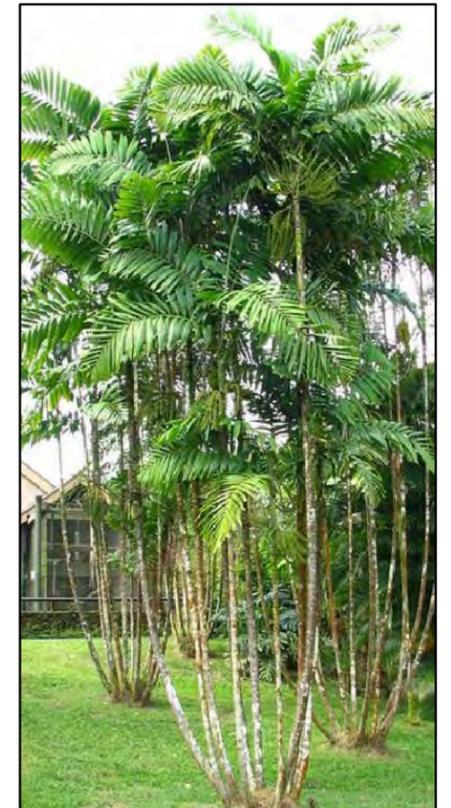
FICUS GREEN ISLAND



CABADA PALM



LICUALA GRANDIS



MACARTHUR PALM

CONCEPT PLANTING IMAGES

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GEOMANTIC DESIGNS, INC.  
LANDSCAPE ARCHITECTURE  
ROBERT PARKLEY A.S.L.A.  
1000 S. STATE STREET SUITE 100  
PHOENIX, ARIZONA 85042

SEAL:

SHEET TITLE  
**LANDSCAPE  
CONCEPT PLANTING IMAGES**

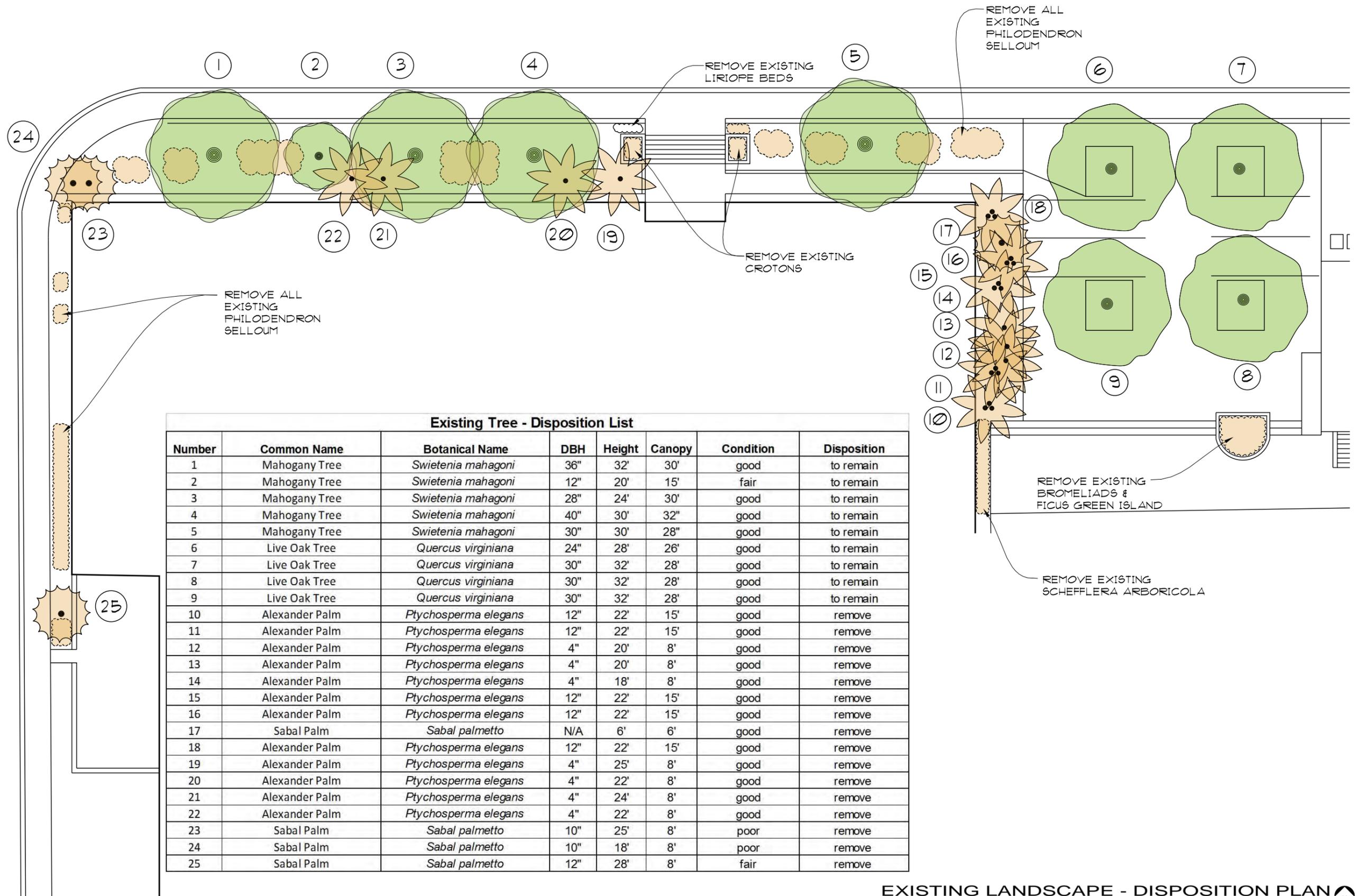
PROJECT TITLE  
**ANNEX BUILDING  
377 SW 8TH STREET, CORAL GABLES, 33134**

DATE:  
9/8/16

SHEET:  
**LC-4**

TAMIAMI TRAIL (SW 8TH ST)

GALIANO STREET



Existing Tree - Disposition List

| Number | Common Name    | Botanical Name              | DBH | Height | Canopy | Condition | Disposition |
|--------|----------------|-----------------------------|-----|--------|--------|-----------|-------------|
| 1      | Mahogany Tree  | <i>Swietenia mahagoni</i>   | 36" | 32'    | 30'    | good      | to remain   |
| 2      | Mahogany Tree  | <i>Swietenia mahagoni</i>   | 12" | 20'    | 15'    | fair      | to remain   |
| 3      | Mahogany Tree  | <i>Swietenia mahagoni</i>   | 28" | 24'    | 30'    | good      | to remain   |
| 4      | Mahogany Tree  | <i>Swietenia mahagoni</i>   | 40" | 30'    | 32"    | good      | to remain   |
| 5      | Mahogany Tree  | <i>Swietenia mahagoni</i>   | 30" | 30'    | 28"    | good      | to remain   |
| 6      | Live Oak Tree  | <i>Quercus virginiana</i>   | 24" | 28'    | 26'    | good      | to remain   |
| 7      | Live Oak Tree  | <i>Quercus virginiana</i>   | 30" | 32'    | 28'    | good      | to remain   |
| 8      | Live Oak Tree  | <i>Quercus virginiana</i>   | 30" | 32'    | 28'    | good      | to remain   |
| 9      | Live Oak Tree  | <i>Quercus virginiana</i>   | 30" | 32'    | 28'    | good      | to remain   |
| 10     | Alexander Palm | <i>Ptychosperma elegans</i> | 12" | 22'    | 15'    | good      | remove      |
| 11     | Alexander Palm | <i>Ptychosperma elegans</i> | 12" | 22'    | 15'    | good      | remove      |
| 12     | Alexander Palm | <i>Ptychosperma elegans</i> | 4"  | 20'    | 8'     | good      | remove      |
| 13     | Alexander Palm | <i>Ptychosperma elegans</i> | 4"  | 20'    | 8'     | good      | remove      |
| 14     | Alexander Palm | <i>Ptychosperma elegans</i> | 4"  | 18'    | 8'     | good      | remove      |
| 15     | Alexander Palm | <i>Ptychosperma elegans</i> | 12" | 22'    | 15'    | good      | remove      |
| 16     | Alexander Palm | <i>Ptychosperma elegans</i> | 12" | 22'    | 15'    | good      | remove      |
| 17     | Sabal Palm     | <i>Sabal palmetto</i>       | N/A | 6'     | 6'     | good      | remove      |
| 18     | Alexander Palm | <i>Ptychosperma elegans</i> | 12" | 22'    | 15'    | good      | remove      |
| 19     | Alexander Palm | <i>Ptychosperma elegans</i> | 4"  | 25'    | 8'     | good      | remove      |
| 20     | Alexander Palm | <i>Ptychosperma elegans</i> | 4"  | 22'    | 8'     | good      | remove      |
| 21     | Alexander Palm | <i>Ptychosperma elegans</i> | 4"  | 24'    | 8'     | good      | remove      |
| 22     | Alexander Palm | <i>Ptychosperma elegans</i> | 4"  | 22'    | 8'     | good      | remove      |
| 23     | Sabal Palm     | <i>Sabal palmetto</i>       | 10" | 25'    | 8'     | poor      | remove      |
| 24     | Sabal Palm     | <i>Sabal palmetto</i>       | 10" | 18'    | 8'     | poor      | remove      |
| 25     | Sabal Palm     | <i>Sabal palmetto</i>       | 12" | 28'    | 8'     | fair      | remove      |

PROJECT TITLE: ANNEX BUILDING  
 377 SW 8TH STREET, CORAL GABLES, 33134  
 SHEET TITLE: LANDSCAPE DISPOSITION PLAN  
 EXISTING LANDSCAPE DISPOSITION PLAN  
 SHEET: LE-1  
 DATE: 9/8/16  
 GEOMANTIC DESIGNS, INC. LANDSCAPE ARCHITECTURE  
 ROBERT PARSLEY A.S.L.A.  
 6805 S.W. 41 STREET MIAMI, FL 33143  
 PHONE: 305-665-9688 FAX: 305-668-8426



#23 & #24 SABAL PALMS



#5 MAHOGANY TREES #4 #3 #2 #1



#7 #8 OAK TREES #6



#25 SABAL PALM

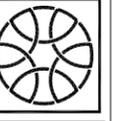


PHILODENDRON SELLOUM



#10-16, & 18 ALEXANDER PALMS #17 SABAL PALM

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DESIGNS, INC.  
LANDSCAPE ARCHITECTURE  
ROBERT PARKSLEY A.S.L.A.  
377 SW 8TH STREET SUITE 100  
MIAMI, FL 33134  
PHONE: 305.442.4448 FAX: 305.442.4449



SEAL:

LANDSCAPE  
EXISTING TREE IMAGES

SHEET TITLE

ANNEX BUILDING  
377 SW 8TH STREET, CORAL GABLES, 33134

PROJECT TITLE

DATE:  
9/8/16

SHEET:  
LE-2

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September 6, 2016

**VIA HAND DELIVERY**

Mr. Ramon Trias  
Planning and Zoning Director  
City of Coral Gables  
405 Biltmore Way  
Coral Gables, FL 33134

**Re: Douglas Entrance / 800 Douglas Road / Art in Public Places / Statement for Development Review Committee Application**

Dear Mr. Trias:

Pursuant to Coral Gables Zoning Code Section 3-2103.A.2, and on behalf of Banyan Street/Gap Douglas Entrance Owner, LLC, as part of the proposed renovation of the Annex Building at 800 Douglas Entrance, we propose contributing 1% of the Aggregate Project Value to the Art Acquisition Fund. If you have any questions, please do not hesitate to contact me at (305) 376-6061.

Sincerely,

Mario Garcia-Serra

MIA\_ACTIVE 4518917.1

## Douglas Entrance Annex Building Traffic Analysis Methodology

April 14, 2016

DPA will undertake a Traffic Impact Analysis as required by the City of Coral Gables. The analyses are for the existing conditions, future conditions with committed development, and the future conditions with project and committed developments.

**Location:** Southeast corner of the SW 8<sup>th</sup> Street/Galiano Street intersection within the Douglas Entrance development in Coral Gables, Florida. The project is located within the Gables Re-development Infill District (GRID).

**Existing Site:** General Office building – 53,201 SF.

**Proposed Plan:** Medical Office building – 53,201 SF.

The proposed methodology is outlined below:

- Traffic Counts (Intersections) – Two-hour turning movement counts will be collected for the AM (7-9 AM) and PM (4-6 PM) hours on a typical weekday at the following intersections:
    - SW 8<sup>th</sup> Street / Ponce de Leon Boulevard (S)
    - SW 8<sup>th</sup> Street / Galiano Street (S)
    - SW 8<sup>th</sup> Street / Douglas Road (S)
    - SW 12<sup>th</sup> Street / Douglas Road (S)
- S= Signalized  
R= Roundabout  
U=Un-signalized
- Signal Location and Timing – Existing signal phasing and timing for the signalized intersection will be obtained from Miami-Dade County.
  - Trip Generation – project trips will be estimated using trip generation information published by the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9<sup>th</sup> Edition.

- Trip Distribution / Trip Assignment – Net new external project traffic will be assigned to the adjacent street network using the appropriate cardinal distribution from the Miami-Dade Long Range Transportation Plan Update, published by the Metropolitan Planning Organization. Normal traffic patterns will also be considered when assigning project trips.
- Background Traffic - Available Florida Department of Transportation (FDOT) and Miami-Dade County (MDC) counts will be consulted to determine a growth factor consistent with historical annual growth in the area. The growth factor will be applied to the existing traffic volumes to establish background traffic.
- Future Transportation Projects – The 2015 TIP and the 2040 LRTP will be reviewed and considered in the analysis at project build-out.
- Committed Developments – Committed developments will be provided by the city.
- Intersection analysis will be done using Highway Capacity Software (HCS) based on the 2010 Highway Capacity Manual (HCM) or the Synchro software. Operation analysis at driveways providing access to/from the site will also be conducted.
- Multimodal Considerations - Pedestrian, bicycle and transit facilities will be defined in a Circulation Plan. Existing bus and mass transit routes including schedule and bus stop locations will be discussed as part of the study.

w:\16\16140\methodology.docx

## Juan Espinosa

---

**From:** Senespleda, Yamilet <[ysenespleda@coralgables.com](mailto:ysenespleda@coralgables.com)>  
**Sent:** Tuesday, April 19, 2016 3:06 PM  
**To:** Juan Espinosa  
**Subject:** FW: Douglas Entrance Annex Building - 16140

Juan,

The methodology is acceptable to Public Works. Committed Developments in the area: Ofizzina and Casa Antilla(see below).

Thanks,

**Yamilet A. Senespleda, P.E., PTOE, ENV SP**  
**City Engineer/Senior Traffic Engineer**  
City of Coral Gables  
Public Works Department  
2800 SW 72nd Avenue, Miami, Florida 33155  
Office: (305) 460-5034  
Fax: (305) 460-5080  
[ysenespleda@coralgables.com](mailto:ysenespleda@coralgables.com)



**CORAL GABLES**  
III CITY NAH III

*Celebrating 90 years of a dream realized.*

---

**From:** Hickman, Lina  
**Sent:** Tuesday, April 19, 2016 11:02 AM  
**To:** Senespleda, Yamilet  
**Subject:** RE: Douglas Entrance Annex Building - 16140

### Casa Antilla

The proposed structure located at 10-20-28 and 36 Antilla Ave. in the Douglas Section of the City of Coral Gables, is a five story, residential, multifamily building, comprising forty four apartments, 12 units per floor from 2nd to 4th floor and 8 units and amenities areas at 5th floor, with a generous parking garage distributed in two levels, one semi-basement and one half level over the street level.

The 44 units comes in 8 different sizes, (from 1,200.00 Sq Ft to 2,123.00 Sq Ft) and layout configurations, from 2 Bedrooms +2 and a half Baths, to 3 Bedrooms + 3 and a half baths.

And

### OFIZZINA

The purpose of this application is to obtain the j  
Gables for the redevelopment of the site located

The property at 1200 Ponce de Leon Boulev  
(0.6558 acre) property at the southwest corner c  
Ponce de Leon Boulevard in the City of Coral G  
story office building and its supporting parking ar  
a total floor area of 12,876 square feet and the si

The owners plan to demolish the existing office  
office tower. A drive-through facility will be incl  
the site, Lots 6 & 7 on the western end of the p  
Family (MF-2) to Commercial (C). These two lo  
been used for parking since the construction (c  
attached Site History). The re-zoning will bring  
existing Commercial zoning on the balance of the

---

**From:** Senespleda, Yamilet  
**Sent:** Monday, April 18, 2016 2:56 PM  
**To:** Hickman, Lina  
**Subject:** FW: Douglas Entrance Annex Building - 16140

Lina,

Committed Developments in the area other than Ofizzina?

Thanks,

*Yamilet A. Senespleda, P.E., PTOE, ENV SP*  
City Engineer/Senior Traffic Engineer  
City of Coral Gables  
Public Works Department

2800 SW 72nd Avenue, Miami, Florida 33155  
Office: (305) 460-5034  
Fax: (305) 460-5080  
[ysenespleda@coralgables.com](mailto:ysenespleda@coralgables.com)



*Celebrating 90 years of a dream realized.*

---

**From:** Juan Espinosa [<mailto:Juan.Espinosa@dplummer.com>]  
**Sent:** Friday, April 15, 2016 10:39 AM  
**To:** Senespleda, Yamilet  
**Cc:** Sarah Fiol  
**Subject:** Douglas Entrance Annex Building - 16140

Yamilet,

Attached is the methodology for the traffic study required for the above reference project. The methodology is based on discussions from our meeting on April 4, 2016. Please let us know of any committed development in the area that we need to include in the study.

Thanks,

**Juan Espinosa, PE**

Vice President - Transportation

**DAVID PLUMMER & ASSOCIATES**

Transportation • Civil • Structural • Environmental

1750 Ponce de Leon Boulevard

Coral Gables, Florida 33134

Phone: 305-447-0900

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

Please Note: Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

## ORDINANCE NO. 2463

AN ORDINANCE APPROVING A SITE PLAN AND CERTAIN VARIANCES AND RULINGS IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 2437 FOR THE DEVELOPMENT OF "DOUGLAS ENTRANCE" LOCATED IN BLOCKS 1, 2, 3, 4, PARK CIRCLE, LOT "K" AND THE VACATED STREETS THEREIN AND ADJACENT THERETO OF THE REVISED PLAT OF BLOCKS 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A AND 7B, DOUGLAS SECTION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGE 32 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, an application was made for approval of a site plan and certain variances and rulings in accordance with the provisions of Ordinance No. 2437 for the development of "Douglas Entrance" located in Blocks 1, 2, 3, 4, Park Circle, Lot "K" and the vacated streets therein and adjacent thereto of the Revised Plat of Blocks, 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A and 7B, Douglas Section, according to the plat thereof recorded in Plat Book 34 at Page 32 of the Public Records of Dade County, Florida, and

WHEREAS, the site plan was reviewed by the Building Official, Zoning Administrator, Acting Public Works Director, Public Service Director, Division Chief of the Coral Gables Fire Department, the Board of Architects and Historic Preservation Board of Review, and

WHEREAS, after notice of public hearing duly published and notification of all property owners of record within three hundred (300) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on March 10, 1983 at which hearing all interested persons were afforded an opportunity to be heard, and

WHEREAS, the Planning and Zoning Board, at a special meeting of March 10, 1983 recommended that the applicant's request be approved subject to certain conditions,

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

SECTION 1. That pursuant to the provisions of Ordinance No. 2437, and upon recommendation from the Planning and Zoning Board, the site plan for the development of "Douglas Entrance" located in Blocks 1, 2, 3, 4, Park Circle, Lot "K" and the vacated streets therein and adjacent thereto of the Revised Plat of Blocks 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A and 7B, Douglas Section, according to the plat thereof recorded in Plat Book 34 at Page 32 of the Public Records of Dade County, Florida, shall be and the same is hereby approved in accordance with the revised site plans prepared by the architectural firm of Ferendino, Grafton, Spillis and Candela on file in the office of the City Clerk.

SECTION 2. That the representations made by the applicant before the Planning and Zoning Board and the City Commission shall be made a part of this ordinance as if the same were fully set forth herein.

SECTION 3. That the following variances and/or rulings as requested by the applicant shall be and the same are hereby approved:

1. Permit a hotel restaurant and a hotel snack bar to be detached from the main hotel building, and to be entered from outside rather than through an inside lobby, the restaurant to be located within the existing Douglas Entrance Building, and the snack bar to be located within the racquet ball club area.
2. Permit cafe-type tables and chairs in several different interior courts and plaza locations that would be served from a nearby restaurant or cafe.
3. Permit attendant and/or valet parking for the restaurant and hotel facilities.

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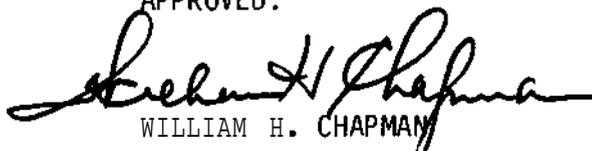
- 4. Permit racquet ball courts and health spa facilities to be located at the top of the parking garage building in Phase I instead of in the hotel as part of Phase III.
- 5. Permit all buildings facing a public street on which it abuts to be considered as front facing for the purpose of determining setbacks.

SECTION 4. That the developer shall have a period of five (5) years from the effective date of this ordinance to obtain a permit for the variances as set forth under Section 3 hereinabove.

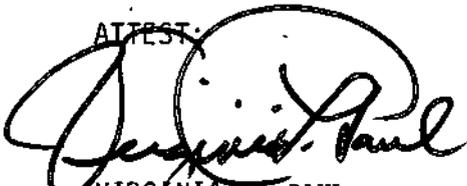
SECTION 5. That all ordinances or parts of ordinances inconsistent or in conflict herewith shall be and the same are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS TWENTY-SIXTH DAY OF APRIL, A. D., 1983.

APPROVED:

  
WILLIAM H. CHAPMAN  
MAYOR

ATTEST:

  
VIRGINIA L. PAUL  
CITY CLERK

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## ORDINANCE NO. 2488

AN ORDINANCE APPROVING MODIFICATIONS TO THE SITE PLAN OF DOUGLAS ENTRANCE AS APPROVED BY ORDINANCE NO. 2463, PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES ON APRIL 26, 1983, LOCATED ON BLOCKS 1, 2, 3, 4, PARK CIRCLE, LOT "K" AND THE VACATED STREETS THEREIN AND ADJACENT THERETO OF THE REVISED PLAT OF BLOCKS 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A AND 7B OF DOUGLAS SECTION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGE 32 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; WAIVING THE THIRTY DAY WAITING PERIOD TO PROVIDE THAT THIS ORDINANCE SHALL BECOME EFFECTIVE OCTOBER 25, 1983; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, an **application** was made for **approval** of modifications to the site **plan** of **Douglas Entrance** as approved by **Ordinance** No. 2463, passed and adopted by the City Commission on **April 26, 1983**, and

WHEREAS, the **modifications** to the site **plan** were reviewed by the **Building Official**, **Zoning Administrator**, **Public Works Director**, **Public Service Director**, **Division Chief** of the **Coral Gables Fire Department**, **Board of Architects** and **Historic Preservation Board of Review**, and

WHEREAS, after notice of **public hearing** duly published and **notification** of **all** property owners of record within three hundred (300) feet, a **public hearing** was **held** before the **Planning** and **Zoning Board** of the **City of Coral Gables** on **September 26, 1983** at which hearing **all** interested persons were afforded an opportunity to be heard, and

WHEREAS, the **Planning** and **Zoning Board** at its **meeting** held on **September 26, 1983** recommended that the modifications be approved,

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

**SECTION 1.** That the **following modifications**, as requested by the **applicant**, to the site **plan** of **Douglas Entrance** as approved by **Ordinance** No. 2463, passed and adopted by the City Commission of the City of **Coral Gables** on **April 26, 1983** located on **Blocks 1, 2, 3, 4, Park Circle, Lot "K"**, and the vacated streets therein and adjacent thereto of the **Revised Plat** of **Blocks 4, 4A, 4B, 5, 5A, 5B, 6, 6A, 7, 7A and 7B** of **Douglas Section** according to the **Plat** thereof recorded in **Plat Book 34** at **Page 32** of the **Public Records of Dade County, Florida** shall be and the same are hereby approved:

1. Permit the traffic **control** structure and **pergola** as shown on the submitted **plans** prepared by **Spillis, Candela and Partners, Inc.**
2. Permit the roof coverage by **mechanical** equipment and parapets in the North and South office Towers to be 70% of the area of the floor **immediately below** rather than 25% as permitted by the Zoning Code.
3. Permit the **elimination** of the racquet **ball** and **health club** **previously** approved for the low-rise **office building** on the 7th and 8th **levels** (mezzanine) and permit the area to be used for office use, subject to the **office** uses meeting the required off-street parking and **all other applicable regulations** of the City of **Coral Gables**.

**SECTION 2.** That the representations made by the **applicant** before the **Planning** and **Zoning Board** and the **City Commission** shall be made a part of this ordinance as if the same were **fully** set forth herein.

SECTION 3. That this ordinance is hereby **declared** to be an emergency measure for the purpose of waiving the thirty (30) day waiting period; and providing that this ordinance **shall** become effective October 25, 1983.

SECTION 4. That **all** ordinances or parts of ordinances inconsistent or in **conflict** herewith **shall** be and the same are hereby **repealed** insofar as there is **conflict** or inconsistency.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF OCTOBER, A. D., 1983.

APPROVED:

  
WILLIAM H. CHAPMAN  
MAYOR

ATTEST:

  
VIRGINIA L. PAUL  
CITY CLERK

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## ORDINANCE NO. 2563

AN ORDINANCE AMENDING ORDINANCE NO. 1525, AS AMENDED, AND KNOWN AS THE "ZONING CODE", AND IN PARTICULAR USE AND AREA MAP PLATE NO. 5, BY DESIGNATING UPON THE USE AND AREA MAP AS AN HISTORIC LANDMARK THE "DOUGLAS ENTRANCE" LOCATED ON BLOCKS 1, 2, 3, 4, PARK CIRCLE, LOT "K" AND THE VACATED STREETS THEREIN AND - ADJACENT THERETO OF THE REVISED PLAT OF BLOCKS 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A AND 7B, DOUGLAS SECTION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34, AT PAGE 32 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA (DOUGLAS ROAD AND SOUTHWEST 8TH STREET) CORAL GABLES, DADE COUNTY, FLORIDA; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, it is the policy of the City of Coral Gables to preserve the architectural heritage of its historic neighborhoods by designating certain properties as historic landmarks; and

WHEREAS, the Historic Preservation Board, at its October 23, 1985, meeting determined that the "Douglas Entrance" located on Blocks 1, 2, 3, 4, Park Circle, Lot "K" and the vacated streets therein and adjacent thereto of the Revised Plat of Blocks 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A and 7B, Douglas Section, according to the Plat thereof recorded in Plat Book 34, at Page 32 of the Public Records of Dade County, Florida (Douglas Road and Southwest 8th Street) has met the criteria set forth in Section 16B of Article II of the "Code of the City of Coral Gables" and therefore recommended that the property be designated an Historic Landmark; and

WHEREAS, the City Commission at its meeting on January 13, 1976 adopted Resolution No. 20998 approving the inclusion of the same property on the City of Coral Gables Historic Landmark Inventory pursuant to procedures specified in Chapter 16B of Article II of the "Code of the City of Coral Gables"; and

WHEREAS, the City of Coral Gables is now desirous of designating upon the Use and Area Maps historic landmarks pursuant to procedures specified in Chapter 16B of Article II of the "Code of the City of Coral Gables", and Section 3.13 of Ordinance No. 1525, as amended, and known as the "Zoning Code"; and

WHEREAS, after notice of public hearing duly published and proper posting of the property, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables, Florida, on March 18, 1985, at which hearing all interested persons were afforded the opportunity to be heard on the proposed Historic Landmark Designation of the "Douglas Entrance" located on Blocks 1, 2, 3, 4, Park Circle, Lot "K" and the vacated streets therein and adjacent thereto of the Revised Plat of Blocks 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A and 7B, Douglas Section, according to the plat thereof recorded in Plat Book 34, at Page 32 of the Public Records of Dade County, Florida, (Douglas Road and Southwest 8th Street), Dade County, Coral Gables, Florida; and

WHEREAS, the Planning and Zoning Board at its regular meeting of March 18, 1985 recommended that the "HL" Designation be approved;

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

**SECTION 1.** That Ordinance No. 1525, as amended, and known as the "Zoning Code", and in particular, that Use and Area Map Plate No. 5 attached thereto and by reference made a part thereof, shall be it is hereby amended to show henceforth the "Douglas Entrance" located on Blocks 1, 2, 3, 4, Park Circle "K" and the vacated streets therein and adjacent thereto of the Revised Plat of Blocks 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A and 7B, Douglas Section, according to the Plat thereof recorded in Plat Book 34, at Page 32 of the Public Records of Dade County, Florida, (Douglas Road and Southwest 8th Street) to be designated as "HL-CA" Commercial Use. The letter symbol "HL" to indicate that said property is an "Historic Landmark" designated pursuant to Section 16B-17 of Article II of the "Code of the City of Coral Gables", and Section 3.13 of the "Zoning Code".

**SECTION 2.** That a document entitled "Douglas Entrance Designation Report" has been prepared by the Historic Landmark Officer, said report containing information on the historic and architectural significance of the property and regulations pertaining to the review and evaluation of future building permits is attached hereto and by reference shall be made a part of this ordinance.

**SECTION 3.** That all ordinances or parts of ordinances inconsistent or in conflict herewith shall be and they are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS THIRTIETH DAY OF APRIL, A. D., 1985.

APPROVED:

*Dorothy Thomson*  
DOROTHY THOMSON  
MAYOR

ATTEST:  
*Virginia L. Paul*  
VIRGINIA L. PAUL  
CITY CLERK

Official Designation Report located in the Planning Department, Historic Preservation Division, Historic Landmark Site File for Douglas Road and Southwest Eighth Street - Douglas Entrance.

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## THE CITY OF CORAL GABLES, FLORIDA

## ORDINANCE NO. 2801

AN ORDINANCE APPROVING MODIFICATION OF SITE PLAN FOR THE CONSTRUCTION OF A 189 ROOM HOTEL ON A PORTION OF BLOCKS 2 AND 3, DOUGLAS ENTRANCE, CORAL GABLES, DADE COUNTY, FLORIDA; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, Application No. 437-P was submitted, requesting modification of site plan, to construct a 189 room hotel instead of a 300 room hotel originally approved by the City Commission. Submission of the plans for approval by the Planning and Zoning Board, after being reviewed by the Directors of Planning, Building and Zoning, Public Works, Public Service, the Fire Chief, the Board of Architects and the Historic Preservation Board, is a condition of Ordinance No. 2437 adopted 11/16/82; and

WHEREAS, after notice of public hearing duly published, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on July 13, 1988, at which hearing all interested persons were afforded an opportunity to be heard; and

WHEREAS, the Planning and Zoning Board at its regular meeting held on July 13, 1988, recommended that the plans be approved with conditions.

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

SECTION 1. That plans drawn by The Collaborative, Inc. for the Compr Hotel, and preliminarily approved by the Historic Preservation Board on April 28, 1988 and by the Board of Architects on May 26, 1988 for the construction of a 189 room hotel on property known as the Douglas Entrance, Coral Gables, Dade County, Florida, shall be and are hereby approved, with the following conditions:

1. That provisions be made to buffer the hotel pool and pool area from the abutting streets.
2. That details of the hotel service area be submitted to the Public Works Department for review.
3. That proposed modifications be reviewed by Dade County and FDOT, if required by those agencies.
4. That plans comply with zoning regulations and that any required variances will be obtained.

SECTION 2. That all ordinances or parts of ordinances inconsistent or in conflict herewith shall be and the same are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS THIRTIETH DAY OF AUGUST, A. D., 1988

APPROVED:

*George M. Corrigan*

GEORGE M. CORRIGAN  
MAYOR

ATTEST:

VIRGINIA L. PAUL  
CITY CLERK

## CITY OF CORAL GABLES, FLORIDA

## ORDINANCE NO. 2976

AN ORDINANCE APPROVING A DEVELOPMENT OF REGIONAL IMPACT (**DRI**) AND REVISED PLANS AND MAJOR MODIFICATIONS FOR THE HISTORICALLY DESIGNATED "DOUGLAS ENTRANCE" (800 DOUGLAS ROAD) LEGALLY DESCRIBED AS BLOCKS 1, 2, 3, 4, AND LOT "**K**" AND THE VACATED STREETS THEREIN AND ADJACENT THERETO OF THE REVISED PLAT OF BLOCKS 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A AND 7B, DOUGLAS SECTION, CORAL GABLES, DADE COUNTY, FLORIDA; SETTING FORTH CONDITIONS AND RESTRICTIONS; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, Application No. 536-P was submitted by the Louis Dreyfus Property Group (the "**Developer**"), requesting approval for a Development of Regional Impact (DRI) and the revision of plans and major **modifications** to Ordinance No. 2437 (11/16/82) for the historically designated "Douglas Entrance" (800 Douglas Road) (the "Project") and legally **described as** Blocks 1, 2, 3, 4 and Lot "K" and the vacated streets therein and adjacent thereto of the Revised Plat of Blocks 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A and 7B, Douglas Section; and

WHEREAS, the South Florida Regional Planning Council reviewed the Application for Development Approval ("ADA") for the Development of Regional Impact (DRI) for the Project and on September 4, 1991 recommended approval of the proposed Project with conditions; and

WHEREAS, after notice of public hearing duly **published**, and notification of all property owners of record within three hundred (300) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on November 13, 1991, at which hearing all interested persons were afforded an opportunity to be heard; and

WHEREAS, the Planning and Zoning Board at its regular meeting held on November 13, 1991, recommended that the plans be approved with conditions; and

WHEREAS, after notice of public hearing duly published, a final public hearing was held before the Coral Gables City Commission on March 10, 1992 at which hearing all interested persons were afforded an opportunity to be heard, the recommendations of the South Florida Regional Planning Council and the Planning and Zoning Board were considered and the following Findings of Fact and Conclusions of Law were made:

**FINDINGS OF FACT**

- A. The name of the Project is Douglas Entrance.
- B. The authorized agent for the Project is the Louis Dreyfus Property Group.
- C. The name of the owner/Developer of the Project is Douglas Entrance Holdings Limited Partnership, a Delaware limited partnership (the **Developer**).
- D. The development of the Project does not unreasonably interfere with the achievement of the objectives of any adopted state land development plan applicable to the **area**.

- E. The Project is consistent with the City of Coral Gables Zoning Code and Comprehensive Plan subject to the provisions contained herein.
- F. The Project is consistent with the recommendations of the South Florida Regional Planning Council DRI Assessment pursuant to §380.06(14)(c), F.S.
- G. Adequate provisions have been made by the Developer for facilities and services necessary to accommodate the Project and its impacts.

**CONCLUSIONS OF LAW**

- H. The Project does not unreasonably interfere with the achievement of the objectives of any adopted state land development plan applicable to the area.
- I. The Project is consistent with the City of Coral Gables Zoning Code and Comprehensive Plan subject to the provisions contained herein.
- J. The Project is consistent with the recommendations of the South Florida Regional Planning Council DRI Assessment pursuant to §380.06(14), F.S.
- K. Adequate provisions have been made by the Developer for facilities and services necessary to accommodate the Project and its impacts.

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

SECTION 1. That pursuant to the provisions of Ordinance No. 2437, the revised site plan for the development of "Douglas Entrance" located in Blocks' 1, 2, 3, 4, Lot "K" and the vacated streets therein and adjacent thereto of the Revised Plat of Blocks 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A and 7B, Douglas Section, according to the plat **thereof, recorded** in Plat Book 34 at Page 32 of the Public Records of Dade County, Florida, containing **7.85±** acres as more fully described on Exhibit "A", (attached hereto and incorporated herein by **reference**), shall be and the same is hereby approved in accordance with the revised site plan prepared by the architectural firm of Spillis, Candela & Partners on file in the office of the Planning Director and subject to the conditions and restrictions contained herein (the "Approved **Plans**").

SECTION 2. That the representations made by Developer and his representatives before the Planning and Zoning Board and the City Commission shall be made a part of this Ordinance and the development order incorporated herein (the "Development Order") as if the same were fully set forth herein.

SECTION 3. That the Developer shall be permitted to develop the Douglas Entrance Project in accordance with the Approved Plans and all tabulations related thereto which are attached as exhibits and include acreage attributable to open space, areas of preservation, ground area coverage, landscaping, structures and improvements and other major components of the development, which Approved Plans and exhibits are by this reference incorporated in this Development Order and which Approved Plans provide for, among other things, a total of 739,051 square feet of space allocated to the following uses:

1. Office Space - 684,300 square feet.
2. Retail space - 34,751 square feet; and
3. Restaurant Space - 20,000 square feet

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SECTION 4. That the following considerations as requested by the Developer shall be and the same are hereby approved:

1. Permit the maintenance of **2,681** off-street parking spaces at the Project as required by the Zoning Code of the City of Coral Gables.
2. In addition to all uses permitted in CA-Use Districts pursuant to Section 3-6 of the Zoning Code, permit the maintenance of the following uses at the Project as such uses are permitted in CB-Use Districts pursuant to Section 3-6 of the Zoning Code:
  - (a) Addressing and mailing service.
  - (b) Bake shops, retail only, provided no baking shall be permitted on the premises.
  - (c) Bicycle stores - retail sales only, no repair on premises. Parking and storage of bicycles to be within the building.
  - (d) Catering.
  - (e) Cleaning and **Laundry Agencies**, where no gasoline or explosives of any kind are stored or used therewith and provided no cleaning or laundry shall be done on the premises.
  - (f) Dairy products (retail **only**).
  - (g) Data processing.
  - (h) Day nurseries/Day Care facility for children.
  - (i) Dressmaking and alteration shops for wearing **apparel**, custom only.
  - (j) Employment Agencies.
  - (k) Fruit store (retail only)
  - (l) Gourmet food store.
  - (m) Health and athletic clubs.
  - (n) Hobby supplies.
  - (o) Interior decorating, no work to be done on premises.
  - (p) Loan agencies (excluding pawn **shops**).
  - (q) Luggage shop.
  - (r) Mail order offices, without storage of products sold.
  - (s) **Mimeographing**.
  - (t) Music, Radio, Television and Electrical appliance stores (retail **only**).
  - (u) News stands, provided the business is carried on within and under cover of a building.
  - (v) Parking lots, automobile - auxiliary or accessory to any CA or CB Use.
  - (w) Photo equipment and supplies.
  - (x) Photograph developing and printing.
  - (y) Photostating, photocopying and printing equipment limited to printing on presses accommodating sheet size no larger than 11" X 17".
  - (z) Printing shops and addressing.
  - (aa) Rental of video movies only and computer software only.
  - (bb) Restaurants, Cafes, Cafeterias and Delicatessen. Retail liquor store licenses may be issued limiting the number of permitted licenses for the sale of alcoholic beverages and intoxicating liquors subject to the minimum **conditions**, restrictions and limitations outlined in the Code of ordinances.
  - (cc) Retail beverage store. Retail beverage license may be issued to bona-fide restaurants of fifty (50) seats or over subject to certain conditions, restrictions and limitations outlined in the Code.
  - (dd) Shoe repair shops.

- (ee) Retail package beverage stores, retail beverage stores, retail package liquor stores and retail liquor stores, subject to applicable distance requirements outlined in Section 21-6 of the Zoning Code.
  - (ff) Tailor shop
  - (gg) Telephone answering service, may include the licensing upon the premises thereof of certain businesses which by their inherent nature require no office space, no signs, no direct sales of merchandise and no storage or display of materials, goods or supplies relating to the operation of such business **e.g., factory representatives, insurance salesmen, consultants and etc.**
  - (hh) Telephone exchange.
  - (ii) Vocational Training School
3. Permit the maintenance of a health or athletic club in the Project as would be permitted in a CC-Use District pursuant to Section 3-6 of the Zoning Code.
  4. Permit attendant and/or valet parking **for** the restaurant and retail facilities at the Project.

SECTION 5. That the Development Order and Project approval are hereby granted subject to the condition that the Developer, its successors and/or assigns, jointly or severally, shall:

1. Incorporate the following into the Project design and **operation:**
  - (a) Actively encourage and promote **ridesharing** by establishing a car and van pool information **program;**
  - (b) Designate three percent (3%) of employee parking spaces, located as close as possible to employee building entrances, for exclusive high occupancy vehicle **use;**
  - (c) Provide for the reservation of retail/restaurant daytime parking supply by making certain convenient parking areas available only after office workers have arrived at the Project. Close such reserved areas until **10:00 AM** by means of gates, barricades or other barriers. Reserve the basement and lower floors of the parking garages for retail/restaurant **uses.**
  - (d) Provide extensive on-site and off-site signage to direct retail/restaurant patrons to specific parking areas.
  - (e) Make parking ticket validation service available in connection with the retail/restaurant operations at the Project.
  - (f) Actively encourage Project merchants to distribute parking location information as part of their advertisement and day to day operations.
  - (g) Provide Metro-Dade Transit route and schedule information in convenient locations throughout the Project; including office complex lobbies and within and adjacent to retail **areas;**
  - (h) Construct and maintain a bus shelter on the south side of S.W. 8th Street between Douglas Road and **Galiano** Street in a manner acceptable to the City;
  - (i) Encourage transit use by provision of other bus shelters, development of turnout lanes, or provision of other amenities to increase **ridership;**
  - (j) Provide on-site bicycle < storage facilities to encourage use of alternative modes of **transportation;** and
  - (k) Mulch, spray, or grass exposed areas to prevent soil erosion and minimize air pollution.

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2. Design, construct and maintain the stormwater management system to meet the following **standards**:
  - (a) Retain the first flush (at least first inch) of runoff from Project roadways, parking lots and loading docks in exfiltration systems.
  - (b) Allow only roof run-off to be discharged to the existing deep well.
  - (c) Install pollutant retardant structures to treat all stormwater runoff at each of the catch basins (down-turned pipe or other Dade County Department of Environmental Resources Management ("DERM") approved **device**), in accordance with the master drainage plan, and periodically remove pollutant **accumulations**.
  - (d) Vacuum sweep all parking lots of eleven (11) or more parking spaces and private roadways serving the parking lots at least once per week.
  
3. Use only those plant **species** identified in Exhibit 1 herein for Project landscaping. Additional species may be used in Project landscaping only if written approval is provided. Such approval will be based on the following criteria:
  - (a) does not require excessive irrigation or fertilizer;
  - (b) is not prone to insect infestation or disease;
  - (c) does not have invasive root system; and
  - (d) other criteria as may be appropriate.
  
4. Utilize xeriscape principles in the design of Project landscaping.
  
5. The Developer shall adhere to and shall incorporate into the development by lease as long as the property is owned by the Developer, and incorporate into the development by sales agreements and restrictive covenant when any of the property is conveyed, as applicable, hazardous materials accident prevention, mitigation, and response **standards**, to be met by the Developer and each tenant classified by an SIC code listed in Exhibit 2 herein that use, handle, store, display, or generate hazardous **materials**, including those identified in Exhibit 3 herein; and including those tenants who use more than the reportable quantity of the hazardous substances listed in Exhibit 4. If any of the referenced lists in Exhibits 2 to 4 are amended, the Developer is responsible for complying with same procedures as amended. At a minimum, these standards **shall**:
  - (a) Require that buildings where hazardous materials or hazardous wastes, as defined above, are to be used, displayed, handled, generated, or stored shall be constructed with impervious floors, without drains, to ensure containment and facilitate clean-up of any spill or leakage.
  - (b) Prohibit any outside storage of hazardous materials or hazardous waste, except for retail goods typically associated with residential **nurseries**, such as lawn fertilizers and garden pesticides. Areas used for this type of outside storage of these goods shall be covered and shall provide secondary containment. This containment shall hold at least one hundred twenty percent (120%) of volume stored to contain accidental spills and contaminated run-off.

- (c) Require that any area used for loading or unloading of hazardous material be covered and equipped with a collection system to contain spills.
- (d) Require all hazardous waste generators to contract with a licensed public or private hazardous waste disposal service or processing facility and to provide to DERM copies of the following forms of documentation of proper hazardous waste management **practices**:
- (i) a shipment to a permitted hazardous waste management facility, or
  - (ii) a confirmation of receipt of materials from a recycler or a waste exchange operation.
- (e) Prohibit generation of hazardous effluents unless adequate facilities, approved by DERM and Florida Department of Environmental Regulation ("**DER**"), are constructed and used by tenants generating such effluents.
- (f) Dispose of hazardous sludge materials generated by effluent **pre-treatment** in a manner approved by the Environmental Protection Agency and DER.
- (g) Notify any tenant generating wastes of the penalties for improper disposal of hazardous waste pursuant to Section 403.727, Florida Statutes.
- (h) Allow reasonable access to facilities for monitoring by DERM, Coral Gables fire officials and DER to assure compliance with this Development Order and all applicable laws and regulations.
6. Notify state archeological officials at the Division of Historical Resources of the Florida Department of State of construction schedules, and delay construction up to three (3) months in any area where potentially significant historical or archeological artifacts are uncovered, and permit state and Coral Gables Historical Preservation Department officials to survey and excavate the site.
7. Create no adverse impacts to the "Puerto de Sol" building. Furthermore, utilize design features throughout the Project which are compatible with the historical landmark.
8. Incorporate energy conservation measures into the design and operation of the Project. At a minimum, construct all development in **conformance** with the **specifications** of the State of Florida Energy Efficiency Code for building Construction (State Energy Code). Consider using natural gas and/or renewal energy sources (e.g. solar heating) for water heating, space heating, and cooling.
9. Limit Project vehicle access points to the public roadway network to those locations shown in the Approved Plan and Exhibit 5.
10. Prior to requesting any additional certificates of occupancy, dedicate any necessary right-of-way for the addition of the eastbound left turn lane at the intersection of Calabria Avenue and Douglas Road (S. W. 37th **Avenue**), as shown in Exhibit 6. In addition, prior to requesting any certificates of occupancy beyond Phase I, as defined in Exhibit 9, complete construction of the eastbound left turn lane at the intersection of Calabria Avenue and Douglas Road (S.W. 37th **Avenue**), as shown in Exhibit 6. Replace the fourteen (14) on street parking spaces that will be removed from the north side of

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Calabria Avenue by providing a minimum of fourteen (14) replacement parking spaces within the boundaries of the Project. Such replacement parking will be available to residents of Calabria Avenue from Douglas Road to the Douglas Entrance Road on weekday nights and weekends at no charge.

The parking program will be instituted when the roadway improvements on Calabria Avenue are commenced and shall remain in effect and free of charge so long as the users abide by the reasonable rules and regulations of the parking facility. In addition, the Developer shall provide the City, the South Florida Regional Planning Council and Dade County with an annual traffic signal warrant study for this intersection, and install the traffic signal when warranted and permitted. The initial study shall be submitted within one hundred eighty (180) days of the effective **date** of this Development Order and on the due date of each annual report thereafter, pursuant to Section V, Paragraph 14 contained **herein**, with the last **submission** to coincide with Project buildout or when the traffic signal is installed, whichever occurs first.

11. Provide the South Florida Regional Planning Council, the Florida Department of Transportation ("**FDOT**"), the City and Dade County with an annual left-turn traffic signal warrant study for the intersection at S.W. 8th Street and Ponce de Leon Boulevard. Install the westbound and eastbound left-turn signal heads when warranted and permitted. The initial study shall be submitted within one hundred eighty (180) days of the effective date of this Development Order and on the due date of each annual report thereafter, pursuant to Section V, Paragraph 14 herein, with the last submission immediately prior to requesting the final building permit for the Project when both signal heads have been **installed**, whichever occurs first. The final submission of the study shall project traffic impact through Project buildout. In the event that neither signal head is found to be warranted and permitted, prior to requesting the final Project building permit, the Applicant shall submit Ten Thousand Dollars (\$10,000) to Dade County for off-site transportation **improvement(s)** within the traffic impact area. In this event, the improvements are to be determined in consultation with the City and the South Florida Regional Planning Council. This contribution may be used for credit towards Dade County impact fees if acceptable to Dade County.
12. Prior to the issuance of certificates of occupancy for development beyond Phase I, as defined in Exhibit 9, or prior to July 1, 1992, whichever occurs earlier, submit Seven Thousand Four Hundred Twenty-Four Dollars (\$7,424) to **FDOT** for contribution to the off-site improvement identified in Exhibit 7. This contribution may be used for credit towards Dade County impact fees if acceptable to Dade County and **FDOT**.
13. Integrate all original and supplemental ADA information into a consolidated Application for Development Approval ("**CADA**") and submit two (2) copies of the CADA to the South Florida Regional Planning Council, one (1) copy to the City, and one (1) copy to the Department of Community Affairs within thirty (30) days of the effective date of this Development Order. The CADA shall be prepared as follows:

- (a) Where **new, clarified,** or revised information was prepared subsequent to submittal of the ADA but prior to issuance of this Development Order, whether in response to a formal statement of information needed or otherwise, the original pages of the ADA will be replaced with revised pages.
- (b) Revised pages will have a "Page Number (R) - Date" notation, with "Page Number" being the number of the original page, "**(R)**" indicating that the page was revised, and "Date" stating the date of the revision.
14. Submit an annual report to the City, the South Florida Regional Planning Council, and the Department of Community Affairs on each anniversary date of the effective date of this Development Order. The annual report shall include, at a minimum:
- (a) a complete response to each question in Exhibit 8;
- (b) copies of the documents which were submitted to DERM, or its successors, for the reporting year pursuant to Section V, Paragraph 5 above.
- (c) monitoring reports pursuant to Section V, Paragraphs 10 and 11 above.
15. Record, within thirty (30) days of the effective date of this Development Order, notice of the adoption of this Development Order with the Clerk of the Dade County Circuit Court pursuant to **§380.06(15), F.S.**, specifying that this Development Order runs with the land, is binding on the Applicant, its successors, and assigns, jointly or severally.

SECTION 6. That the City of Coral Gables shall:

1. Limit Project vehicle access points to the public roadway network to those locations shown on the Approved Plan and Exhibit 5.
2. Withhold the issuance of any certificate of occupancy beyond Phase I, as defined in Exhibit 9, until the construction of the eastbound left turn lane at the intersection of Calabria Avenue and Douglas Road (S.W. 37th Avenue), as shown in Exhibit 6, is completed.
3. Withhold the issuance of certificates of occupancy for development beyond Phase I, as defined in Exhibit 9, or prior to July 1, 1992, whichever occurs earlier, until Seven Thousand Four Hundred Twenty-Four Dollars (7,424) is submitted to **FDOT** for contribution to the off-site improvement identified in Exhibit 7.
4. Ensure that adequate service provisions are made available to the Project to meet the requirements established in the City of Coral Gables Comprehensive Plan.
5. December 31, 1999, is hereby established as the date until which the City agrees that the Douglas Entrance Development of Regional Impact shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the City can demonstrate that substantial changes, made by the developer, in the conditions underlying the approval of this Development Order have occurred, or that this Development Order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to the public health, safety, or welfare.

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6. The termination date for completing development of the Project shall be December 31, 1999. provided that the Applicant, its successors and assigns, complies with Section V, Paragraph 15 of this Development Order. The termination date may only be modified in accordance with **§380.06(19)(c)**, F.S.
7. Withhold the issuance of certificates of occupancy for development beyond Phase I, as defined in Exhibit 9, until the Applicant has complied with all City requirements for adequate fire flow protection for the **Project**.
8. The effective date of this Development Order shall be forty-five (45) days from transmittal of the Development Order to the Department of Community Affairs, the South Florida Regional Planning Council, and Applicant; provided however that if the Development Order is **appealed**, the Development Order will take effect on the day after all appeals have been withdrawn or resolved pursuant to **§380.07(2)**, F.S.
9. The expiration date of this Development Order shall be December 31, 2004.
10. In the event the **Developer**, its successors, or assigns violates any of the conditions of this Development Order or otherwise fails to act in substantial compliance with this Development Order (hereinafter "**violator**"), stay the effectiveness of the Development Order as to the tract, or portion of the tract, in which the violative activity or conduct has occurred and withhold further **permits, approvals, and services** for development in said **tract**, or portion of the tract, upon passage of any appropriate resolution by the City, adopted in accordance with this section, finding that such violation has occurred. The violator will be given written notice by the City that **states:** (a) the nature of the purported violation, and (b) that unless the violation is corrected within fifteen (15) days of said notice, the City will hold a public hearing to consider the matter within thirty (30) days of the date of said notice. If the violation is not correctable within fifteen (15) days, the violator's diligent good faith efforts to correct the violation within that period will obviate the need to hold a public hearing and this Development Order will remain in effect unless the violator does not diligently pursue the corrective action to completion within a reasonable time, in which event the City will given fifteen (15) days notice to the violator of its intention to stay the effectiveness of this Development Order and withhold further **permits, approvals, and services** as to the tract, or portion of the tract, in which the violation has occurred and until the violation is corrected. For purposes of this paragraph, the word "tract" shall be defined to mean any area of development identified on the Douglas Entrance Master Development Plan (Exhibit 9). In addition, the phrase "portion of a tract" means a division of a tract into more than one ownership as created by deed or plat.
11. The Building and Zoning Director is hereby **authorized** to monitor compliance with all conditions, of this Development Order, specifically including the **City's** review of all Development Order conditions prior to issuance of any development permit by the City.
12. The CADA is incorporated herein by reference and relied upon by the parties in discharging their statutory duties under Chapter 380, **F.S.**, and local ordinances. Substantial compliance with the representations contained in the ADA is a condition for approval unless waived or

modified by agreement among the City, the South Florida Regional Planning Council, and the Developer, its successors, or assigns.

- 13. The South Florida Regional Planning Council DRI Assessment Report is by reference incorporated into this Development Order.
- 14. Within thirty (30) days of the effective date of this Development Order, the Applicant, shall record the Development Order, together with all Exhibits, with the Clerk of the Dade County Circuit Clerk, pursuant to §380.06(15), F.S., specifying that the Development Order runs with the land and is binding on the Developer, its successors and assigns, jointly or severally.

SECTION 7. That all ordinances or parts of ordinances inconsistent or in conflict herewith shall be and they are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS SEVENTEENTH DAY OF MARCH, A. D., 1992.

APPROVED:

*George M. Corrigan*  
 GEORGE M. CORRIGAN  
 MAYOR

ATTEST:

*Virginia L. Paul*  
 VIRGINIA L. PAUL  
 CITY CLERK  
 H/B(4/1) (K-)

ABJ548

## CITY OF CORAL GABLES, FLORIDA

## ORDINANCE NO 3422

AN ORDINANCE APPROVING REVISED SITE PLAN AND ISSUANCE OF AMENDED AND RESTATED DEVELOPMENT ORDER FOR PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT (DRI) AND APPROVING NOTICE OF PROPOSED CHANGE (NOPC) EXTENDED BUILDOUT DATE FROM DECEMBER 31, 1999 TO NOVEMBER 30, 2004, FOR HISTORICALLY DESIGNATED "**DOUGLAS ENTRANCE**," 800 DOUGLAS ROAD, BLOCKS 1-4 AND LOT "K" AND VACATED STREETS THEREIN AND ADJACENT THERETO OF REVISED PLAT OF BLOCKS 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A AND 7B, DOUGLAS SECTION, SETTING FORTH CONDITIONS AND RESTRICTIONS, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH

WHEREAS, Application No 536-P was submitted by the Louis Dreyfus Property Group, requesting approval for a Development of Regional Impact (DRI) and the revision of plans and major modifications to Ordinance No 2463 (4/26/83) for the historically designated "Douglas Entrance" (800 Douglas Road) (the "Project") and legally described as Blocks 1, 2, 3, 4 and Lot "K" and the vacated streets therein, and adjacent thereto of the Revised Plat of Blocks 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A and 7B, Douglas Section, and

WHEREAS, the South Florida Regional Planning Council reviewed the Application for Development Approval ("ADA") for the Development of Regional Impact (DRI) for the Project and on September 4, 1991 recommended approval of the proposed Project with conditions, and

WHEREAS, after notice of public hearing duly published and notification of all property owners of record within three hundred (300) feet, a public hearing was held before the Planning and Zoning Board on November 13, 1991, at which hearing all interested persons were afforded an opportunity to be heard and the Board recommended that the plans be approved with conditions, and

WHEREAS, after notice of public hearing duly published, a final public hearing was held before the Coral Gables City Commission on March 10, 1992 at which hearing all interested persons were afforded an opportunity to be heard, the recommendations of the South Florida Regional Planning Council and the Planning and Zoning Board were considered and Ordinance No 2976 which constituted the Development Order for the DRI was passed and adopted, including the following Findings of Fact and Conclusions of Law outlined below, and

WHEREAS, on May 11, 1999 Douglas Entrance Holdings Limited Partnership, the owner of the Project submitted a Notice of Proposed Change ("NOPC") to a Previously Approved Development of Regional Impact, requesting an extension of the buildout date for the Project,

WHEREAS, after notice duly published and notification of all property owners of record within five hundred (500) feet, a public hearing was held before the Planning and Zoning Board on August 11, 1999 at which hearing all interested persons were afforded an opportunity to be heard, and the Board recommended that the application be approved,

WHEREAS, after notice duly published, a public hearing was held before the Coral Gables City Commission on September 28, 1999 at which hearing all interested persons were afforded an opportunity to be heard, and the recommendation of the Planning and Zoning Board was considered and the Amended and Restated Development Order was approved, with the following Findings of Fact and Conclusions of Law

#### FINDINGS OF FACT

- A The name of the Project is Douglas Entrance
- B The authorized agent for the Project is the Louis Dreyfus Property Group
- C The name of the owner/Developer of the Project is Douglas Entrance Holdings Limited Partnership, a Delaware limited partnership (the Developer)
- D The development of the Project does not unreasonably interfere with the achievement of the objectives of any adopted state land development plan applicable to the area
- E The Project is consistent with the City of Coral Gables Zoning Code and Comprehensive Plan subject to the provisions contained herein
- F The Project is consistent with the recommendations of the South Florida Regional Planning Council DRI Assessment pursuant to §380.06(14)(c), F.S.
- G Adequate provisions have been made by the Developer for facilities and services necessary to accommodate the Project and its impacts

#### CONCLUSIONS OF LAW

- H The Project does not unreasonably interfere with the achievement of the objectives of any adopted state land development plan applicable to the area
- I The Project is consistent with the City of Coral Gables Zoning Code and Comprehensive Plan subject to the provisions contained herein
- J The Project is consistent with the recommendations of the South Florida Regional Planning Council DRI Assessment pursuant to §380.06(14), F.S.
- K Adequate provisions have been made by the Developer for facilities and services necessary to accommodate the Project and its impacts

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

SECTION 1 That pursuant to the provisions of Ordinance No. 2437, the revised site plan for the development of "Douglas Entrance" located in Blocks 1, 2, 3, 4, Lot "K" and the vacated streets therein and adjacent thereto of the Revised Plat of Blocks 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A and 7B, Douglas Section, according to the plat thereof recorded in Plat Book 34 at Page 32 of the Public Records of Dade County, Florida, containing 7.85+/- acres as more fully described on Exhibit "A," (attached hereto and incorporated herein by reference), shall be and the same is hereby approved in accordance with the revised site plan prepared by the architectural firm of Spillis,

Candela & Partners on file in the office of the Planning Director and subject to the conditions and restrictions contained herein (the "Approved Plans")

.SECTION 2 That the representations made by Developer and his representatives before the Planning and Zoning Board and the City Commission shall be made a part of this Ordinance and the development order incorporated herein as if the same were fully set forth herein. The development order as adopted on March 17, 1992 shall be referred to as the "Original Development Order" and the development order, as amended and restated pursuant to the approval of the NOPC shall be referred to as the "Amended and Restated Development Order."

.SECTION 3 That the Developer shall be permitted to develop the Douglas Entrance Project in accordance with the Approved Plans and all tabulations related thereto which are attached as exhibits and include acreage attributable to open space, areas of preservation, ground area coverage, landscaping, structures and improvements and other major components of the development, which Approved Plans and exhibits are by this reference incorporated in this Amended and Restated Development Order and which Approved Plans provide for, among other things, a total of 739,051 square feet of space allocated to the following uses

- A Office Space - 684,300 square feet
- B Retail space - 34,751 square feet, and
- C Restaurant Space - 20,000 square feet

.SECTION 4 That the following considerations as requested by the Developer shall be and the same are hereby approved

- 1 Permit the maintenance of 2,681 off-street parking spaces at the Project as required by the Zoning Code of the City of Coral Gables
- 2 In addition to all uses permitted in CA-Use Districts pursuant to Section 3-6 of the Zoning Code, permit the maintenance of the following uses at the Project as such uses are permitted in CB-Use Districts pursuant to Section 3-6 of the Zoning Code
  - (a) Addressing and mailing service
  - (b) Bake shops, retail only, provided no baking shall be permitted on the premises
  - (c) Bicycle stores - retail sales only, no repair on premises. Parking and storage of bicycles to be within the building
  - (d) Catering
  - (e) Cleaning and Laundry Agencies, where no gasoline or explosives of any kind are stored or used therewith and provided no cleaning or laundry shall be done on the premises
  - (f) Dairy products (retail only)
  - (g) Data processing
  - (h) Day nurseries/Day Care facility for children
  - (i) Dressmaking and alteration shops for wearing apparel, custom only
  - (j) Employment Agencies
  - (k) Fruit store (retail only)
  - (l) Gourmet food store
  - (m) Health and athletic clubs

- (n) Hobby supplies
  - (o) Interior decorating, no work to be done on premises
  - (p) Loan agencies (excluding pawn shops)
  - (q) Luggage shop
  - (r) Mail order offices, without storage of products sold
  - (s) Mimeographing
  - (t) Music, Radio, Television and Electrical appliance stores (retail only)
  - (u) News stands, provided the business is carried on within and under cover of a building
  - (v) Parking lots, automobile - auxiliary or accessory to any CA or CB Use
  - (w) Photo equipment and supplies
  - (x) Photograph developing and printing
  - (y) Photostating, photocopying and printing equipment limited to printing on presses accommodating sheet size no larger than 11" X 17"
  - (z) Printing shops and addressing
  - (aa) Rental of video movies only and computer software only
  - (bb) Restaurants, Cafes, Cafeterias and Delicatessen Retail liquor store licenses may be issued limiting the number of permitted licenses for the sale of alcoholic beverages and intoxicating liquors subject to the minimum conditions, restrictions and limitations outlined in the Code of ordinances
  - (cc) Retail beverage store, Retail beverage license may be issued to bona-fide restaurants of fifty (50) seats or over subject to certain conditions, restrictions and limitations outlined in the Code
  - (dd) Shoe repair shops
  - (ee) Retail package beverage stores, retail beverage stores, retail package liquor stores and retail liquor stores, subject to applicable distance requirements outlined in Section 21-6 of the Zoning Code
  - (ff) Tailor shop
  - (gg) Telephone answering service, may include the licensing upon the premises thereof of certain businesses which by their inherent nature require no office space, no signs, no direct sales of merchandise and no storage or display of materials, goods or supplies relating to the operation of such business e g , factory representatives, insurance salesmen, consultants and etc
  - (hh) Telephone exchange
  - (n) Vocational Training School
- 3 Permit the maintenance of a health or athletic club in the Project as would be permitted in a CC-Use District pursuant to Section 3-6 of the Zoning Code
- 4 Permit attendant and/or valet parking for the restaurant and retail facilities at the Project

SECTION 5 The Amended and Restated Development Order and Project approval are hereby granted subject to the condition that the Developer, its successors and/or assigns, jointly or severally, shall

- 1 Incorporate the following into the Project design and operation
  - (a) Actively encourage and promote ridesharing by establishing a car and van pool information program
  - (b) Designate three percent (3%) of employee parking spaces, located as close as possible to employee building entrances, for exclusive high occupancy vehicle use
  - (c) Provide for the reservation of retail/restaurant daytime parking supply by making certain convenient parking areas available only after office workers have arrived at the Project. Close such reserved areas until 10:00 AM by means of gates, barricades or other barriers. Reserve the basement and lower floors of the parking garages for retail/restaurant uses
  - (d) Provide extensive on-site and off-site signage to direct retail/restaurant patrons to specific parking areas
  - (e) Make parking ticket validation service available in connection with the retail/restaurant operations at the Project
  - (f) Actively encourage Project merchants to distribute parking location information as part of their advertisement and day to day operations
  - (g) Provide Metro-Dade Transit route and schedule information in convenient locations throughout the Project, including office complex lobbies and within and adjacent to retail areas
  - (h) Construct and maintain a bus shelter on the south side of S W 8th Street between Douglas Road and Galiano Street in a manner acceptable to the City
  - (i) Encourage transit use by provision of other bus shelters, development of turnout lanes, or provision of other amenities to increase ridership
  - (j) Provide on-site bicycle storage facilities to encourage use of alternative modes of transportation, and
  - (k) Mulch, spray, or grass exposed areas to prevent soil erosion and minimize air pollution
- 2 Design, construct and maintain the stormwater management system to meet the following standards
  - (a) Retain the first flush (at least first inch) of runoff from Project road-

ways, parking lots and loading docks in exfiltration systems

- (b) Allow only roof run-off to be discharged to the existing deep well
  - (c) Install pollutant retardant structures to treat all stormwater runoff at each of the catch basins (down-turned pipe or other Dade County Department of Environmental Resources Management ("DERM") approved device), in accordance with the master drainage plan, and periodically remove pollutant accumulations
  - (d) Vacuum sweep all parking lots of eleven (11) or more parking spaces and private roadways serving the parking lots at least once per week
- 3 Use only those plant species identified in Exhibit 1 herein for Project landscaping. Additional species may be used in Project landscaping only if written approval is provided. Such approval will be based on the following criteria:
- (a) does not require excessive irrigation or fertilizer,
  - (b) is not prone to insect infestation or disease,
  - (c) does not have invasive root system, and
  - (d) other criteria as may be appropriate
- 4 Utilize xeriscape principles in the design of Project landscaping
- 5 The Developer shall adhere to and shall incorporate into the development by lease as long as the property is owned by the Developer, and incorporate into the development by sales agreements and restrictive covenant when any of the property is conveyed, as applicable, hazardous materials accident prevention, mitigation, and response standards, to be met by the Developer and each tenant classified by an SIC code listed in Exhibit 2 herein that use, handle, store, display, or generate hazardous materials, including those identified in Exhibit 3 herein, and including those tenants who use more than the reportable quantity of the hazardous substances listed in Exhibit 4. If any of the referenced lists in Exhibits 2 to 4 are amended, the Developer is responsible for complying with same procedures as amended. At a minimum, these standards shall:
- (a) Require that buildings where hazardous materials or hazardous wastes, as defined above, are to be used, displayed, handled, generated, or stored shall be constructed with impervious floors, without drains, to ensure containment and facilitate clean-up of any spill or leakage

- (b) Prohibit any outside storage of hazardous materials or hazardous waste, except for retail goods typically associated with residential nurseries, such as lawn fertilizers and garden pesticides. Areas used for this type of outside storage of these goods shall be covered and shall provide secondary containment. This containment shall hold at least one hundred twenty percent (120%) of volume stored to contain accidental spills and contaminated run-off.
  - (c) Require that any area used for loading or unloading of hazardous material be covered and equipped with a collection system to contain spills.
  - (d) Require all hazardous waste generators to contract with a licensed public or private hazardous waste disposal service or processing facility and to provide to DERM copies of the following forms of documentation of proper hazardous waste management practices:
    - (i) a shipment to a permitted hazardous waste management facility, or
    - (ii) a confirmation of receipt of materials from a recycler or a waste exchange operation.
  - (e) Prohibit generation of hazardous effluents unless adequate facilities, approved by DERM and Florida Department of Environmental Regulation ("DER"), are constructed and used by tenants generating such effluents.
  - (f) Dispose of hazardous sludge materials generated by effluent pretreatment in a manner approved by the Environmental Protection Agency and DER.
  - (1) Notify any tenant generating wastes of the penalties for improper disposal of hazardous waste pursuant to Section 403.727, Florida Statutes.
  - (h) Allow reasonable access to facilities for monitoring by DERM, Coral Gables fire officials and DER to assure compliance with this Development Order and all applicable laws and regulations.
- 6 Notify state archeological officials at the Division of Historical Resources of the Florida Department of State of construction schedules, and delay construction up to three (3) months in any area where potentially significant historical or archeological artifacts are uncovered, and permit state and Coral Gables Historical Preservation Department officials to survey and excavate the site.
- 7 Create no adverse impacts to the "Puerto de Sol" building. Furthermore, utilize design features throughout the Project which are compatible with the historical landmark.
- 8 Incorporate energy conservation measures into the design and operation of the Project. At a minimum, construct all development in conformance with the

specifications of the State of Florida Energy Efficiency Code for building Construction (State Energy Code) Consider using natural gas and/or renewal energy sources (e g solar heating) for water heating, space heating, and cooling

- 9 Limit Project vehicle access point to the public roadway network to those locations shown in the Approved Plan and Exhibit 5
- 10 Prior to requesting any additional certificates of occupancy, dedicate any necessary right-of-way for the addition of the eastbound left turn lane at the intersection of Calabria Avenue and Douglas Road (S W 37th Avenue), as shown in Exhibit 6 In addition, prior to requesting any certificates of occupancy beyond Phase I, as defined in Exhibit 9, complete construction of the eastbound left turn lane at the intersection of Calabria Avenue and Douglas Road (S W 37th Avenue), as shown in Exhibit 6 Replace the fourteen (14) on street parking spaces that will be removed from the north side of Calabria Avenue by providing a minimum of fourteen (14) replacement parking spaces within the boundaries of the Project Such replacement parking will be available to residents of Calabria Avenue from Douglas Road to the Douglas Entrance Road on weekday nights and weekends at no charge

The parking program will be instituted when the roadway improvements on Calabria Avenue are commenced and shall remain in effect and free of charge so long as the users abide by the reasonable rules and regulations of the parking facility In addition, the Developer shall provide the City, the South Florida Regional Planning Council and Dade County with an annual traffic signal warrant study for this intersection, and install the traffic signal when warranted and permitted The initial study shall be submitted within one hundred eighty (180) days of the effective date of the Original Development Order and on the due date of each annual report thereafter, pursuant to Section V, Paragraph 14 contained herein, with the last submission to coincide with Project buildout or when the traffic signal is installed, whichever occurs first

- 11 Provide the South Florida Regional Planning Council, the Florida Department of Transportation ("FDOT"), the City and Dade County with an annual left-turn traffic signal warrant study for the intersection at S W 8th Street and Ponce de Leon Boulevard Install the westbound and eastbound left-turn signal heads when warranted and permitted The initial study shall be submitted within one hundred eighty (180) days of the effective date of the Original Development Order and on the due date of each annual report thereafter, pursuant to Section V, Paragraph 14 herein, with the last submission immediately prior to requesting the final building permit for the Project when both signal heads have been installed, whichever occurs first The final submission of the study shall project traffic impact through Project buildout In the event that neither signal head is found to be warranted and permitted, prior to requesting the final Project building permit, the Applicant shall submit Ten Thousand Dollars (\$10,000 00) to Dade County for off-site transportation improvement(s) within the traffic impact area In this event, the improvements are to be determined in consultation with the City and the South Florida Regional Planning Council This contribution may be used for credit towards Dade County impact fees if acceptable to Dade County

- 12 Prior to the issuance of certificates of occupancy for development beyond Phase 1, as defined in Exhibit 9, or prior to July 1, 1992, whichever occurs earlier, submit Seven Thousand Four Hundred Twenty-Four Dollars (\$7,424 00) to FDOT for contribution to the off-site improvement identified in Exhibit 7. This contribution may be used for credit towards Dade County impact fees if acceptable to Dade County and FDOT.
- 13 Integrate all original and supplemental ADA information into a consolidated Application for Development Approval ("CADA") and submit two (2) copies of the CADA to the South Florida Regional Planning Council, one (1) copy to the City, and one (1) copy to the Department of Community Affairs within thirty (30) days of the effective date of the Original Development Order. The CADA shall be prepared as follows:
  - (a) Where new, clarified, or revised information was prepared subsequent to submittal of the ADA but prior to issuance of the Original Development Order, whether in response to a formal statement of information needed or otherwise, the original pages of the ADA will be replaced with revised pages.
  - (b) Revised pages will have a Page Number (R) - "Date" notation, with "Page Number" being the number of the original page, "(R)" indicating that the page was revised, and "Date" stating the date of the revision.
- 14 Submit an annual report to the City, the South Florida Regional Planning Council, and the Department of Community Affairs on each anniversary date of the effective date of the Original Development Order. The annual report shall include, at a minimum:
  - (a) a complete response to each question in Exhibit 8,
  - (b) copies of the documents which were submitted to DERM, or its successors, for the reporting year pursuant to Section V, Paragraph 5 above
  - (c) monitoring reports pursuant to Section V, Paragraphs 10 and 11 above
- 15 Record, within thirty (30) days of the effective date of this Amended and Restated Development Order, notice of the adoption of this Amended and Restated Development Order with the Clerk of the Dade County Circuit Court pursuant to §380.06(15), F.S., specifying that this Amended and Restated Development Order runs with the land, is binding on the Applicant, its successors, and assigns, jointly or severally.

SECTION 6 That the City of Coral Gables shall

- 1 Limit Project vehicle access point to the public roadway network to those locations shown on the Approved Plan and Exhibit 5

- 2 Withhold the issuance of any certificate of occupancy beyond Phase I, as defined in Exhibit 9, until the construction of the eastbound left turn lane at the intersection of Calabria Avenue and Douglas Road (S W 37th Avenue), as shown in Exhibit 6, is completed
- 3 Withhold the issuance of certificates of occupancy for development beyond Phase I, as defined in Exhibit 9, or prior to July 1, 1992, whichever occurs earlier, until Seven Thousand Four Hundred Twenty-Four Dollars (\$7,424 00) is submitted to FDOT for contribution to the off-site improvement identified in Exhibit 7
- 4 Ensure that adequate service provisions are made available to the Project to meet the requirements established in the City of Coral Gables Comprehensive Plan
- 5 November 30, 2004 is hereby established as the date until which the City agrees that the Douglas Entrance Development of Regional Impact shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the City can demonstrate that substantial changes, made by the developer, in the conditions underlying the approval of this Amended and Restated Development Order have occurred, or that this Amended and Restated Development Order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to the public health, safety, or welfare
- 6 The termination date for completing development of the Project shall be November 30, 2004 provided that the Applicant, its successors and assigns, complies with Section V, Paragraph 15 of this Amended and Restated Development Order. The termination date may only be modified in accordance with §380 06(19)(c), F S
- 7 Withhold the issuance of certificates of occupancy for development beyond Phase I, as defined in Exhibit 9, until the Applicant has complied with all City requirements for adequate fire flow protection for the Project
- 8 The effective date of this Amended and Restated Development Order shall be forty-five (45) days from transmittal of the Amended and Restated Development Order to the Department of Community Affairs, the South Florida Regional Planning Council, and Applicant, provided however that if the Amended and Restated Development Order is appealed, the Amended and Restated Development Order will take effect on the day after all appeals have been withdrawn or resolved pursuant to §380 07(2), F S

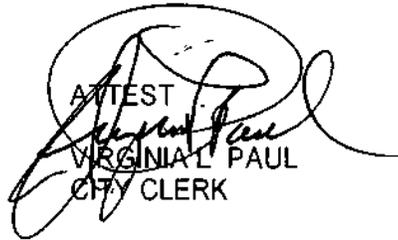
- 9 The expiration date of this Amended and Restated Development Order shall be November 30, 2004
- 10 In the event the Developer, its successors, or assigns violates any of the conditions of this Amended and Restated Development Order or otherwise fails to act in substantial compliance with this Amended and Restated Development Order (hereinafter "violator"), stay the effectiveness of the Amended and Restated Development Order as to the tract, or portion of the tract, in which the violative activity or conduct has occurred and withheld further permits, approvals, and services for development in said tract, or portion of the tract, upon passage of any appropriate resolution by the City, adopted in accordance with this section, finding that such violation has occurred. The violator will be given written notice by the City that states (a) the nature of the purported violation, and (b) that unless the violation is corrected within fifteen (15) days of said notice, the City will hold a public hearing to consider the matter within thirty (30) days of the date of said notice. If the violation is not correctable within fifteen (15) days, the violator's diligent good faith efforts to correct the violation within that period will obviate the need to hold a public hearing and this Amended and Restated Development Order will remain in effect unless the violator does not diligently pursue the corrective action to completion within a reasonable time, in which event the City will give fifteen (15) days notice to the violator of its intention to stay the effectiveness of this Amended and Restated Development Order and withhold further permits, approvals, and services as to the tract, or portion of the tract, in which the violation has occurred and until the violation is corrected. For purposes of this paragraph, the word "tract" shall be defined to mean any area of development identified on the Douglas Entrance Master Development Plan (Exhibit 9). In addition, the phrase "portion of a tract" means a division of a tract into more than one ownership as created by deed or plat.
- 11 The Building and Zoning Director is hereby authorized to monitor compliance with all conditions, of this Amended and Restated Development Order, specifically including the City's review of all Amended and Restated Development Order conditions prior to issuance of any development permit by the City.
- 12 The CADA is incorporated herein by reference and relied upon by the parties in discharging their statutory duties under Chapter 380, F.S., and local ordinances. Substantial compliance with the representations contained in the ADA is a condition for approval unless waived or modified by agreement among the City, the South Florida Regional Planning Council, and the Developer, its successors, or assigns.
- 13 The South Florida Regional Planning Council DRI Assessment Report is by reference incorporated into this Amended and Restated Development Order.

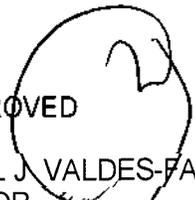
14 Within thirty (30) days of the effective date of this Amended and Restated Development Order, the Applicant, shall record the Notice of the Development Order, together with all Exhibits, with the Clerk of the Dade County Circuit Clerk, pursuant to §380 06(15), F S , specifying that the Amended and Restated Development Order runs with the land and is binding on the Developer, its successors and assigns, jointly or severally

SECTION 7 That all ordinances or parts of ordinances inconsistent or in conflict herewith shall be and they are hereby repealed insofar as there is conflict or inconsistency

PASSED AND ADOPTED THIS NINTH DAY OF NOVEMBER, A D , 1999

(Barker/Withers(5)  
(Clerk's Item No 20)

  
ATTEST  
VIRGINIA PAUL  
CITY CLERK

APPROVED  
  
RAUL J. VALDES-FAULI  
MAYOR

  
APPROVED AS TO LEGAL CONTENT  
ELIZABETH M. HERNANDEZ  
CITY ATTORNEY

## CITY OF CORAL GABLES, FLORIDA

## ORDINANCE NO 3433

AN **ORDINANCE** APPROVING NOTIFICATION OF PROPOSED CHANGE TO PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT (DRI) AND ISSUANCE OF AMENDED AND RESTATED DEVELOPMENT ORDER FOR HISTORICALLY DESIGNATED "**DOUGLAS ENTRANCE**", 800 DOUGLAS ROAD, LEGALLY DESCRIBED AS BLOCKS 1, 2, 3, 4, AND LOT "K" AND VACATED STREETS THEREIN AND ADJACENT THERETO OF REVISED PLAT OF BLOCKS 4, 4A, 4B, 5, **5A**, 5B, 5C, 6, 6A, **7**, 7A AND 7B, DOUGLAS SECTION, CORAL GABLES, DADE COUNTY, FLORIDA, FOR PURPOSE OF ADDING BROADCASTING STATIONS TO LIST OF "**CB**" COMMERCIAL USES PERMITTED ON PROPERTY, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH

WHEREAS, Application No 536-P was submitted by the Louis Dreyfus Property Group, requesting approval for a Development of Regional impact (DRI) and the revision of plans and major modifications to ordinance No 2437 (11/16/82) for the historically designated "Douglas Entrance" (800 Douglas Road) (the "Project") and legally described as Blocks 1, 2, 3, 4 and Lot "K" and the vacated streets therein, and adjacent thereto of the Revised Plat of Blocks 4, 4A, 4B, 5, **5A**, **5B**, 5C, 6, 6A, 7, 7A and 7B, Douglas Section, and

WHEREAS, the south Florida Regional Planning Council reviewed the Application for Development Approval ("ADA") for the Development of Regional impact (DRI) for the Project and on September 4, 1991 recommended approval of the proposed Project with conditions, and

WHEREAS, after notice of hearing duly published and notification of all property owners of record within three hundred (300) feet, a public hearing was held before the Planning and zoning Board on November 13, 1991, at which hearing all interested persons were afforded an opportunity to be heard and the Board recommended that the plans be approved with conditions, and

WHEREAS, after notice of hearing duly published, a final public hearing was held before the coral Gables City commission on March 10, 1992 at which hearing all interested persons were afforded an opportunity to be heard and the recommendations of the South Florida Regional Planning council and the Planning and zoning Board were considered and Ordinance No 2976 which constituted the Development Order for the DRI was passed and adopted, including the following Findings of Fact and Conclusions of Law

**FINDINGS OF FACT**

- A The name of the Project is Douglas Entrance
- B The authorized agent for the Project is the Louis Dreyfus Property Group
- C The name of the owner/Developer of the Project is Douglas Entrance Holdings Limited Partnership, a Delaware limited partnership (the Developer).
- D The development of the Project does not unreasonably interfere with the achievement of the objectives of any adopted state land development plan ap-

plicable to the area.

- E The Project is consistent with the City of Coral Cables zoning code and comprehensive Plan subject to the provisions contained herein
- F The Project is consistent with the recommendations of the South Florida Regional Planning council DRI Assessment pursuant to §380.06(14)(c), F S
- G. Adequate provisions have been made by the Developer for facilities and services necessary to accommodate the Project and its impacts.

#### CONCLUSIONS OF LAW

- H. The Project does not unreasonably interfere with the achievement of the objectives of any adopted state land development plan applicable to the area
- I The Project is consistent with the City of Coral cables zoning Code and Comprehensive Plan subject to the provisions contained herein
- J The Project is consistent with the recommendations of the South Florida Regional Planning Council DRI Assessment pursuant to §380.06(14), F.S
- K Adequate provisions have been made by the Developer for facilities and services necessary to accommodate the Project and its impacts.

WHEREAS, on May 11, 1999 Douglas Entrance Holdings Limited Partnership, the owner of the Project submitted a Notice of Proposed Change ("NOPC") to a Previously Approved Development of Regional impact, requesting an extension of the buildout date for the Project, and

WHEREAS, after notice of public hearing duly published, a final public hearing was held before the City commission on November 9, 1999 at which hearing all interested persons were afforded an opportunity to be heard, and the Amended and Restated Development Order was approved by Ordinance No 3422 extending the buildout date for the project; and

WHEREAS, after notice duly published, a final public hearing was held before the City Commission on January 11, 2000 on a Notification of Proposed Change to the previously approved Development of Regional impact for the purpose of adding Broadcasting stations to the list of "CB" commercial uses permitted on the subject property, at which hearing all interested persons were afforded an opportunity to be heard, and the amendment was approved,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL CABLES

SECTION 1. That the previously approved Development of Regional impact (DRI), as amended and restated from time to time, for the historically designated Douglas Entrance, legally described as Blocks 1, 2, 3, 4, and Lot "K" and the vacated streets therein and adjacent thereto of the Revised Plat of Blocks 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A, and 7B, Douglas section, coral Gables, Dade county, Florida shall be and it is hereby amended by adding Broadcasting stations to the list of "CB" commercial uses permitted on the subject property

SECTION 2 That within thirty days of the effective date of this amendment to the adopted development order, the effective date of which shall be February 11, 2000, notice of the amendment shall be recorded by the developer with the Clerk of the Dade County Circuit Court, pursuant to sec 380 06(15)(f) of the Florida statutes

SECTION 3 That all ordinances or parts of ordinances inconsistent or in conflict herewith shall be and they are hereby repealed insofar as there is conflict or inconsistency

**PASSED AND ADOPTED THIS ELEVENTH DAY OF JANUARY, A D , 2000**

(Barker/Thomson(5)  
(Clerk's Item NO 12)

**RAÚL J VALDÉS-FAULI  
MAYOR**

**ATTEST**

**VIRGINIA L PAUL  
CITY CLERK**

**APPROVED AS TO LEGAL CONTENT  
ELIZABETH M HERNANDEZ  
CITY ATTORNEY**

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 3478

AN ORDINANCE APPROVING REVISED SITE PLAN AND ISSUANCE OF AMENDED AND RESTATED DEVELOPMENT ORDER FOR PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT (DRI) AND APPROVING NOTIFICATION OF PROPOSED CHANGE (NOPC) FOR HISTORICALLY DESIGNATED "DOUGLAS ENTRANCE", 800 DOUGLAS ROAD, LEGALLY DESCRIBED AS BLOCKS 1, 2, 3, 4, LOT "K", AND VACATED STREETS THEREIN AND ADJACENT THERETO OF REVISED PLAT OF BLOCKS 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A AND 7B, DOUGLAS SECTION, CORAL GABLES; SETTING FORTH CONDITIONS AND RESTRICTIONS; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, Application No. 536-P was submitted by the Louis Dreyfuss Property Group, requesting approval for a Development of Regional Impact (DRI) and the revision of plans and major modifications to Ordinance No. 2437 (11/16/82) for the historically designated "Douglas Entrance" (800 Douglas Road) (the "Project") and legally described as Blocks 1, 2, 3, 4, Lot "K" and the vacated streets therein and adjacent thereto of the Revised Plat of Blocks 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A and 7B, Douglas Section; and

WHEREAS, the South Florida Regional Planning Council reviewed the Application for Development Approval ("ADA") for the Development of Regional Impact (DRI) for the Project and on September 4, 1991 recommended approval of the proposed Project with conditions; and

WHEREAS, after notice of public hearing duly published, and notification of all property owners of record within three hundred (300) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on November 13, 1991, at which hearing all interested persons were afforded an opportunity to be heard; and

WHEREAS, the Planning and Zoning Board at its regular meeting held on November 13, 1991, recommended that the plans be approved with conditions; and

WHEREAS, after notice of public hearing duly published, a final public hearing was held before the Coral Gables City Commission on March 17, 1992 at which hearing all interested persons were afforded an opportunity to be heard, the recommendations of the South Florida Regional Planning Council and the Planning and Zoning Board were considered and Ordinance No. 2976 which constituted the Development Order for the DRI was passed and adopted, including the Findings of Fact and Conclusions of Law outlined below; and

WHEREAS, on May 11, 1999, Douglas Entrance Holdings Limited Partnership, the owner of the Project, submitted a Notice of Proposed Change ("NOPC") to a Previously Approved Development of Regional Impact, requesting an extension of the buildout date for the Project; and

WHEREAS, after notice of public hearing duly published, a final public hearing was held before the Coral Gables City Commission on November 9, 1999, at which hearing all interested persons were afforded an opportunity to be heard, the recommendations of the South Florida Regional Planning Council and the Planning and Zoning Board were considered and Ordinance No. 3422 which constituted an Amended and Restated Development Order for the

DRI, was passed and adopted, including the Findings of Fact and Conclusions of Law outlined below; and

WHEREAS, Douglas Entrance Holdings Limited Partnership, the owner of the Project, also submitted a Second Notice of Proposed Change to a Previously Approved Development of Regional Impact, requesting a modification to Section 4.2 of the Development Order to include a broadcast station as a permitted CB District use within the Project; and

WHEREAS, after notice of public hearing duly published, a final public hearing was held before the Coral Gables City Commission on January 11, 2000 at which hearing all interested persons were afforded an opportunity to be heard, the recommendations of the South Florida Regional Planning Council and the Planning and Zoning Board were considered and Ordinance No. 3433 which constituted a Second Amended and Restated Development Order for the DRI was passed and adopted, including the Findings of Fact and Conclusions of Law outlined below; and

WHEREAS, on April 18, 2000, Douglas Entrance Holdings Limited Partnership, the owner of the Project, submitted a third Notice of Proposed Change to a Previously Approved Development of Regional Impact, requesting a modification of the site plan, including the deletion of 224,620 square feet of office and the inclusion of 218 residential dwelling units (314,843 square feet) for the Project; approval of 1,886 off-street parking spaces for the Project, and deletion of a condition requiring an eastbound left turn lane on Calabria Avenue at the intersection with Douglas Road (S.W. 37th Avenue); and

WHEREAS, after notice of public hearing duly published, a public hearing was held before the Coral Gables City Commission on July 11, 2000 at which hearing all interested persons were afforded an opportunity to be heard, the recommendations of the South Florida Regional Planning Council and the Planning and Zoning Board were considered, and the ordinance constituting a Third Amended and Restated Development Order for the DRI was approved on first reading, including the Findings of Fact and Conclusions of Law outlined below.

#### **FINDINGS OF FACT**

- A. The name of the Project is Douglas Entrance.
- B. The authorized agent for the Project is the Louis Dreyfuss Property Group.
- C. The name of the owner/Developer of the Project is Douglas Entrance Holdings Limited Partnership, a Delaware limited partnership (the Developer).
- D. The development of the Project does not unreasonably interfere with the achievement of the objectives of any adopted state land development plan applicable to the area.
- E. The Project is consistent with the City of Coral Gables Zoning Code and Comprehensive Plan subject to the provisions contained herein.
- F. The Project is consistent with the recommendations of the South Florida Regional Planning Council DRI Assessment pursuant to §380.06(14)(c), F.S.

- G. Adequate provisions have been made by the Developer for facilities and services necessary to accommodate the Project and its impacts.

### **CONCLUSIONS OF LAW**

- H. The Project does not unreasonably interfere with the achievement of the objectives of any adopted state land development plan applicable to the area.
- I. The Project is consistent with the City of Coral Gables Zoning Code and Comprehensive Plan subject to the provisions contained herein.
- J. The Project is consistent with the recommendations of the South Florida Regional Planning Council DRI Assessment pursuant to §380.06(14), F.S.
- K. Adequate provisions have been made by the Developer for facilities and services necessary to accommodate the Project and its impacts.

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

**SECTION 1.** That pursuant to the provisions of Ordinance No. 2437, the second revised site plan for the development of "Douglas Entrance" located in Blocks 1, 2, 3, 4, Lot "K" and the vacated streets therein and adjacent thereto of the Revised Plat of Blocks 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A and 7B, Douglas Section, according to the plat thereof recorded in Plat Book 34 at Page 32 of the Public Records of Dade County, Florida, containing 7.85± acres as more fully described on Exhibit "A", (attached hereto and incorporated herein by reference,) shall be and the same is hereby approved in accordance with the second revised site plan, prepared by the architectural firm of Fullerton, Diaz Architects, Inc., dated 01/19/2000, consisting of eleven (11) pages, numbered A-1 through A-11, on file in the office of the Planning Director and subject to the conditions and restrictions contained herein (the "Approved Plans").

**SECTION 2.** That the representations made by Developer and his representatives before the Planning and Zoning Board and the City Commission shall be made a part of this Ordinance and the development order incorporated herein as if the same were fully set forth herein. The development order as adopted on March 17, 1992 shall be referred to as the "Original Development Order" and the development order, as amended and restated pursuant to the approval of the NOPC shall be referred to as the "Amended and Restated Development Order"; the development order, as amended and restated pursuant to the approval of the Second Notice of Proposed Change shall be referred to as the "Second Amended and Restated Development Order;" and the development order, as amended and restated pursuant to this approval of the Third Notice of Proposed Change shall be referred to as the "Third Amended and Restated Development Order."

**SECTION 3.** That the Developer shall be permitted to develop the Douglas Entrance Project in accordance with the Approved Plans and all tabulations related thereto which are attached as exhibits and include acreage attributable to open space, areas of preservation, ground area coverage, landscaping, structures and improvements and other major components of the development, which Approved Plans and exhibits are by this reference incorporated in this Third Amended and Restated Development Order and which Approved Plans provide for, among other things, a total of 793,985 square feet of space allocated to the following uses:

- A. Office Space – 459,680 square feet
- B. Retail Space – 23,630 square feet; and
- C. Residential Units – 218 dwelling units in a multifamily residential project comprising 314,843 square feet.

**SECTION 4.** That the following considerations as requested by the Developer are hereby approved:

- A. Permit the maintenance of 1,866 off-street parking spaces at the Project.
- B. In addition to multifamily residential uses, permit all uses permitted in CA-Use Districts pursuant to Section 3-6 of the Zoning Code and permit the maintenance of the following uses at the Project as such uses are permitted in CB-Use Districts pursuant to Section 3-6 of the Zoning Code:
  - 1. Addressing and mailing service.
  - 2. Bake shops, retail only, provided no baking shall be permitted on the premises.
  - 3. Bicycle stores - retail sales only, no repairs on premises. Parking and storage of bicycles to be within the building.
  - 4. Broadcast stations.
  - 5. Catering.
  - 6. Cleaning and laundry agencies, where no gasoline or explosives of any kind are stored or used therewith and provided no cleaning or laundry shall be done on the premises.
  - 7. Dairy products, retail only.
  - 8. Data processing.
  - 9. Day nurseries/Day Care facility for children.
  - 10. Dressmaking and alteration shops for wearing apparel, custom only.
  - 11. Employment agencies.
  - 12. Fruit store, retail only.
  - 13. Gourmet food store.
  - 14. Health and athletic clubs
  - 15. Hobby supplies.
  - 16. Interior decorating, no work to be done on premises.
  - 17. Loan agencies, excluding pawn shops.
  - 18. Luggage shop.
  - 19. Mail order offices, without storage of products sold.
  - 20. Mimeographing.
  - 21. Music, radio, television and electrical appliance stores, retail only.
  - 22. News stands, provided the business is carried on within and under cover of a building.
  - 23. Parking lots, automobile – auxiliary or accessory to any CA or CB Use.
  - 24. Photo equipment and supplies.
  - 25. Photograph developing and printing.
  - 26. Photostatting, photocopying and printing equipment limited to printing on premises accommodating sheet size no larger than 11" x 17".

27. Printing shops and addressing.
  28. Rental of video movies only and computer software only.
  29. Restaurants, cafes, cafeterias and delicatessens. Retail liquor store licenses may be issued limiting the number of permitted licenses for the sale of alcoholic beverages and intoxicating liquors subject to the minimum conditions, restrictions and limitations outlined in the Code of ordinances.
  30. Retail beverage store. Retail beverage license may be issued to bonafide restaurants of fifty (50) seats or over subject to certain conditions, restrictions and limitations outlined in the Code.
  31. Shoe repair shops.
  32. Retail package beverage stores, retail beverage stores, retail package liquor stores and retail liquor stores, subject to applicable distance requirements outlined in Section 21-6 of the Zoning Code.
  33. Tailor shop.
  34. Telephone answering service, may include the licensing upon the premises thereof of certain businesses which by their inherent nature require no office space, no signs, no direct sales of merchandise and no storage or display of materials, goods or supplies relating to the operation of such business e.g., factory representatives, insurance salesmen, consultants and etc.
  35. Telephone exchange.
  36. Vocational Training School.
- C. Permit the maintenance of a health or athletic club in the Project as would be permitted in a CC-Use District pursuant to Section 3-6 of the Zoning Code.
- D. Permit attendant and/or valet parking for the residential, restaurant and retail facilities at the Project.

**SUBJECT 5.** The Third Amended and Restated Development Order and Project approval are hereby granted subject to the condition that the Developer, its successors and/or assigns, jointly or severally, shall:

- A. Incorporate the following into the Project design and operation:
1. Actively encourage and promote ridesharing by establishing a car and van pool information program.
  2. Designate three percent (3%) of employee parking spaces, located as close as possible to employee building entrances, for exclusive high occupancy vehicle use.
  3. Provide for the reservation of retail/restaurant daytime parking supply by making certain convenient parking areas available only after office workers have arrived at the Project. Close such reserved areas until 10:00 A.M. by means of gates, barricades or other barriers. Reserve the basement and lower floors of the parking garages for retail/restaurant uses.

4. Provide extensive on-site and off-site signage to direct retail/restaurant patrons to specific parking areas.
  5. Make parking ticket validation service available in connection with the retail/restaurant operations at the Project.
  6. Actively encourage Project merchants to distribute parking location information as part of their advertisement and day-to-day operations.
  7. Provide Metro-Dade Transit route and schedule information in convenient locations throughout the Project, including office complex lobbies and within and adjacent to retail areas.
  8. Construct and maintain a bus shelter on the south side of S.W. 8th Street between Douglas Road and Galiano Street in a manner acceptable to the City.
  9. Encourage transit use by provision of other bus shelters, development of turnout lanes, or provision of other amenities to increase ridership.
  10. Provide on-site bicycle storage facilities to encourage use of alternative modes of transportation; and
  11. Mulch, spray, or grass exposed areas to prevent soil erosion and minimize air pollution.
- B. Design, construct and maintain the stormwater management system to meet the following standards:
1. Retain the first flush (at least the first inch) of run-off from Project roadways, parking lots and loading docks in exfiltration systems.
  2. Allow only roof run-off to be discharged to the existing deep well.
  3. Install pollutant retardant structures to treat all stormwater run-off at each of the catch basins (down-turned pipe or other Dade County Department of Environmental Resources Management ("DERM") approved device), in accordance with the master drainage plan, and periodically remove pollutant accumulations.
  4. Vacuum sweep all parking lots of eleven (11) or more parking spaces and private roadways serving the parking lots at least once per week.
- C. Use only those plant species identified in Exhibit I herein for Project landscaping. Additional species may be used in Project landscaping only if written approval is provided. Such approval will be based on the following criteria:
1. does not require excessive irrigation or fertilizer;

2. is not prone to insect infestation or disease;
3. does not have invasive root system; and
4. other criteria as may be appropriate.

D. Utilize xeriscape principles in the design of Project landscaping.

E. The Developer shall adhere to and shall incorporate into the development by lease as long as the property is owned by the Developer, and incorporate into the development by sales agreements and restrictive covenant when any of the property is conveyed, as applicable, hazardous materials accident prevention, mitigation, and response standards, to be met by the Developer and each tenant classified by an SIC code listed in Exhibit 2 herein that use, handle, store, display, or generate hazardous materials, including those identified in Exhibit 3 herein, and including those tenants who use more than the reportable quantity of the hazardous substances listed in Exhibit 4. If any of the referenced lists in Exhibits 2 to 4 are amended, the Developer is responsible for complying with same procedures as amended. At a minimum, these standards shall:

1. Require that buildings where hazardous materials or hazardous wastes, as defined above, are to be used, displayed, handled, generated, or stored shall be constructed with impervious floors, without drains, to ensure containment and facility clean-up of any spill or leakage.
2. Prohibit any outside storage of hazardous materials or hazardous waste, except for retail goods typically associated with residential nurseries such as lawn fertilizers and garden pesticides. Areas used for this type of outside storage of these goods shall be covered and shall provide secondary containment. This containment shall hold at least one hundred twenty percent (120%) of volume stored to contain accidental spills and contaminated run-off.
3. Require that any area used for loading or unloading of hazardous material be covered and equipped with a collection system to contain spills.
4. Require all hazardous waste generators to contract with a licensed public or private hazardous waste disposal service or processing facility and to provide to DERM copies of the following forms of documentation of proper hazardous waste management practices:
  - (a) a shipment to a permitted hazardous waste management facility, or
  - (b) a confirmation of receipt of material from a recycle or a waste exchange operation.
5. Prohibit generation of hazardous effluents unless adequate facilities approved by DERM and Florida Department of Environmental

Regulation (“DER”) are constructed and used by tenants generating such effluents.

6. Dispose of hazardous sludge materials generated by effluent pretreatment in a manner approved by the Environmental Protection Agency and DER.
  7. Notify any tenant generating wastes of the penalties for improper disposal of hazardous waste pursuant to §403.727, F.S.
  8. Allow reasonable access to facilities for monitoring by DERM, Coral Gables fire officials and DER to assure compliance with this development order and all applicable laws and regulations.
- F. Notify state archeological officials at the Division of Historical Resources of The Florida Department of State of construction schedules, and delay construction up to three (3) months in any area where potentially significant historic or archeological artifacts are uncovered, and permit state and Coral Gables Historic Preservation Department officials to survey and excavate the site.
- G. Create no adverse impacts to the “Puerto de Sol” building. Furthermore, utilize design features throughout the Project which are compatible with the historic landmark.
- H. Incorporate energy conservation measures into the design and operation of the Project. At a minimum, construct all development in conformance with the specifications, of the State of Florida Energy Efficiency Code for Building Construction (State Energy Code.) Consider using natural gas and/or renewable energy sources (e.g. solar heating) for water heating, space heating and cooling.
- I. Limit Project vehicle access points to the public roadway network to those locations shown in the Approved Plan and Exhibit 5.
- J. Provide the South Florida Regional Planning Council, the Florida Department of Transportation (“FDOT”), the City and Dade County with an annual left-turn traffic signal warrant study for the intersection at S.W. 8th Street and Ponce de Leon Boulevard. Install the westbound and eastbound left-turn signal heads when warranted and permitted. The initial study shall be submitted within one hundred eighty (180) days of the effective date of the original development order and on the due date of each annual report thereafter, pursuant to Section V, Paragraph 14 herein, with the last submission prior to requesting the final building permit for the Project when both signal heads have been installed, whichever occurs first. The final submission of the study shall project traffic impact through Project buildout. In the event that neither signal head is found to be warranted and permitted prior to requesting the final Project building permit, the Applicant shall submit ten thousand dollars (\$10,000.00) to Dade County for off-site transportation improvement(s) within the traffic impact area. In this event, the improvements are to be determined in consultation with the City and the South Florida Regional Planning Council.

cil. This contribution may be used for credit toward Dade County impact fees if acceptable to Dade County.

- K. Prior to the issuance of certificates of occupancy for the development beyond Phase I, as defined in Exhibit 9, or prior to July 1, 1992, whichever occurs earlier, submit seven thousand four hundred twenty four dollars (\$7,424.00) to FDOT for contribution to the off-site improvement identified in Exhibit 7. This contribution may be used for credit toward Dade County impact fees if acceptable to Dade County and FDOT.
- L. Integrate all original and supplemental ADA information into a consolidated Application for Development Approval (“CADA”) and submit two (2) copies of the CADA to the South Florida Regional Planning Council, one (1) copy to the City, and one (1) copy to the Department of Community Affairs, within thirty (30) days of the effective date of the original development order. The CADA shall be prepared as follows:
1. Where new, clarified, or revised information was prepared subsequent to submittal of the ADA but prior to issuance of the original development order, whether in response to a formal statement of information needed or otherwise, the original pages of the ADA will be replaced with revised pages.
  2. Revised pages will have a “Page Number (R) – Date” notation, with “Page Number” being the number of the original page, “(R)” indicating that the page was revised, and “Date” stating the date of the revision.
- M. Submit an annual report to the City, the South Florida Regional Planning Council, and the Department of Community Affairs on each anniversary date of the effective date of the original development order. The annual report shall include, at a minimum:
1. a complete response to each question in Exhibit 8;
  2. copies of the documents which were submitted to DERM or its successors, for the reporting year pursuant to Section V, Paragraph 5 above.
  3. monitoring reports pursuant to Section V, Paragraphs 10 and 11 above.
- N. Record, within thirty (30) days of the effective date of this Third Amended And Restated Development Order, notice of the adoption of this Third Amended and Restated Development Order with the Clerk of the Dade County Circuit Court pursuant to §380.06(15), F.S., specifying that this Third Amended and Restated Development Order runs with the land, is binding on the Applicant, its successors and assigns, jointly or severally.

**SECTION 6.** The City of Coral Gables shall:

- A. Limit Project vehicle access points to the public roadway network to those locations shown on the Approved Plan and Exhibit 5.
- B. Withhold the issuance of certificates of occupancy for development beyond Phase I, as defined in Exhibit 9, or prior to July 1, 1992, whichever occurs earlier, until seven thousand four hundred twenty-four dollars (\$7,424.00) is submitted to FDOT for contribution to the off-site improvement identified in Exhibit 7.
- C. Ensure that adequate service provisions are made available to the Project to meet the requirements established in the City of Coral Gables Comprehensive Plan.
- D. November 30 2004 is hereby established as the date until which the City agrees that the Douglas Entrance Development of Regional Impact shall not be subject to down-zoning, unit density reduction or intensity reduction, unless the City can demonstrate that substantial changes, made by the Developer, in the conditions underlying the approval of this Third Amended and Restated Development Order have occurred, or that this Third Amended and Restated Development Order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to the public health, safety or welfare.
- E. The termination date for completing development of the Project shall be November 30, 2004, provided that the Applicant, its successors and assigns, complies with Section V, Paragraph 15 of this Third Amended and Restated Development Order. The termination date may only be modified in accordance with §380.06(19)(c), F.S.
- F. Withhold the issuance of certificates of occupancy for development beyond Phase I, as defined in Exhibit 9, until the Applicant has complied with all City requirements for adequate fire flow protection for the Project.
- G. The effective date of this Third Amended and Restated Development Order shall be forty-five (45) days from transmittal of the Third Amended and Restated Development Order to the Department of Community Affairs, the South Florida Regional Planning Council, and Applicant; provided, however, that if the Third Amended and Restated Development Order is appealed, the Third Amended and Restated Development Order will take effect on the day after all appeals have been withdrawn or resolved pursuant to §380.07(2), F.S.
- H. The expiration date of this Third Amended and Restated Development Order shall be November 30, 2004.
- I. In the event the Developer, its successors, or assigns violates any of the conditions of this Third Amended and Restated Development Order.

ment Order or otherwise fails to act in substantial compliance with this Third Amended and Restated Development Order (hereinafter “violator”), stay the effectiveness of the Third Amended and Restated Development Order as to the tract, or portion of the tract, in which the violative activity or conduct has occurred and withhold further permits, approvals, and services for development in said tract, or portion of the tract, upon passage of any appropriate resolution by the City, adopted in accordance with this section, finding that such violation has occurred. The violator will be given written notice by the City that states: (a) the nature of the purported violation, and (b) that unless the violation is corrected within fifteen (15) days of said notice, the City will hold a public hearing to consider the matter within thirty (30) days of the date of said notice. If the violation is not correctable within fifteen (15) days, the violator’s diligent good faith efforts to correct the violation within that period will obviate the need to hold a public hearing and this Third Amended and Restated Development Order will remain in effect unless the violator does not diligently pursue the corrective action to completion within a reasonable time, in which event the City will give fifteen (15) days notice to the violator of its intention to stay the effectiveness of this Third Amended and Restated Development Order and withhold further permits, approvals, and services as to the tract, or portion of the tract, in which the violation has occurred and until the violation is corrected. For purposes of this paragraph, the word “tract” shall be defined to mean any area of development identified on the Douglas Entrance Master Development Plan (Exhibit 9).

In addition, the phrase “portion of a tract” means a division of a tract into more than one ownership as created by deed or plat.

- J. The Building and Zoning Director is hereby authorized to monitor compliance with all conditions of this Third Amended and Restated Development Order, specifically including the City’s review of all Third Amended and Restated Development Order conditions prior to issuance of any development permit by the City.
- K. The CADA is incorporated herein by reference and relied upon by the parties in discharging their statutory duties under Chapter 380, F.S., and local ordinances. Substantial compliance with the representations contained in the ADA is a condition for approval unless waived or modified by agreement among the City, the South Florida Regional Planning Council, and the Developer, its successors, or assigns.
- L. The South Florida Regional Planning Council DRI Assessment Report is by reference incorporated into this Third Amended and Restated Development Order.
- M. Within thirty (30) days of the effective date of this Third Amended and Restated Development Order, the Applicant shall record the Notice of the Development Order, together with all Exhibits, with Ordinance No. 3478 - Page 11 of 12

the Clerk of the Dade County Circuit Court, pursuant to §380.06(15), F.S., specifying that the Third and Amended and Restated Development Order runs with the land and is binding on the Developer, its successors and assigns, jointly or severally.

**SECTION 7.** That all ordinances or parts of ordinances inconsistent or in conflict herewith shall be and they are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS TWENTY-NINTH DAY OF AUGUST, A.D., 2000.

(Barker/Kerdyk(5)  
(Clerk's Item No. 29)

ATTEST:  
VIRGINIA L. PAUL  
CITY CLERK

RAUL J. VALDES-FAULI  
MAYOR

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:  
ELIZABETH M. HERNANDEZ  
CITY ATTORNEY

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 3479

AN ORDINANCE AMENDING PREVIOUSLY APPROVED SITE PLAN FOR HISTORICALLY DESIGNATED MIXED-USE DEVELOPMENT COMMONLY KNOWN AS "DOUGLAS ENTRANCE", 800 DOUGLAS ROAD, LEGALLY DESCRIBED AS BLOCKS 1, 2, 3, 4, LOT "K" AND VACATED STREETS THEREIN AND ADJACENT THERETO OF REVISED PLAT OF BLOCKS 4, 4A, 4B, 5, 5A, 5B, 5C, 6, 6A, 7, 7A, AND 7B, DOUGLAS SECTION, CORAL GABLES; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, Application No. 763-P was submitted by Douglas Entrance Holdings Limited Partnership, requesting an amendment to a previously approved site plan for the historically designated mixed-use development commonly known as "Douglas Entrance;" and

WHEREAS, the original site plan was approved by Ordinance No. 2463 which was adopted on April 26, 1983 and amended by Ordinance No. 2801 adopted on August 13, 1988 and Ordinance No. 2976 adopted on March 17, 1992; and

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on June 14, 2000 at which hearing all interested persons were afforded an opportunity to be heard and the Board recommended in favor of the application; and

WHEREAS, the City Commission after due consideration at its regular meeting of July 11, 2000 approved the site plan on first reading;

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

SECTION 1. That from and after the effective date of this ordinance, and pursuant to Ordinance No. 1525, as amended and known as the "Zoning Code", the plans submitted by the Douglas Entrance Holdings Limited Partnership, located at 800 Douglas Road on property legally described as Blocks 1, 2, 3, 4, Lot "K" and the vacated streets therein and adjacent thereto of the revised plat of Blocks 4, 4a, 4b, 5, 5b, 5c, 6, 6a, 7, 7a and 7b, Douglas Section, Coral Gables, Miami-Dade County, Florida, shall be and they are hereby approved.

SECTION 2. That the plans herein approved shall be in accordance with the plans drawn by the architectural firm of Fullerton Diaz Architects, Inc., dated May 18, 2000 and are subject to the following conditions:

1. Prior to issuance of a certificate of occupancy for any portion of structure, the applicant, its successors or assigns shall locate and construct two bus shelters that include a roof, seating and glass-covered area for the posting of the bus schedule in the current locations of the bus stops surrounding the project (western portion of S.W. 8th Street between Douglas Road and Galiano Street and southern portion of Douglas Road between S.W. 8th Street and Calabria Street.) If required, the applicant shall dedicate the necessary rights-of-way or appropriate easements to the appropriate governmental entity allowing for the placement of the bus shelters. The applicant shall submit the design, elevation drawings and construction details to the Planning Department for review and

approval. The applicant shall be responsible for all costs associated with the installation and the applicant shall be responsible to secure any other applicable governmental review and approvals.

2. Prior to the issuance of a building permit for the residential building, the applicant, its successors or assigns shall provide to the Planning Department for review and approval the following:
  - (a) Pedestrian lighting plan indicating the types, locations, light schedule, etc. for all public areas around the perimeter of the proposed multi-family residential building; and
  - (b) A minimum of one (1) over story tree, minimum 20 feet in height at time of installation 3 1/2 - 4 1/2 inches in caliper, per 40 lineal feet (on average) the entire length of Galiano Street. Plant materials selection and location shall be reviewed and approved by the Public Service Department. Plant materials may be grouped or installed in linear form dependent upon site restraints. The applicant shall provide a landscaping plan indicating the above including as a minimum a plant material list, elevation details, etc.
  - (c) A tree relocation plan for existing trees impacted by proposed multi-family residential building.
3. The applicant shall comply with the parking code requirements of the Zoning Code.

SECTION 3. That all ordinances or parts of ordinances inconsistent or in conflict herewith are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS TWENTY-NINTH DAY OF AUGUST A.D., 2000.

(Kerdyk/Barker(5)  
(Clerk's Item No. 30)

RAUL J. VALDES-FAULI  
MAYOR

ATTEST:  
VIRGINIA L. PAUL  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:  
ELIZABETH M. HERNANDEZ  
CITY ATTORNEY

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## DECLARATION OF RESTRICTIVE COVENANT

## KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the undersigned CITY NATIONAL BANK OF MIAMI, as Trustee under Trust Agreement dated December 31, 1982, and known as Trust No. 5006818 and not personally, is the fee simple owner of the following described property situate and being in the City of Coral Gables, Florida:

BLOCKS 1, 2, 3, 4, AND LOT "K" OF THE REVISED PLAT OF BOOKS 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A AND 7-B OF DOUGLAS SECTION OF CORAL GABLES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 34, AT PAGE 32, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH THE REVERSIONARY RIGHTS GRANTED TO DOUGLAS DEVELOPMENT CO. BY DEED FROM DOUGLAS ENTRANCE, INC., CONVEYING THE FOLLOWING PROPERTY: ALL THAT PART OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 54 SOUTH, RANGE 41 EAST, THAT IS BOUNDED AS FOLLOWS: ON THE NORTH BY THE NORTH LINE OF THE SAID SECTION 8, ON THE EAST BY THE EAST LINE OF THE SAID SECTION 8, ON THE SOUTH BY THE CENTER LINE OF AVENUE CALABRIA AND ON THE WEST BY THE CENTER LINE OF GALIANO STREET (REFERENCE HEREIN TO AVENUE CALABRIA AND GALIANO STREET ARE AS SAID STREET AND AVENUE ARE SHOWN ON THE REVISED PLAT OF DOUGLAS SECTION OF CORAL GABLES, PLAT BOOK 34, PAGE 32); AND ALSO THOSE CERTAIN RIGHTS OF WAY CLOSED BY ORDINANCE NO. 992 PASSED AND ADOPTED BY THE CITY OF CORAL GABLES, FLORIDA, ON NOVEMBER 13, 1956.

WHEREAS, the City Commission of the City of Coral Gables on the 20th day of November, 1984 passed and adopted Resolution No. 24949 which authorized the requested variance to install street lights on both sides of Galiano Street between S. W. 8th Street and Avenue Calabria, in connection with the Douglas Entrance Development Project, 800 Douglas Road, subject to, among other things, the owner agreeing to (1) maintain the improvements in good repair at all times, (2) relocate the electrical lines, at its expense, in the event the Public Works Department must issue a permit for a utility cut in the area, (3) reserve unto the City of Coral Gables the right to remove, add, maintain (save for the cost of providing any electrical current necessary for the operation of such lights) or have the owner remove any of the improvements within the right-of-ways, (4) save the City harmless and (5) furnish the City with a policy or certificate of insurance coverage in the minimum limits of \$500,000 each person and \$500,000 each occurrence for bodily injury and \$250,000 each occurrence on property damage or \$500,000 single limit coverage and naming the City as co-insured under such policy. In no event shall owner be personally liable for any occurrence of property damage or personal injury and any liability for any such occurrence shall be limited solely to the interest of the owner in the project subject to incumbrances now or hereafter existing.

NOW, THEREFORE, for good and valuable consideration, the undersigned does hereby declare that it will not convey or cause to be conveyed the title to the above property without subjecting the same to all of the terms and conditions set forth herein.

FURTHER, the undersigned declares that this covenant is intended and shall constitute a restrictive covenant concerning the use, enjoyment and title to the above property and shall constitute a covenant running with the land and shall be binding upon the undersigned, its successors and assigns. Such covenant shall cease to exist upon the removal of such light fixtures and approval of the City of Coral Gables.

TRUSTEE does hereby join, intending to be bound thereby, in the execution of the above described instrument.

THIS instrument is executed by the undersigned Trustee, not personally but solely as Trustee under the terms of that certain agreement dated the 31st day of December, 1982, creating Trust No. 5006818, and it is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding, that each and all of the covenants, undertakings, representations and agreements herein made are made and intended, not as personal covenants, undertakings, representations and agreements of the Trustee, individually, or for the purpose of binding it personally, but this instrument is executed and delivered by the City National Bank of Miami, as Trustee, solely in the exercise of the powers conferred upon it as such Trustee under said agreement and no personal liability or personal

PREPARED BY: LEE R. REDMOND, Vice President of Regency Square Properties  
800 Douglas Road, Coral Gables, Florida 33134

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Declaration of Restrictive Covenants  
City National Bank of Miami, As Trustee  
Page Two

responsibility is assumed by, nor shall at any time be asserted or enforced against the City National Bank of Miami, on account hereof, or on account of any covenant, undertaking, representation or agreement herein contained, either expressed or implied, all such personal liability, if any, being hereby expressly waived and released by the parties hereto or holder hereof, and by all persons claiming by or through or under said parties or holder hereof.

IN WITNESS WHEREOF, the undersigned has caused its seal to be affixed hereto on this 11<sup>th</sup> day of ~~February~~, 1985.  
MARCH

CITY NATIONAL BANK OF MIAMI, as Trustee

BY \_\_\_\_\_

VICE PRESIDENT & TRUST OFFICER



ATTEST:

David Buzza

VICE PRESIDENT & TRUST OFFICER



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## DECLARATION OF RESTRICTIVE COVENANT

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the undersigned CITY NATIONAL BANK OF MIAMI, as Trustee under Trust Agreement dated December 31, 1982, and known as Trust No. 5006818 and not personally, is the fee simple owner of the following described property situate and being in the City of Coral Gables, Florida:

BLOCKS 1, 2, 3, 4, AND LOT "K" OF THE REVISED PLAT OF BOOKS 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A AND 7-B, OF DOUGLAS SECTION OF CORAL GABLES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 34, AT PAGE 32, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH THE REVERSIONARY RIGHTS GRANTED TO DOUGLAS DEVELOPMENT CO. BY DEED FROM DOUGLAS ENTRANCE, INC., CONVEYING THE FOLLOWING PROPERTY: ALL THAT PART OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 54 SOUTH, RANGE 41 EAST, THAT IS BOUNDED AS FOLLOWS: ON THE NORTH BY THE NORTH LINE OF THE SAID SECTION 8, ON THE EAST BY THE EAST LINE OF THE SAID SECTION 8, ON THE SOUTH BY THE CENTER LINE OF AVENUE CALABRIA AND ON THE WEST BY THE CENTER LINE OF GALIANO STREET (REFERENCE HEREIN TO AVENUE CALABRIA AND GALIANO STREET ARE AS SAID STREET AND AVENUE ARE SHOWN ON THE REVISED PLAT OF DOUGLAS SECTION OF CORAL GABLES, PLAT BOOK 34, PAGE 32); AND ALSO THOSE CERTAIN RIGHTS OF WAY CLOSED BY ORDINANCE NO. 992 PASSED AND ADOPTED BY THE CITY OF CORAL GABLES, FLORIDA, ON NOVEMBER 13, 1956.

WHEREAS, the City Commission of the City of Coral Gables on the 25th day of October, 1983 passed and adopted Resolution No. 24461 which authorized the requested variance to encroach over the public right-of-way at the Douglas Entrance Development Project, 800 Douglas Road, with concrete colored keystone finish sidewalks to match the existing pavement on plazas and walkways at the Douglas Entrance Building; tree grates along Galiano and Calabria sidewalk; reinforced stamped, colored concrete driveway at Calabria Avenue Entrance and pergola at main driveway entrance, partially encroaching on Calabria frontage, subject to, among other things, the owner agreeing to (1) maintain the improvements in good repair at all times, (2) replace the stamped concrete design sidewalk, at its expense, in the event the Public Works Department must issue a permit for a utility cut in the area, (3) reserve unto the City of Coral Gables the right to remove, add, maintain or have the owner remove any of the improvements within the right-of-ways, (4) save the City harmless and (5) furnish the City with a policy or certificate of insurance coverage in the minimum limits of \$300,000 each person and \$300,000 each occurrence for bodily injury and \$50,000 each occurrence on property damage or \$300,000 single limit coverage and naming the City as co-insured under such policy. In no event shall owner be personally liable for any occurrence of property damage or personal injury and any liability for any such occurrence shall be limited solely to the interest of the owner in the project subject to incumbrances now or hereafter existing.

NOW, THEREFORE, for good and valuable consideration, the undersigned does hereby declare that it will not convey or cause to be conveyed the title to the above property without subjecting the same to all of the terms and conditions set forth herein.

FURTHER, the undersigned declares that this covenant is intended and shall constitute a restrictive covenant concerning the use, enjoyment and title to the above property and shall constitute a covenant running with the land and shall be binding upon the undersigned, its successors and assigns. Such covenant shall cease to exist upon the removal of the improvements outlined above and approval of the City of Coral Gables.

TRUSTEE does hereby join, intending to be bound thereby, in the execution of the above described instrument.

THIS instrument is executed by the undersigned Trustee, not personally but solely as Trustee under the terms of that certain agreement dated the 31st day of December, 1982, creating Trust No. 5006818 and it is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding, that each and all of the covenants, undertakings, representations and agreements herein made are made and intended, not as personal covenants, under-

PREPARED BY: ROBERT D. ZAHNER, CITY ATTORNEY  
City Hall - 405 Biltmore Way, Coral Gables, Florida 33134

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DECLARATION OF COVENANTS AND EASEMENTS

THIS DECLARATION OF COVENANTS AND EASEMENTS (this "Declaration") is made and entered into this 15 day of November, 2000 by and among DOUGLAS ENTRANCE HOLDINGS LIMITED PARTNERSHIP, a Delaware limited partnership ("Douglas") and "JEFFERSON AT DOUGLAS ENTRANCE L.P." ("Jefferson").

RECITALS

A. Douglas is the owner of that certain real property situated in the City of Coral Gables, Miami-Dade County, Florida, as more fully described on Exhibit "A", attached hereto and made a part hereof (the "Douglas Parcel").

B. Jefferson is the owner of that certain real property situated in the City of Coral Gables, Miami-Dade County, Florida, as more fully described on Exhibit "B", attached hereto and made a part hereof (the "Jefferson Parcel").

C. Jefferson purchased the Jefferson Parcel from Douglas pursuant to that certain Purchase and Sale Agreement by and between Douglas and Jefferson, dated June 14, 1999 (the "Purchase Agreement").

D. The Douglas Parcel and the Jefferson Parcel are located within a mixed use project (the "Project") which is a Development of Regional Impact under Chapter 380, Florida Statutes, and is subject to a City of Coral Gables (the "City") existing Development Order dated March 17, 1992, being Ordinance No. 2976 of the City, as amended (the "Development Order").

E. In order to comply with parking requirements and other obligations contained in the Development Order and imposed by the City, and in accordance with certain terms, conditions and mutual covenants contained in the Purchase Agreement, Douglas and Jefferson have entered into this Declaration to accomplish, *inter alia*, the following matters:

1. That Jefferson will construct on the Jefferson Parcel a parking garage containing not less than 668 parking spaces (the "Parking Garage") pursuant to plans to be pre-approved by Douglas;
2. That Jefferson will grant to Douglas a temporary exclusive easement over and across the Jefferson Parcel for ingress, egress and parking thereon until the Commencement of Construction, as hereinafter defined, of the Parking Garage (the "Temporary Exclusive Parking Easement");
3. That Douglas and Jefferson will designate, as set forth herein, two hundred (200) spaces within the Parking Garage for use by Douglas, its agents, employees, invitees, servants, guests, tenants, and contractors (the "Designated Parking Spaces");

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HARVEY RUVIN, CLERK DADE COUNTY, FL

NOTE: This Declaration of Covenants and Easements is being re-recorded to include and attach the Joinder and Consent of the 2nd Mortgagee

Return to:  
CHICAGO TITLE INSURANCE COMPANY  
300 N. LA SALLE ST. SUITE 100  
CHICAGO, ILLINOIS 60610

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4. That Jefferson will grant to Douglas a perpetual exclusive easement over a portion of the Parking Garage, for use of the Designated Parking Spaces between the hours of 7 a.m. to 7 p.m., Monday through Friday (the "Exclusive Parking Easement");
5. That Jefferson will grant to Douglas a perpetual non-exclusive easement over a portion of the Parking Garage, for use of the Designated Parking Spaces between the hours of 7 p.m. to 7 a.m., Monday through Friday, and 24 hours on Saturday and Sunday (the "Non-Exclusive Parking Easement");
6. That Jefferson will grant to Douglas a perpetual non-exclusive easement over a portion of the Parking Garage, for the use of seventy three (73) parking spaces in the Parking Garage in addition to the Designated Parking Spaces (the "Additional Spaces") seven (7) days a week, twenty-four (24) hours a day;
7. That Jefferson will grant to Douglas a perpetual non-exclusive easement over and across all portions of the Jefferson Parcel reasonably needed for ingress and egress to and from the Designated Parking Spaces and the Additional Spaces (the "Access Easement");
8. That Douglas will grant to Jefferson a landscaping easement (the "Landscaping Easement") for the perpetual use by Jefferson of the area described in Exhibit "C" attached hereto and made a part hereof (the "Landscape Easement Area") for landscaping in connection with the project to be constructed on the Jefferson Parcel;
9. That, if it is determined that the underground parking garage (the "Douglas Garage") currently located on the Douglas Parcel to the west of the Jefferson Parcel actually encroaches on the western boundary of the Douglas Parcel, Jefferson will grant an easement to Douglas permitting such encroachment as provided herein.
10. That Jefferson, at its sole cost and expense, will maintain and repair the Parking Garage and the improvements to the Landscape Easement Area in a manner and condition befitting a first-class property located within the City; and
11. That should the Designated Parking Spaces become unavailable to Douglas due to delay in construction, casualty, renovation, demolition, or any other reason, Jefferson will provide to Douglas temporary parking spaces at another location comparable to the Designated Parking Spaces within the Parking Garage, or to the extent same are not available in the Parking Garage, at another location reasonably acceptable to Douglas.

For and in consideration of the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

#### AGREEMENT

I. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference and made part of this Declaration as though set forth in full.

II. Construction of the Parking Garage. Upon obtaining all necessary governmental approvals, Jefferson shall promptly commence construction of the Parking Garage (the start date of such construction being the "Construction Commencement Date") and shall diligently and in good faith pursue same to completion. In any event, the Parking Garage shall be substantially completed, such that the Designated Parking Spaces are made available to Douglas in accordance with the easements contained in this Declaration, within twenty-four (24) months after the Construction Commencement Date (the "Construction Completion Date").

III. Designation of Parking Spaces. In connection with the review and approval by Douglas of the plans and drawings for construction of the Parking Garage, Douglas and Jefferson shall have identified the exact location of each of the Designated Parking Spaces within the Parking Garage, which shall be on the second, third and fourth floors of the Parking Garage.

#### IV. Easements.

A. Temporary Exclusive Parking Easement. Until the Construction Commencement Date, Douglas shall have the temporary exclusive right to continue to use all of the parking spaces currently existing on the Jefferson Parcel as of the date of the Purchase Contract. Jefferson hereby grants to Douglas and its successors, assigns, agents, employees, invitees, servants, guests, tenants and contractors a temporary, exclusive easement, in, to, over, on and across the Jefferson Parcel for ingress and egress to and from the Jefferson Parcel and for parking consistent with its use of the Jefferson Parcel on the date hereof. This Temporary Exclusive Parking Easement shall terminate on the Construction Commencement Date.

B. Exclusive Parking Easement. Upon completion of construction of the Parking Garage and continuing in perpetuity, Douglas shall have the exclusive right to use the Designated Parking Spaces for parking between the hours of 7 a.m. to 7 p.m., Monday through Friday inclusive (the "Business Hours"). Jefferson hereby grants to Douglas and its successors, assigns, agents, employees, invitees, servants, guests, tenants and contractors a permanent, exclusive easement in, to, over, on and across the Designated Parking Spaces for parking purposes during the Business Hours.

- C. Non-Exclusive Parking Easement, Designated Parking Spaces. Upon completion of construction of the Parking Garage and continuing in perpetuity, Douglas shall have the non-exclusive right to use the Designated Parking Spaces for parking during all hours other than the Business Hours. Jefferson hereby grants to Douglas and its successors, assigns, agents, employees, invitees, servants, guests, tenants and contractors a permanent, non-exclusive easement in, to, over, on and across the Designated Parking Spaces for parking purposes during all hours other than the Business Hours. Douglas acknowledges that such non-exclusive right shall be in common with tenants of Jefferson leasing residences to be constructed upon the Jefferson Parcel.
- D. Non-Exclusive Parking Easement, Additional Spaces. Upon completion of construction of the Parking Garage and continuing in perpetuity, Douglas shall have the non-exclusive right to use the Additional Spaces for parking seven (7) days a week, twenty-four (24) hours a day. Jefferson hereby grants to Douglas and its successors, assigns, agents, employees, invitees, servants, guests, tenants and contractors a permanent, non-exclusive easement in, to, over, on and across the Additional Spaces for parking purposes seven (7) days a week, twenty-four (24) hours a day. Douglas acknowledges that such non-exclusive right shall be in common with tenants of Jefferson leasing residences to be constructed upon the Jefferson Parcel.
- E. Access Easement for Douglas. Upon completion of construction of the Parking Garage and continuing in perpetuity, Douglas shall have the non-exclusive right to access the Designated Parking Spaces and the Additional Spaces via the Parking Garage and other portions of the Jefferson Parcel necessary to reach the Parking Garage. Jefferson hereby grants to Douglas and its successors, assigns, agents, employees, invitees, servants, guests, tenants and contractors a permanent, non-exclusive easement in, to, over, on and across those portions of the Jefferson Parcel (including the Parking Garage) as may be needed for the purpose of vehicular and pedestrian ingress and egress between the Designated Parking Spaces and the Additional Spaces, the Douglas Parcel, and adjacent public streets (such portions of the Jefferson Parcel being the "Access Easement Lands").
- F. Access Easement for Jefferson. During construction of the Parking Garage and continuing in perpetuity, Douglas grants to Jefferson and its successors, assigns, agents, employees, invitees, servants, guests, tenants and contractors the non-exclusive Easement for pedestrian and vehicular access, ingress and egress over and across the Douglas access road, as shown on the sketch attached as Exhibit "D" (the "Access Road") necessary to reach the Parking Garage.

- G. Landscaping Easement. Douglas grants to Jefferson and its successors, assigns, agents, employees, invitees, servants, guests, tenants and contractors a perpetual Landscaping Easement for use of the Landscape Easement Area for landscaping in connection with Jefferson's construction, ownership and operation of its project on the Jefferson Parcel.
- H. Douglas Garage Possible Encroachment. The Douglas Garage is located underground to the west of the Jefferson Parcel, adjacent to the common property boundary line between the Douglas Parcel and the Jefferson Parcel, and the parties currently believe that the Douglas Garage is located wholly on the Douglas Parcel. If it is determined that the Douglas Garage actually encroaches onto the Jefferson Parcel, upon receipt by Jefferson of a written request from Douglas to do so and reasonable proof of the encroachment, Jefferson shall grant an easement to Douglas permitting such encroachment. Such easement shall be on terms and conditions reasonably acceptable to such parties, which may be evidenced by an amendment to this Declaration, by a separate grant of such an easement or in any other manner acceptable to the parties, and shall be limited to the area of the actual encroachment, not to exceed ten (10) feet onto the Jefferson Parcel, along the western boundary of the Jefferson Parcel.

V. Construction Costs. All costs and expenses relating to the construction of the Parking Garage (including the Designated Parking Spaces) and other improvements to be located upon the Jefferson Parcel, or adjacent public or private streets in connection therewith, (including any traffic signals now or hereafter required by any governmental authority) shall be borne solely by Jefferson.

VI. Unavailability of the Designated Parking Spaces. Jefferson acknowledges that it is essential for the profitable operation of the Douglas Parcel, that sufficient parking and a satisfactory means of ingress and egress to such parking exist for the benefit of the tenants and invitees thereof and that adequate parking facilities be established and continuously maintained so as not to interfere with or hinder the operations thereof. Furthermore, it is acknowledged and understood that the initial location and number of the Designated Parking Spaces and Access Easement Lands, and any modification or relocation thereof, may be subject to approval by the City and any other governmental or quasi-governmental agency having jurisdiction relating to the same. Accordingly, commencing on the Construction Commencement Date, and continuing until the Construction Completion Date, and while any Replacement Event, as defined herein, is continuing, JPI covenants to provide for the benefit of Douglas an adequate replacement for the Designated Parking Spaces at a location and in a manner reasonably acceptable to Douglas, and if required, approved by all such governmental agencies having jurisdiction over the same. Each of the following shall be deemed a "Replacement Event:"

- A. In the event any governmental authority fails to approve or subsequently disallows the use of the Parking Garage or existing Designated Parking Spaces, or any replacement thereof, or at any time restricts or prohibits the

full utilization thereof, whether by condemnation or otherwise, in accordance with the intent of this Declaration;

- B. In the event the initial construction of the Parking Garage ceases for a period of more than thirty (30) days;
- C. In the event the Parking Garage is not substantially completed or the Designated Parking Spaces are not made available on or before the Construction Completion Date;
- D. In the event of damage or casualty to the Parking Garage, the Designated Parking Spaces, or the means of access thereto which prevents or restricts the full use thereof (a "Casualty"); or
- E. In the event of a substantial reconstruction, remodeling, redesign, demolition or other voluntary change in or to the Parking Garage, Designated Parking Spaces or the means of access thereto (a "Voluntary Change").

VII. Operation. Jefferson covenants, at its sole cost and expense, to operate the Parking Garage, including the Designated Parking Spaces, the Landscape Easement Area and the Access Easement Lands, in perpetuity in a first class condition, comparable to similar amenities serving other first class mixed-use developments in the City.

- A. Jefferson shall have the right, to the maximum extent permitted by law, to charge for all parking in the Parking Garage other than the use by Douglas or the tenants, business invitees or guests of Douglas (the "Douglas Tenants") of the Designated Parking Spaces, but including the use of the Designated Parking Spaces by persons other than the Douglas Tenants during non-Business Hours and all use of the Additional Parking Spaces, provided that: (1) Jefferson may not charge for the use of the Designated Parking Spaces by the Douglas Tenants, and (2) Douglas shall have the right to, and may, charge the Douglas Tenants for the use of such Designated Parking Spaces in connection with the leases by Douglas to the Douglas Tenants of office space in buildings owned or operated by Douglas adjacent to the Parking Garage and (3) all revenue (the "Douglas Parking Revenue") derived by Douglas from the Douglas Tenants, if any, based upon use of the Designated Parking Spaces, in excess of Twenty-Five Dollars (\$25.00) per Designated Parking Space per month shall be shared equally with Jefferson. On or before the tenth (10<sup>th</sup>) day of each calendar month during the term of this Declaration, Douglas shall provide to Jefferson a statement of the Douglas Parking Revenue and the amount thereof in excess of Twenty-Five Dollars (\$25.00) per Designated Parking Space per month and shall pay fifty percent (50%) of such Douglas Parking Revenue in excess of Twenty-Five Dollars (\$25.00) per Designated Parking Space per month to Jefferson. Jefferson shall have the right to inspect Douglas' books and records relating to the Douglas Parking

Revenue at any time and from time to time and during Business Hours, with two (2) business days prior notice.

- B. In connection with the operation of the Parking Garage, Jefferson may implement parking control measures, including, but not limited to, parking cards, remote control devices, transceivers, signage, patrols and parking attendants (the "Parking Controls") as may be desired by Jefferson. Prior to implementing Parking Controls which affect the Designated Parking Spaces, Jefferson shall obtain the written consent of Douglas, which consent shall not be unreasonably withheld or delayed. While formulating the Parking Controls implementation plan, Jefferson shall confer with Douglas so that the plan is coordinated with the operation of the Douglas Property and for the convenience of the Douglas Tenants. If Jefferson does not implement Parking Controls within ninety (90) days after the opening of the Parking Garage, or ceases use of the Parking Controls at any time for more than thirty (30) days, Douglas shall have the right to plan and implement its own Parking Controls, provided that Douglas shall obtain the written consent of Jefferson, which consent shall not be unreasonably withheld or delayed, before implementing any such Parking Controls.

#### VIII. Maintenance.

- A. Jefferson covenants, at its sole cost and expense, to maintain the Parking Garage, including the Designated Parking Spaces, the Landscape Easement Area and the Access Easement Lands, in perpetuity in a first class condition, comparable to similar amenities serving other first class mixed-use developments located in the City. In connection therewith, Jefferson shall, from time to time, perform such repairs and replacements as may be necessary and/or appropriate including, but not limited to re-stripping, drainage, landscaping, signage relating to traffic control and similar maintenance and repairs. Jefferson hereby agrees to use its best efforts not to unreasonably interfere with any of the Easements granted herein in connection with the foregoing maintenance activities.
- B. In case of any Casualty or Voluntary Change, it is agreed that Jefferson must first secure the written approval of Douglas (as hereinafter provided) as to concept and design of the proposed construction, repairs or improvements to the Parking Garage and/or the Access Easement Lands (the "Contemplated Improvements"). Jefferson shall, at its sole expense, cause to be prepared and delivered to Douglas, on or before (i) the date which is no later than sixty (60) days after the date of the casualty, in case of a Casualty, or (ii) a date at least ninety (90) days prior to the anticipated commencement of construction (in either case, the "Plan Delivery Date"), detailed plans and drawings for the Contemplated Improvements, in form reasonably satisfactory to Douglas (the "Plans"). Douglas shall have the right to review and approve the Plans.

Douglas may reject the Plans if, in its reasonable judgment the Plans (i) do not make adequate provision for the Designated Parking Spaces in convenient and accessible locations, (ii) provide for any improvements or alterations that may have an adverse impact on the Project, or (iii) do not provide for architectural and aesthetic details that are consistent with those for the balance of the Project. If Douglas rejects the Plans for any reason, Douglas shall, within ten (10) days after Jefferson has submitted the complete Plans to Douglas, provide written notice to Jefferson specifying in reasonable detail the reasons for such rejection and, if Douglas fails to provide such notice to Jefferson, the Plans shall be deemed approved by Douglas after such ten (10) days. If the Plans are so rejected, Jefferson shall then cause to be prepared and delivered to Douglas revised Plans addressing the reasonable concerns of Douglas. If Jefferson, disagrees with any objections to the original Plans or any revised Plans, Jefferson and Douglas shall attempt in good faith to agree upon mutually acceptable revisions prior to the date which is sixty (60) days after the Plan Delivery Date (the "Plan Approval Deadline"). If Douglas at any time approves, or is deemed to have approved, of the original or revised Plans (such Plans, as approved, being hereinafter referred to as the "Approved Plans"), Douglas shall give written notice to Jefferson confirming such approval ("Plan Approval"). If Douglas fails for any reason to give Plan Approval to Jefferson prior to 5:00 p.m. on the Plan Approval Deadline, then at the request of either party, the matter will be determined by arbitration in the following manner:

- 1: The party desiring arbitration will give written notice to that effect to the other party and will in such notice appoint a disinterested person as one of the arbitrators. Within fifteen (15) days thereafter, the other party will, by written notice to the original party, appoint a second disinterested person as an arbitrator. The two arbitrators, each of whom shall be a professionally licensed architect and have substantial experience and familiarity with substantial commercial real estate projects in the City, will appoint a third disinterested person as an arbitrator (having the same professional qualifications as the other two arbitrators) and the three arbitrators will as promptly as possible determine the disputed matter; provided, however, that (i) if the second arbitrator is not appointed within the time period as aforesaid, the first arbitrator alone will determine such matter; and (ii) if the two arbitrators appointed by the parties are unable to agree, within fifteen (15) days after the appointment of the second arbitrator, upon the appointment of a third arbitrator, they will give written notice of such failure to agree to the parties hereto and, if the parties fail to agree upon the selection of such third arbitrator within fifteen (15) days after the arbitrators appointed by the parties give notice as aforesaid, then within ten (10) days thereafter either of the parties upon written notice to the other party hereto may request such appointment by the

branch of the American Arbitration Association servicing the district in which Miami-Dade County is located.

2. The determination of the majority of the arbitrators or of the sole arbitrator, as the case may be, will be conclusive upon the parties and judgment upon the same may be entered in any court having jurisdiction thereof. The arbitrator(s) shall give written notice to the parties stating their determination and shall furnish to each party a copy of such determination signed by them.
3. Except as otherwise provided herein, the allocation of expenses of arbitration shall be included in the final determination of the arbitrators.
4. In the case of a Voluntary Change, nothing herein contained shall prevent Jefferson from withdrawing the Plans at any time during or following the arbitration procedures established hereby provided that Jefferson will, in such event, pay to Douglas an amount equal to its reasonable attorneys fees and professional fees and costs incurred as a result of the arbitration procedure.

C. With respect to the performance of any maintenance, construction, reconstruction and/or other work (collectively, the "Work") upon the Designated Parking Spaces, the Parking Garage, the Landscape Easement Area or the Access Easement Lands, Jefferson shall:

1. Secure the necessary permits for and construct the Work in a good and workmanlike manner befitting a first-class property located within the City. Any plans and specifications required to be submitted to any governmental authorities shall be subject to the prior written approval of Jefferson, which approval shall not be unreasonably withhold or delayed;
2. Comply with all ordinances, orders, rules, regulations and requirements, of all federal, state and municipal governments, courts, departments, commissions, boards and officers and all orders, rules and regulations of any other body exercising similar controls which may be applicable to the construction and/or maintenance of the Work;
3. Diligently pursue construction of the Work and substantially complete the same within a reasonable time after receipt of the building permit therefor.

IX. Public Dedication. The Parties hereto consent to the right of Jefferson to periodically cause the use of the Access Easement Lands to be restricted and/or closed in order to prevent the same from becoming a public thoroughfare (but for no other purpose). In connection with the foregoing, Jefferson agrees to use its best efforts not to unreasonably interfere with business activities conducted upon the Douglas Parcel. In the event Jefferson, in its sole discretion, elects to cause the Access Easement Lands to be dedicated to the public, then in that event Douglas agrees to cooperate with respect to the same and execute such documentation as may be reasonably required therefor.

X. Signage Easement. Jefferson hereby grants to Douglas an easement for signage on the Jefferson Parcel, to be located on a monument sign on a parcel of land generally located at the corner of Douglas and Calabria roads and described in Exhibit "E" attached hereto (the "Signage Easement"). Douglas shall install, pay for and maintain any sign placed on the Signage Easement, in a first class manner in compliance with all City requirements at the sole cost and expense of Douglas. Jefferson hereby grants Douglas an easement over such portions of the Jefferson Parcel reasonably necessary to cross in order to maintain the signage. Douglas shall utilize such easement only for the purpose of maintaining of the signage.

XI. Use and Benefit. This Declaration shall not, in any instance constitute a third party beneficiary agreement for the benefit of the public at large or any municipality and is limited to the use, rights and obligations of the parties specifically named herein, their successors, legal representatives and assigns.

XII. Title. Jefferson shall not do any act which shall in any way encumber the title of the Douglas Parcel or in any way subject the Douglas Parcel to any claim by way of lien or encumbrance, whether by operation of law or by virtue of any express or implied contract by Jefferson.

XIII. Douglas shall not do any act which shall in any way encumber the title of the Jefferson Parcel or in any subject the Jefferson Parcel to any claim by way of lien or encumbrance, whether by operation of law or by virtue of any express or implied contract by Douglas.

XIV. Indemnification. The Parties do hereby agree to indemnify and hold each other harmless against and from all liabilities, obligations, damages, penalties, claims, liens, costs, charges and expenses, including reasonable attorneys fees, which may be imposed upon or incurred by or asserted against the party being indemnified by reason of any of the following uses of the Parking Garage, the Designated Parking Spaces, or the Access Easement Lands by the party against whom the indemnification is sought, its respective agents, contractors, servants, employees, tenants, subtenants, concessionaires, subcontractors, licensees, invitees and/or any other party or agent utilizing the Parking Garage, the Designated Parking Spaces, or the Access Easement Lands through or on behalf of such indemnifying party:

- A. Any work or thing done in, on or about the Parking Garage, the Designated Parking Spaces, or the Access Easement Lands or any part thereof;

- B. Any use, possession, occupation, condition, operation, maintenance or management of the Parking Garage, the Designated Parking Spaces, or the Access Easement Lands or any part thereof or of any adjoining street, parking area, driveway, sidewalk, curb or passageway;
- C. Any negligence on the part of any of the parties hereto, their agents, contractors, servants, employees, subcontractors, licensees or invitees;
- D. Any accident, injury or damage to any person or property occurring in, or about the Parking Garage, the Designated Parking Spaces, or the Access Easement Lands or any part thereof, or on any adjoining street, driveway, sidewalk, curb or passageway; or
- E. Any failure on the part of any of the parties hereto to perform or comply with any of the covenants, agreements, terms or conditions contained in this Declaration.

In the event that any action or proceeding is brought against any party by reason of such claim, the indemnifying party will, upon written notice, at its cost and expense, resist or defend such action or proceeding, including attorney's fees through appeal, by counsel selected by the indemnified party, subject to the reasonable approval of the other party in writing.

XV. Insurance. Jefferson shall obtain comprehensive general liability and property damage insurance covering the Parking Garage, the Designated Parking Spaces, and the Access Easement Lands. Such insurance policies shall name Douglas (and any ground lessor and/or mortgagees of record) as additional named insureds and shall protect against any and all liability occasioned by accident or disaster in an amount not less than Ten Million Dollars (\$10,000,000.00) in respect of death or injury to any number of persons resulting from an accident and an amount not less than Three Million Dollars (\$3,000,000.00) for property damage caused as a result of the use of the Parking Garage, the Designated Parking Spaces, or the Access Easement Lands. Certificates of insurance containing a statement that such coverage may not be canceled without at least thirty (30) days notice to each additional insured shall be delivered to Douglas. All such insurance shall be issued by insurance companies duly authorized and licensed to do business in the State of Florida and reasonably acceptable to Douglas.

XVI. Default. In the event any party (i) fails to perform the maintenance, repairs and replacements as contemplated herein, (ii) fails to properly complete the construction of the Parking Garage or other improvements within the time periods set forth herein, (iii) fails to make a payment as provided herein, or (iv) is otherwise in default hereunder, then in that event the non-defaulting party shall have the right, without the obligation to do so, to perform and complete the same for the account and at the expense of defaulting party, with twenty-four (24) hour notice in a case of emergency and in any other case only if such default continues after the expiration of fifteen (15) days from the date the defaulting party receives written notice of the default. Any costs, fees or expenses incurred by the non-defaulting party as a result of the foregoing default, shall be reimbursed by the defaulting party within fifteen (15) days after receipt of written notice of the

amount thereof, together with appropriate supporting documentation. In the event the same is not paid, then in that event the non-defaulting party shall be entitled to receive interest on the amount to be reimbursed at the highest contract rate permitted under Florida law from the date due until received. In addition to, and not in limitation of the foregoing, either party hereto may seek specific performance or injunctive relief against the defaulting party or seek any other remedies available under and pursuant to Florida law. The prevailing party in any action permitted hereunder shall be entitled to receive reimbursement of all of its costs including but not limited to reasonable attorneys fees through and including all appeals and post judgment proceedings.

XVII. Notices. Any and all notices required or permitted to be served pursuant to the terms of this Declaration shall be in writing, effective upon receipt and shall be (i) served by registered or certified mail, with return receipt requested and postage prepaid, (ii) mailed by Federal Express or other commercially recognized overnight mail service, postage prepaid, (iii) hand delivered, or (iv) delivered by facsimile transmission, as follows:

As to Douglas: Douglas Entrance Holdings Limited Partnership  
c/o Louis Dreyfus Corporation  
800 Douglas Entrance, Executive Tower  
5th Floor  
Coral Gables, Florida  
Attention: Ron Paul, Vice President  
Telephone: (305) 444-1941  
Facsimile: (305) 443-9972

With a copy to: Shutts & Bowen LLP  
201 South Biscayne Boulevard  
Suite 1600  
Miami, Florida 33131  
Attention: Judith A. Burke, Esq.  
Telephone: (305) 358-6300  
Facsimile: (305) 381-9982

As to Jefferson: Jefferson at Douglas Entrance, L.P.  
600 East Las Colinas Blvd.  
Suite 1800  
Irving, Texas 75039  
Attention: David C. Ward  
Telephone: (972) 556-3776

Facsimile: (972) 556-3765

With a copy to: Jefferson at Douglas Entrance, L.P.  
7900 Glades Road  
Suite 520  
Boca Raton, Florida 33434  
Attention: Regional Partner  
Telephone: (561) 479-3200  
Facsimile: (561) 479-0201

and

McManemin & Smith, P.C.  
600 North Pearl Street  
Suite 1600  
Dallas, Texas 75201  
Attention: Walter H. Allen, Esq.  
Telephone: (214) 979-0667  
Facsimile: (214) 979-0695

XXVIII. Waiver. The failure of any Party to insist in any one or more instances upon the strict performance of any one or more of their obligations contained herein or to exercise any election herein contained, shall not be construed as a waiver or relinquishment for the future of the performance of such one or more obligations of this Declaration or of the right to exercise such election, but this Declaration shall continue and remain in full force and effect with respect to any subsequent breach, act or omission.

XIX. Successors or Assigns. The provisions of this Declaration shall be binding upon and shall inure to the benefit of the parties hereto, and each of their respective representatives, successors and assigns.

XX. Florida Law. This Declaration shall be governed by and construed in accordance with the laws of the State of Florida.

XXI. Force Majeure. The time periods as aforesaid shall be extended for the period of time performance may be delayed by reason of strike, other labor trouble, governmental preemption of priorities or other controls in connection with a national or other public emergency or shortages, of fuel, supplies, labor or materials, or any other cause, whether similar or dissimilar, beyond Jefferson's reasonable control.

XXII. Enforceability of Provisions. If any provision of this Declaration or the application thereof to any person or circumstance shall, for any reason and to any extent be invalid or unenforceable, the remainder of this Declaration and the application of that provision to other persons or circumstances shall not be affected but rather shall be enforced to the extent permitted by law.

XXIII. Captions. The captions, headings and titles in this Declaration are solely for

OFF. REC. 19369 PG. 1871

OFF REC 19571 PG. 1251

convenience of reference and shall not affect its interpretation.

XXIV. Construction. This Declaration shall be construed without regard to any presumption or other rule requiring construction against the party causing this Declaration to be drafted. All terms and words used in this Declaration, regardless of the number or gender in which they are used, shall be deemed to include any other number and any other gender as the context may require.

XXV. Binding Nature of Easements. The easements and other rights herein granted and the covenants herein set forth shall touch and concern and run with the land and be binding upon the lands described herein.

XXVI. Estoppel Certificates. Either party hereto, upon the request of the other party, from time to time, will execute and deliver, without charge, a recordable certificate certifying whether this Declaration is valid and subsisting and in full force and effect, whether it has been modified (and, if so, identifying such modifications), whether and to what date any sums due hereunder have been paid (and, if not paid, certifying the amount thereof which may be due, if any) and whether such party knows of any default, breach or violation by any other party under the terms of this Declaration and, if so, specifying the precise nature thereof.

IN WITNESS WHEREOF, the parties have caused these presents to be duly executed as of the day and year first above written .

Signed, sealed and delivered in the presence of:

DOUGLAS ENTRANCE HOLDINGS LIMITED PARTNERSHIP, a Delaware limited partnership

By: DWS Florida Holdings, Inc., a Delaware corporation, General Partner

Eileen Glasser  
Print Name: Eileen Glasser

By: [Signature]  
Name: Richard Berubeau  
Its: vice president

Jenette Settino  
Print Name: Jenette Settino

Date November 9, 2000



*[Handwritten signature]*

Print Name: Kathy Ferruya

*[Handwritten signature]*

Print Name: Irene J. Greiner

Jefferson at Douglas Entrance, L.P., a Delaware limited partnership

By: JPI Genpar Realty LLC, a Delaware limited liability company, general partner

By: Scot M. McLaughlin

Name: Scot M. McLaughlin

Title: Senior Vice President

STATE OF Texas )  
 ) SS:  
COUNTY OF Dallas )

The foregoing instrument was acknowledged before me this 9th day of November, 2000, by Scot McLaughlin, as Senior Vice President of JPI GENPAR REALTY LLC, a Delaware limited liability company, as General Partner of JEFFERSON AT DOUGLAS ENTRANCE, L.P., a Delaware limited partnership, on behalf of the company and the partnership. He/She is personally known to me or produced \_\_\_\_\_ as identification, and did/did not take an oath.

Rita Gehlsen  
Notary Public State of \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Serial No., if any: \_\_\_\_\_

My Commission Expires:

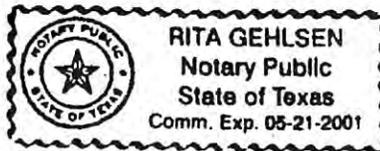






EXHIBIT "A"**Douglas Parcel Legal Description**

Beginning at a point 35.00 feet South of and 35.00 feet West of the Northeast corner of Section 8, Township 54 South, Range 41 East, Dade County, Florida; thence run North 89 degrees 59 minutes 45 seconds West along a line 35.00 feet South of and parallel with the North line of the Northeast 1/4 of said Section 8, for a distance of 623.75 feet to a point of intersection with the Easterly Right-of-Way line of Galliano Street as shown on the "THE REVISED PLAT OF BLOCKS 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A, and 7-B, of DOUGLAS SECTION OF CORAL GABLES", according to the Plat thereof recorded in Plat Book 34, at Page 32, of the Public Records of Dade County, Florida; thence run South 00 degrees 08 minutes 29 seconds East along the East Right-of-Way line of said Galliano Street, for a distance of 540.31 feet to a point of intersection with the North Right-of-Way line of Avenue Calabria as shown on said Revised Plat of Douglas Section of Coral Gables; thence run East along the North Right-of-Way line of Avenue Calabria, for a distance of 632.71 feet to a point of intersection with a line 35 feet West of and parallel with the East line of the Northeast 1/4 of said Section 8; thence run North 00 degrees 01 minutes 51 seconds West along said line for a distance of 540.27 feet to the Point of Beginning.

**LESS AND EXCEPT**

The land conveyed to the State of Florida for the use and benefit of the State of Florida Department of Transportation, by Deeds recorded in Official Records Book 12676, at Page 110 and Official Records Book 12676, at Page 112.

**ALSO DESCRIBED AS FOLLOWS:**

Blocks 1, 2, 3, 4 and Lot "K" of "THE REVISED PLAT OF BLOCKS 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A, and 7-B, of DOUGLAS SECTION OF CORAL GABLES", according to the Plat thereof recorded in Plat Book 34, at Page 32, of the Public Records of Dade County, Florida; together with the reversionary rights granted to Douglas Development Co. by Deed from Douglas Entrance Inc., conveying the following property:

All that part of the North 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 8, Township 54 South, Range 41 East that is bounded as follows: On the North by the North line of the said Section 8, on the East by the East line of the said Section 8, on the South by the center line of Avenue Calabria and on the West by the center line of Galliano Street (reference herein to Avenue Calabria and Galliano Street are as said street and avenue are shown on the Revised Plat of Douglas Section of Coral Gables, Plat Book 34, at Page 32); and also those certain rights of way closed by Ordinance No. 992 passed and adopted by the City of Coral Gables, Florida on November 13, 1956.

**LESS AND EXCEPT**

The land conveyed to the State of Florida for the use and benefit of the State of Florida Department of Transportation, by Deeds recorded in Official Records Book 12676, at Page 110 and Official Records Book 12676, at Page 112.

**AND LESS AND EXCEPT**

A portion of Block 3, THE REVISED PLAT OF BLOCKS 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A AND 7-B of DOUGLAS SECTION OF CORAL GABLES, according to the Plat thereof as recorded in Plat Book 34, at Page 32, of the Public Records of Miami-Dade County, Florida, and a portion of Ponce de Leon Boulevard East and Calabria Court, closed by Ordinance No. 992 passed and adopted by the City of Coral Gables, Florida on November 13, 1956, all being more particularly described as follows:

Begin at the Southeast corner of said Block 3 the same being a recovered permanent control point; thence run North  $00^{\circ}01'51''$  West along a line 35 feet West of and parallel with the East line of the Northeast 1/4 of Section 8, Township 54 South, Range 41 East, Miami-Dade County, Florida, for a distance of 169.29 feet to a set permanent control point; thence run West along a line 169.29 feet North of and parallel with the South line of said Block 3, for a distance of 323.36 feet to a set permanent control point; thence run South  $44^{\circ}01'41''$  West for a distance of 235.46 feet to a point of intersection with the North right-of-way line of Avenue Calabria as shown on said Revised Plat of Douglas Section of Coral Gables the same being a set permanent control point; thence run East along the North right-of-way line of Avenue Calabria and the South line of said Block 3, for a distance of 487.09 feet to the Point of Beginning.

EXHIBIT "B"**Jefferson Parcel Legal Description**

A portion of Block 3, THE REVISED PLAT OF BLOCKS 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A AND 7-C of DOUGLAS SECTION OF CORAL GABLES, according to the Plat thereof as recorded in Plat Book 34, at Page 32, of the Public Records of Miami-Dade County, Florida, and a portion of Ponce de Leon Boulevard East or Calabria Court closed by Ordinance No. 992 passed and adopted by the City of Coral Gables, Florida on November 13, 1956, all being more particularly described as follows:

Begin at the Southeast corner of said Block 3 the same being a recovered permanent control point; thence run North  $00^{\circ}01'51''$  West along a line 36 feet West of and parallel with the East line of the Northeast 1/4 Section 8, Township 54 South, Range 41 East, Miami-Dade County, Florida, for a distance of 169.29 feet to a set permanent control point; thence run West along a line 169.29 feet North of and parallel with the South line of said Block 3, for a distance of 323.36 feet to a set permanent control point; thence run South  $44^{\circ}01'41''$  West for a distance of 235.45 feet to a point of intersection with the North right-of-way line of Avenue Calabria as shown on said Revised Plat of Douglas Section of Coral Gables the same being a set permanent control point; thence run East along the North right-of-way line of Avenue Calabria and the South line of said Block 3, for a distance of 487.09 feet to the Point of Beginning.

EXHIBIT "C"

Landscape Easement Area

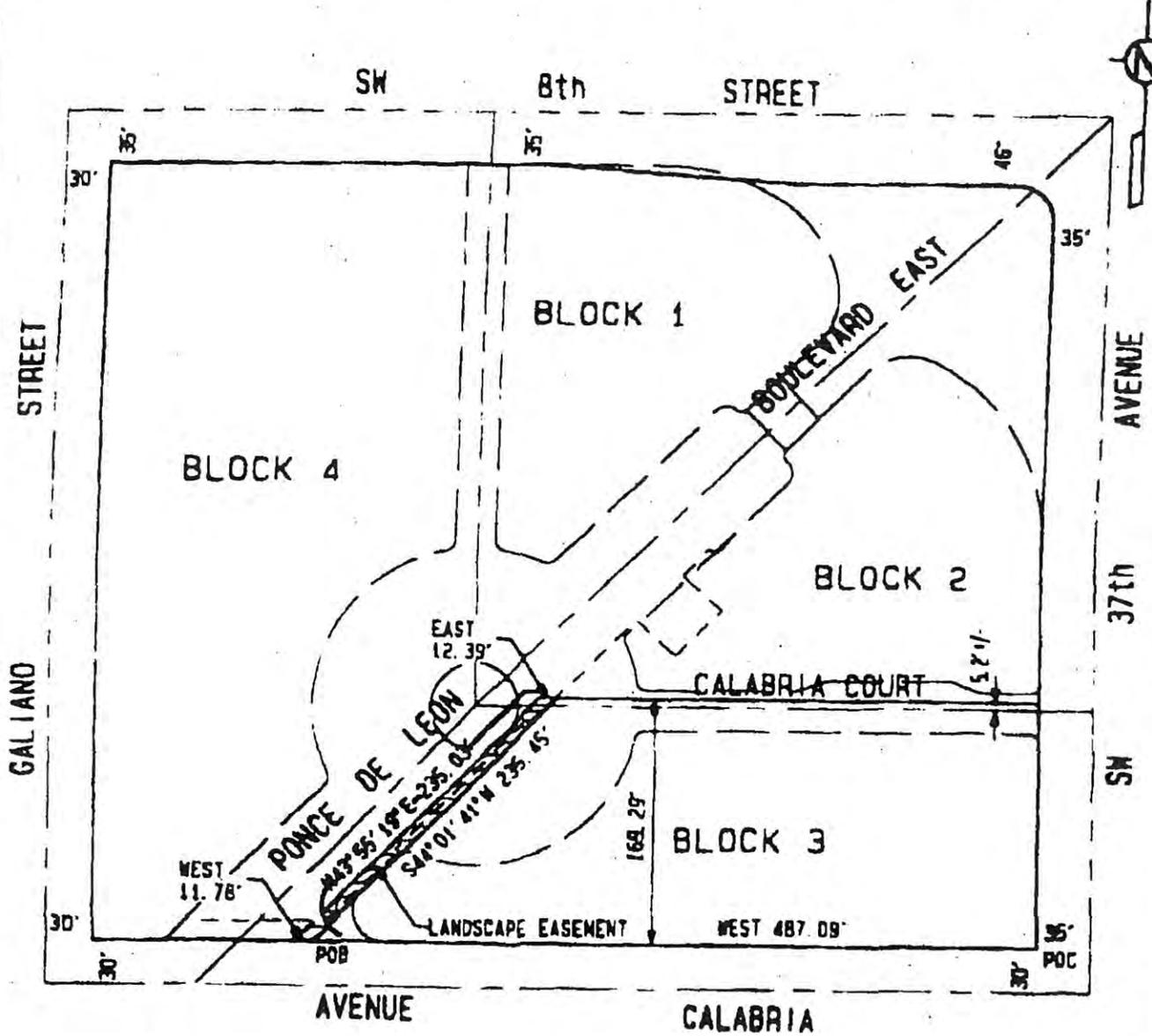
**LEGAL DESCRIPTION:**

A portion of Block 3, of THE REVISED PLAT OF BLOCKS 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A and 7-B of DOUGLAS SECTION OF CORAL GABLES, according to the plat thereof as recorded in Plat Book 34, at Page 32, of the Public Records of Miami-Dade County, Florida; and a portion of Ponce de Leon Boulevard East and Calabria Court closed by Ordinance No. 992 passed and adopted by the City of Coral Gables, Florida on November 13, 1956, all being more particularly described as follows:

Commence at the Southeast corner of said Block 3; thence run West along the South line of said Block 3 and the North right-of-way line of Avenue Calabria as shown on said Revised Plat of Douglas Section of Coral Gables, for a distance of 487.06 feet to the Point of Beginning of the landscape easement hereinafter described; thence continue West along the North right-of-way line of Avenue Calabria, for a distance of 11.78 feet to a point; thence run North  $43^{\circ}55'19''$  East for a distance of 235.03 feet to a point; thence run East along a line 169.29 feet North of and parallel with the South line of said Block 3; for a distance of 12.39 feet to a point; thence run South  $44^{\circ}01'41''$  West for a distance of 235.45 feet more or less to the Point of Beginning; containing 2,048 square feet more or less

Also depicted on the attached "Sketch to Accompany Legal Description" prepared by E. R. Brownell & Associates dated 05-25-00.

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



THIS IS NOT A BOUNDARY SURVEY

BY:

THE REVISED PLAT OF BLOCKS  
 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C  
 6, 6-A, 7, 7-A AND 7-B  
 DOUGLAS SECTION OF CORAL GABLES  
 (PB 34 PG 32)

**E. R. BROWNELL & ASSOCIATES, INC.**

LAND SURVEYORS - CONSULTING ENGINEERS  
 3152 CORAL WAY MIAMI, FL 33145 (305) 446-3511

|            |                |       |
|------------|----------------|-------|
| DR. BY: TB | DATE: 05-25-00 | SK. ° |
|------------|----------------|-------|

|            |                |
|------------|----------------|
| JOB: 64441 | SCALE: 1"=100' |
|------------|----------------|

**SM-1330S**

EXHIBIT "D"

## Access Easement

A portion of Block 2, of THE REVISED PLAT OF BLOCKS 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A and 7-B of DOUGLAS SECTION OF CORAL GABLES, according to the plat thereof as recorded in Plat Book 34, at Page 32, of the Public Records of Miami-Dade County, Florida; and a portion of Ponce de Leon Boulevard East, Park Circle and Calabria Court closed by Ordinance No. 992 passed and adopted by the City of Coral Gables, Florida on November 13, 1956, all being more particularly described as follows:

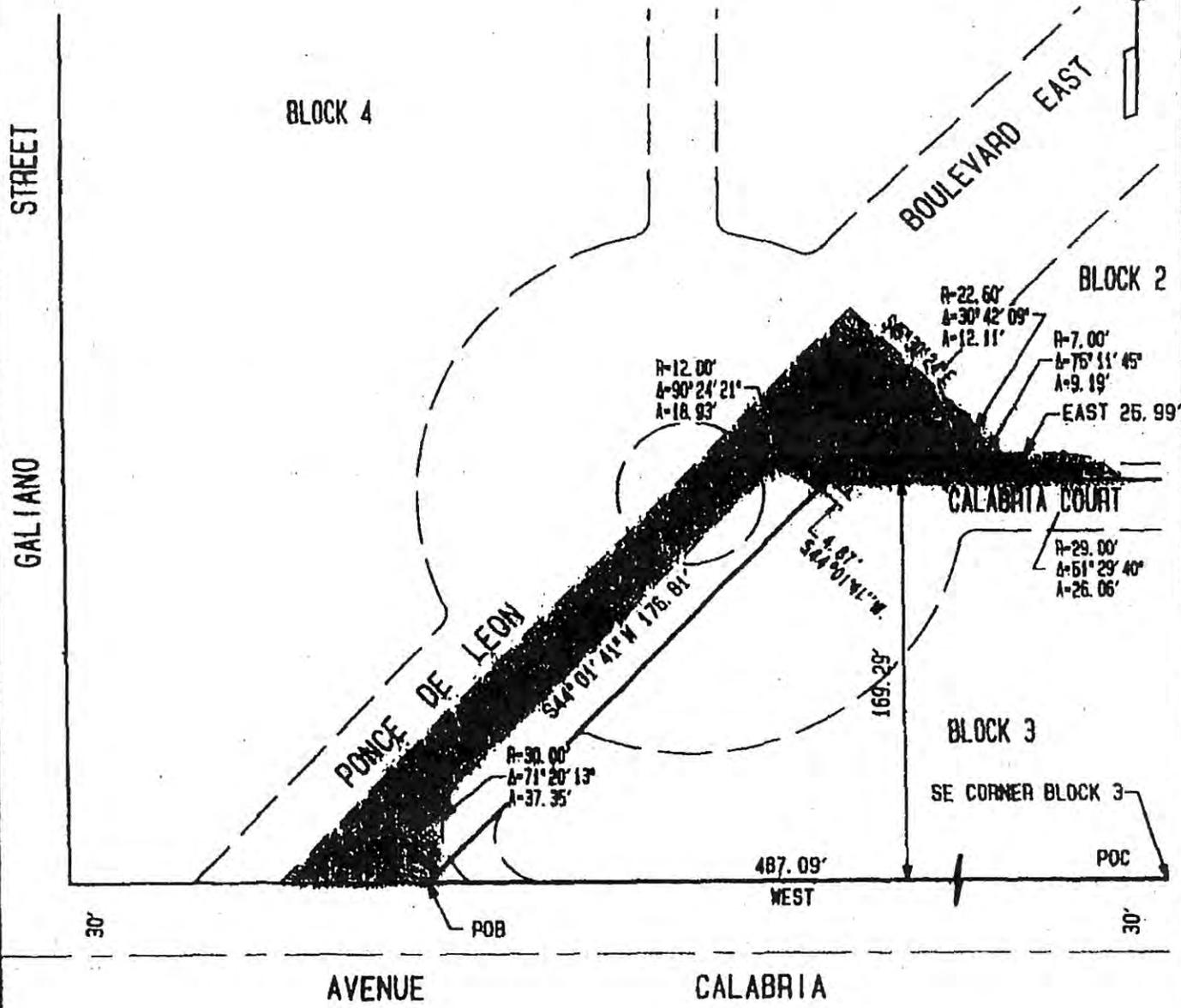
Commence at the Southeast corner of Block 3 in the said revised plat; thence run West along the South line of said Block 3 and the North right-of-way line of Avenue Calabria, for a distance of 487.09 feet to the Point of Beginning of the Easement Parcel hereinafter described; thence continue West along the North right-of-way line of Avenue Calabria, for a distance of 60.38 feet to a point; thence run North 44°01'41" East for a distance of 335.32 feet to a point; thence run South 45°30'24" East for a distance of 64.65 feet to a point of curvature; thence run Southeasterly along a circular curve to the right having a radius of 22.60 feet and a central angle of 30°42'09" for an arc distance of 12.11 feet to a point of reverse curvature; thence run Southeasterly along a circular curve to the left having a radius of 7.00 feet and a central angle of 75°11'45" for an arc distance of 12.11 feet to a point of tangency; thence run East for a distance of 25.99 feet to a point of curvature; thence run Southeasterly along a circular curve to the right having a radius of 29.00 feet and a central angle of 51°29'40" for an arc distance of 26.06 feet to a point of intersection with a line 169.29 feet North of and parallel with the South line of said Block 3; thence run West along a line parallel with the South line of said Block 3, for a distance of 116.63 feet to a point; thence run South 44°01'41" West for a distance of 4.87 feet to a point; thence run North 45°33'58" West for a distance of 8.32 feet to a point of curvature; thence run Westerly along a circular curve to the left having a radius of 12.00 feet and a central angle of 90°24'21" for an arc distance of 12.11 feet to a point of tangency; thence run South 44°01'41" West for a distance of 176.81 feet to a point of curvature; thence run Southwesterly along a circular curve to the left having a radius of 30.00 feet and a central angle of 71°20'13" for an arc distance of 37.35 feet to a point of intersection with the North right-of-way line of Avenue Calabria and the Point of Beginning; containing 11,409 square feet more or less.

Also depicted on the attached "Sketch to Accompany Legal Description" prepared by E. R. Brownell & Associates, SK # SM-1410A, dated 11-09-00

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

OFF. REC. 19369 PG 1881

OFF. REC 19571 PG. 1262



THIS IS NOT A BOUNDARY SURVEY

BY :

THE REVISED PLAT OF BLOCKS  
 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C  
 6, 6-A, 7, 7-A AND 7-B  
 DOUGLAS SECTION OF CORAL GABLES  
 (PB 34 PG 32)

**E. R. BROWNELL & ASSOCIATES, INC.**  
 LAND SURVEYORS - CONSULTING ENGINEERS  
 3152 CORAL WAY MIAMI, FL 33145 (305)446-3511

|             |                 |                 |
|-------------|-----------------|-----------------|
| DR. BY : TB | DATE : 11-09-00 | SK. °           |
| JOB • 54441 | SCALE: 1"=60'   | <b>SM-1410A</b> |

EXHIBIT "E"

## Signage Easement Location Description

A portion of Block 3, of THE REVISED PLAT OF BLOCKS 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A and 7-B of DOUGLAS SECTION OF CORAL GABLES, according to the plat thereof as recorded in Plat Book 34, at Page 32, of the Public Records of Miami-Dade County, Florida, all being more particularly described as follows:

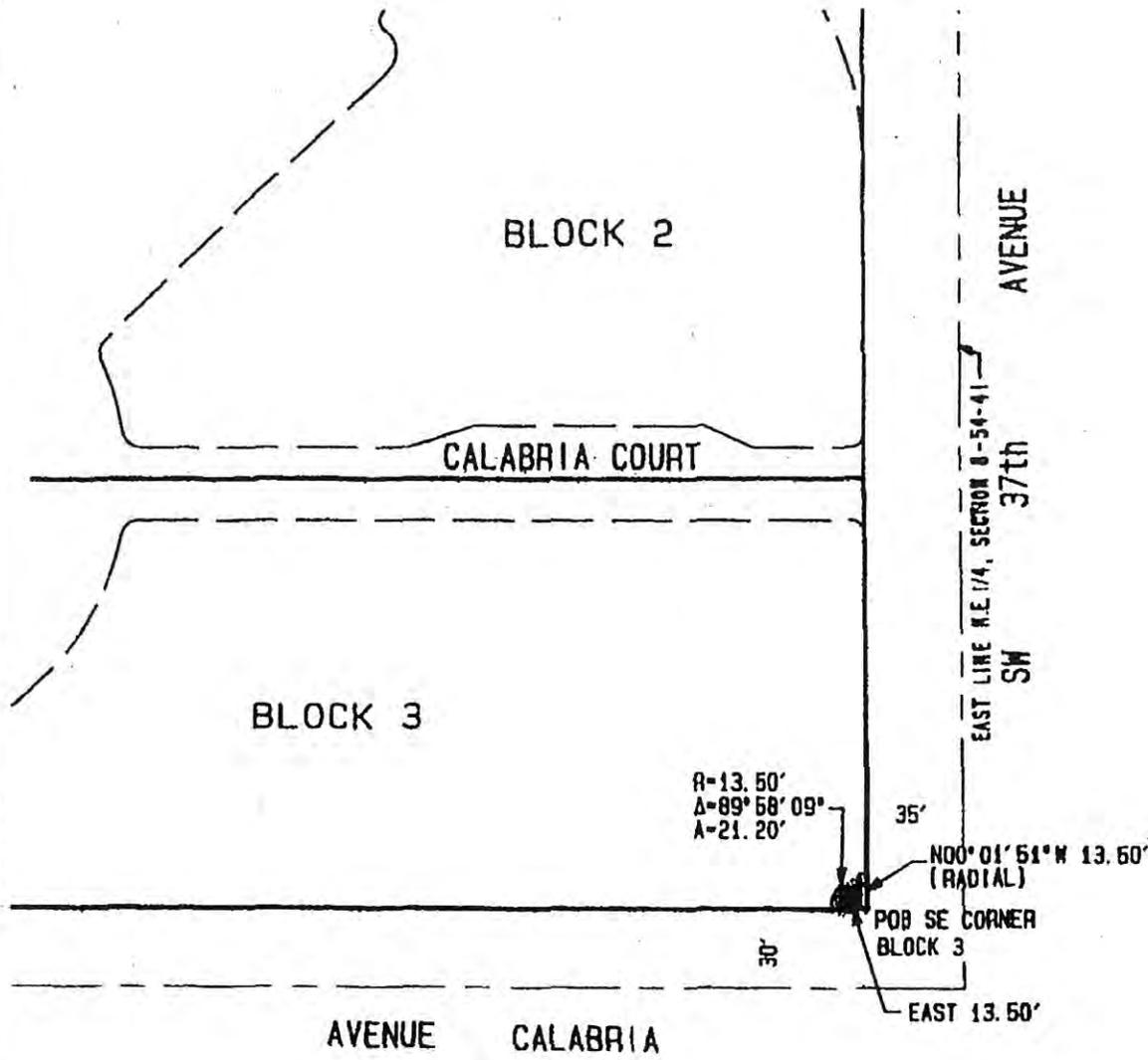
Begin at the Southeast corner of said Block 3; thence run North  $00^{\circ}01'51''$  West along a line 35 feet West of and parallel with the East line of the Northeast  $\frac{1}{4}$  of Section 8, Township 54 South, Range 41 East, Miami-Dade County, Florida along a line radial to the next described curve, for a distance of 13.50 feet to a point; thence run Southwesterly, along a circular curve to the left having a radius of 13.50 feet and a central angle of  $89^{\circ}58'09''$  for an arc distance of 21.20 feet to a point of intersection with the South line of said Block 3; thence run East along the South line of said Block 3, for a distance of 13.50 feet to the Point of Beginning.

Also depicted on the attached "Sketch to Accompany Legal Description" prepared by E. R. Brownell & Associates, SK # SM-1410B, dated 11-09-00

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

OFF REC 19571 PG. 1264

OFF. REC. 19369 1883



R=13.50'  
Δ=89°58'09"  
A=21.20'

35'  
N00°01'51"W 13.50'  
(RADIAL)

POB SE CORNER  
BLOCK 3

EAST 13.50'

RECORDED IN OFFICIAL RECORDS BOOK  
OF DADE COUNTY, FLORIDA  
RECORD VERIFIED  
HARVEY RUVIN  
CLERK CIRCUIT COURT

RECORDED IN OFFICIAL RECORDS BOOK  
OF DADE COUNTY, FLORIDA  
RECORD VERIFIED  
HARVEY RUVIN  
CLERK CIRCUIT COURT

THIS IS NOT A BOUNDARY SURVEY

BY :

THE REVISED PLAT OF BLOCKS  
4, 4-A, 4-B, 5, 5-A, 5-B, 5-C  
6, 6-A, 7, 7-A AND 7-B  
DOUGLAS SECTION OF CORAL GABLES  
(PB 34 PG 32)

|   |                 |          |
|---|-----------------|----------|
| E. R. BROWNELL & ASSOCIATES, INC.             |                 |          |
| LAND SURVEYORS - CONSULTING ENGINEERS         |                 |          |
| 3152 CORAL WAY MIAMI, FL 33145 (305) 446-3511 |                 |          |
| DR. BY : TB                                   | DATE : 11-09-00 | SK. °    |
| JOB # 54441                                   | SCALE: 1"=60'   | SM-1410B |



March 29, 2015

Historical Resources &  
Cultural Arts

2327 SALZEDO STREET  
CORAL GABLES  
FLORIDA 33134

☎ 305.460.5093  
✉ hist@coralgables.com

Banyan Street Gap Douglas Ent Own LLC  
777 Brickell Avenue, Suite 1100  
Miami, FL 33131

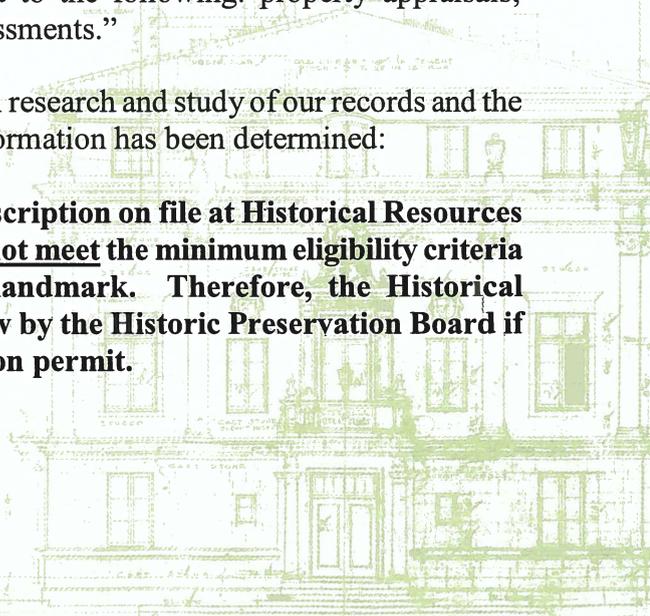
Re: 3770 S.W. 8<sup>th</sup> Street, lengthy legal description on file at Historical Resources and Cultural Arts Department

Dear Sirs:

Section 3-1107(g) of the Coral Gables Zoning Code states that “All demolition permits for non-designated buildings and/or structures must be approved by the Historic Preservation Officer or designee. The approval is valid for six (6) months from issuance and shall thereafter expire and the approval is deemed void unless the demolition permit has been issued by the Development Services Department. The Historic Preservation Officer may require review by the Historic Preservation Board if the building and/or structure to be demolished is eligible for designation as a local historic landmark or as a contributing building, structure or property within an existing local historic landmark district. This determination of eligibility is preliminary in nature and the final public hearing before the Historic Preservation Board on Local Historic Designation shall be within sixty (60) days from the Historic Preservation Officer determination of “eligibility.” Consideration by the Board may be deferred by mutual agreement by the property owner and the Historic Preservation Officer. The Historic Preservation Officer may require the filing of a written application on the forms prepared by the Department and may request additional background information to assist the Board in its consideration of eligibility. Independent analysis by a consultant selected by the City may be required to assist in the review of the application. All fees associated with the analysis shall be the responsibility of the applicant. The types of reviews that could be conducted may include but are not limited to the following: property appraisals; archeological assessments; and historic assessments.”

Therefore, please be advised that after careful research and study of our records and the information you presented the following information has been determined:

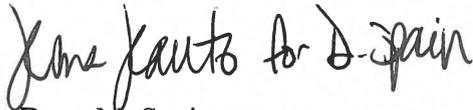
**3770 S.W. 8th Street, lengthy legal description on file at Historical Resources and Cultural Arts Department, does not meet the minimum eligibility criteria for designation as a local historic landmark. Therefore, the Historical Resources staff will not require review by the Historic Preservation Board if an application is made for a demolition permit.**



Please note that, pursuant to Section 2-705(b)(15) of the Coral Gables Zoning Code, this determination does not constitute a development order and is valid for a period of six (6) months. In the case where the Historic Preservation Officer or designee determines that the property does not meet the minimum eligibility criteria for designation, a permit for the demolition of the property must be issued within the six-month period. Upon expiration of the six-month period, you will be required to file a new application.

Any change from the foregoing may be made upon a demonstration of a change in the material facts upon which this determination was made. If you have any further questions concerning this matter, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink that reads "Dona M. Spain for D. Spain". The signature is written in a cursive, flowing style.

Dona M. Spain  
Historical Resources & Cultural Arts Director

cc: Mario Garcia-Serra, Esq., 600 Brickell Avenue, Suite 3500, Miami, FL 33131  
Craig Leen, City Attorney  
Miriam S. Ramos, Deputy City Attorney  
Charles Wu, Assistant Development Services Director  
Ramon Trias, Planning & Zoning Director  
William Miner, Building Director  
Virginia Goizueta, Plans Processor Lead  
Historical Significance Request Property File

## **Contact Information**

### **Property Owner**

Banyan Street/Gap Douglas Entrance Property Owner, LLC  
80 SW 8<sup>th</sup> Street, Suite 2200  
Miami, Florida 33131  
305-772-9400  
zgruber@banyanstreet.com

### **Attorney**

Mario Garcia-Serra, Esq.  
Gunster  
600 Brickell Avenue, Suite 3500  
Miami, Florida 33131  
305-376-6027  
MGarcia-Serra@gunster.com

### **Architects**

Hamed Rodriguez  
Hamed Rodriguez Architect  
3250 Mary Street, Suite 305  
Coconut Grove, Florida 33131  
305-454-2483  
hamed@hr-architects-inc.com

John Fullerton  
Fullerton Group Architects  
2214 Granada Boulevard  
Coral Gables, Florida 33134  
305-442-4200  
jfullerton@thefullertongroup.com



COPY

CITY OF CORAL GABLES  
LOBBYIST ANNUAL REGISTRATION APPLICATION  
FOR EACH PRINCIPAL REPRESENTED

2016 AUG 19 PM 1:00  
CITY OF CORAL GABLES  
RECEIVED AT THE  
OFFICE OF THE CLERK

REGISTRATION #: \_\_\_\_\_

HAVE YOU BEEN RETAINED TO LOBBY ANY OF THE FOLLOWING FOR THE STATED PURPOSE?

**CITY OFFICIALS:** Mayor, City Commissioners, City Attorney, City Manager, City Clerk, Assistant City Manager, Special Assistant to City Manager, Heads or Directors of Departments, and their Assistant or Deputy, Police Major or Chief, Fire Major or Chief, Building and Zoning Inspectors Board, Committee Members, or any other City Official or staff.

**FOR THIS PURPOSE:** To encourage the approval, disapproval, adoption, repeal, passage, defeat or modification of any ordinance, resolution, action or decision of the City Commission; or any action, decision or recommendation of the City Commission, any Board, Committee or City Official.

IF THE FOREGOING APPLIES TO YOU, YOU ARE REQUIRED TO REGISTER AS A LOBBYIST:

Print Your Name Hamed Rodriguez LOBBYIST

Print Your Business Name, if applicable Hamed Rodríguez Architects, Inc.

Business Telephone Number 305-529-9967

Business Address 3250 Mary Street, Suite 305, Coconut Grove, Florida 33133  
ADDRESS CITY, STATE ZIP CODE

Federal ID#: 26-4387019

State the extent of any business or professional relationship you have with any current member of the City Commission.  
N/A

PRINCIPAL REPRESENTED:

NAME Banyan Street/Gap Douglas Entrance COMPANY NAME, IF APPLICABLE \_\_\_\_\_  
Owner LLC  
BUSINESS ADDRESS 80 SW 8 Street, Suite 2200 TELEPHONE NO.: 305-859-3175  
Miami, Florida 33131

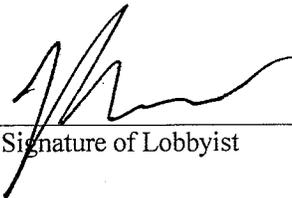
**ANNUAL REPORT:** On October 1st of each year, you are required to submit to the City Clerk a signed statement under oath listing all lobbying expenditures in excess of \$25.00 for the preceding calendar year. A statement is required to be filed even if there were no expenditures.

**LOBBYIST ISSUE APPLICATION:** Prior to lobbying for a specific issue, you are required to fill out a Lobbyist Issue Application form with the Office of the City Clerk; stating under oath, your name, business address, the name of each principal who employed you to lobby, and the specific issue on which you wish to lobby.

**NOTICE OF WITHDRAWAL:** If you discontinue representing a particular client, a notice of withdrawal is required to be filed with the City Clerk.

**ANNUAL LOBBYIST REGISTRATION FEE:** This Registration must be on file in the Office of the City Clerk prior to The filing of an Issue Application to lobby on a specific issue, and payment of a \$150.00 Lobbyist Registration Fee is required.

I Hamed Rodriguez hereby swear or affirm under penalty of perjury that I have read the provisions of the City of Coral Gables Ordinance 2006-11, governing Lobbying and that all of the facts contained in this Registration Application are true and that I agree to pay the \$150.00 Annual Lobbyist Registration Fee.

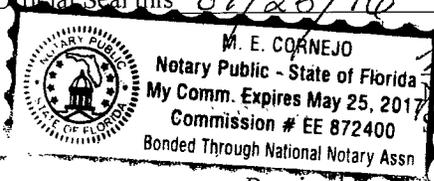
  
Signature of Lobbyist

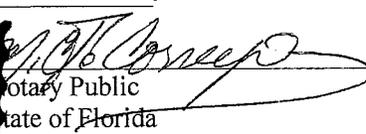
STATE OF FLORIDA     )  
  )  
COUNTY OF DADE     )

BEFORE ME personally appeared Hamed Rodriguez to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he/she executed said instrument for the purposes therein expressed.

WITNESS my Hand and Official Seal this 07/25/10

Personally Known  
 Produced ID



  
Notary Public  
State of Florida

\$150.00 Fee Paid \_\_\_\_\_ Received By \_\_\_\_\_ Date: \_\_\_\_\_

Fee Waived for Not-for-Profit Organizations (documentary proof attached.) \_\_\_\_\_

|                                 |                   |
|---------------------------------|-------------------|
| <b>For Office Use Only</b>      |                   |
| Data Entry Date: _____, 20____. | Entered By: _____ |



**CITY OF CORAL GABLES  
LOBBYIST  
ISSUE APPLICATION**

REGISTRATION #: \_\_\_\_\_

---

**HAVE YOU BEEN RETAINED TO LOBBY ANY OF THE FOLLOWING FOR THE STATED PURPOSE?**

---

**CITY OFFICIALS:** Mayor, City Commissioners, City Attorney, City Manager, City Clerk, Assistant City Manager, Special Assistant to City Manager, Heads or Directors of Departments, and their Assistant or Deputy, Police Major or Chief, Fire Major or Chief, Building and Zoning Inspectors, Board, Committee Members, or any City Official or staff.

**FOR THIS PURPOSE:** To encourage the passage, defeat or modification of any ordinance, resolution, action or decision of the City Commission; or any action, decision or recommendation of any Board, Committee or City Official.

---

**IF THE FOREGOING APPLIES TO YOU, YOU ARE REQUIRED TO REGISTER AS A LOBBYIST AND TO FILE THE FOLLOWING INFORMATION, UNDER OATH, WITH THE CITY CLERK FOR EACH ISSUE ADDRESSED. ISSUE FEE: NO CHARGE, PROVIDING YOU HAVE A CURRENT ANNUAL LOBBYIST REGISTRATION DOCUMENT ON FILE.**

---

Print Your Name Hamed Rodriguez LOBBYIST

Print Your Business Name Hamed Rodriguez Architects, Inc.

Business Telephone Number 305-529-9967

Business Address 3250 Mary Street, Suite 305, Coconut Grove, Florida 33133  
ADDRESS CITY, STATE ZIP CODE

Corporation, Partnership, or Trust Represented:

Principal Name: Banyan Street/Gap Douglas Entrance Owner LLC

Principal Address: 80 SW 8 Street, Suite 2200, Miami, Florida 33131 Telephone Number: 305-859-3175

**ISSUE:** Describe in detail, including address, if applicable, of the specific issue on which you will lobby: **(Separate Application is required for each specific issue)**

Development approvals in connection with the proposed redevelopment of the property

at Douglas Entrance located at 800 Douglas Road in the City of Coral Gables, Florida.

---

I Hamed Rodriguez hereby swear or affirm under penalty of perjury that all the facts contained in this Application are true and that I am aware that these requirements are in compliance with the provisions of the City of Coral Gables Ordinance No. 2006-11, governing Lobbying.

[Signature]  
Signature of Lobbyist

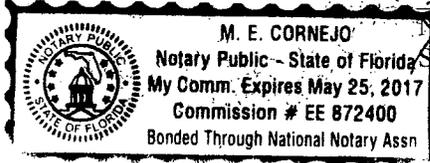
7/25/16  
Date

STATE OF FLORIDA )  
                                  )  
COUNTY OF DADE )

BEFORE ME personally appeared Hamed Rodriguez to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he/she executed said instrument for the purposes therein expressed.

WITNESS my Hand and Official Seal this 07/25/16.

Personally Known  
 Produced ID



[Signature]  
Notary Public  
State of Florida

**For Office Use Only**

Data Entry Date: \_\_\_\_\_, 20\_\_\_\_ Entered By: \_\_\_\_\_

Annual Fees Waived for Not-for-Profit Organization. Please attach documentary proof.



**CITY OF CORAL GABLES  
LOBBYIST ANNUAL REGISTRATION APPLICATION  
FOR EACH PRINCIPAL REPRESENTED**

REGISTRATION #: \_\_\_\_\_

**HAVE YOU BEEN RETAINED TO LOBBY ANY OF THE FOLLOWING FOR THE STATED PURPOSE?**

**CITY OFFICIALS:** Mayor, City Commissioners, City Attorney, City Manager, City Clerk, Assistant City Manager, Special Assistant to City Manager, Heads or Directors of Departments, and their Assistant or Deputy, Police Major or Chief, Fire Major or Chief, Building and Zoning Inspectors Board, Committee Members, or any other City Official or staff.

**FOR THIS PURPOSE:** To encourage the approval, disapproval, adoption, repeal, passage, defeat or modification of any ordinance, resolution, action or decision of the City Commission; or any action, decision or recommendation of the City Commission, any Board, Committee or City Official.

**IF THE FOREGOING APPLIES TO YOU, YOU ARE REQUIRED TO REGISTER AS A LOBBYIST:**

|   |  |              |          |
|---|--|--------------|----------|
| Print Your Name                         | <u>Mario Garcia-Serra</u>                              |              |          |
|   |  | LOBBYIST     |          |
| Print Your Business Name, if applicable | <u>Gunster, Yoakley &amp; Stewart, P.A.</u>            |              |          |
| Business Telephone Number               | <u>(305) 376-6000</u>                                  |              |          |
| Business Address                        | <u>600 Brickell Avenue, Suite 3500, Miami, Florida</u> | <u>33131</u> |          |
|   | ADDRESS  | CITY, STATE  | ZIP CODE |
| Federal ID#:                            | <u>59-1450702</u>                                      |              |          |

2016 MAR 31 PM 2:11  
CITY OF CORAL GABLES  
RECEIVED BY THE  
OFFICE OF THE CLERK

State the extent of any business or professional relationship you have with any current member of the City Commission.  
N/A

**PRINCIPAL REPRESENTED:**

|                  |   |                               |                     |
|------------------|---|-------------------------------|---------------------|
| NAME             | <u>Banyan Street/Gap Douglas Entrance</u> | COMPANY NAME, , IF APPLICABLE | _____               |
|                  | <u>Owner LLC</u>                          |                               |                     |
| BUSINESS ADDRESS | <u>80 SW 8 Street, Suite 2200</u>         | TELEPHONE NO.:                | <u>305-859-3175</u> |
|                  | <u>Miami, Florida 33131</u>               |                               |                     |

**ANNUAL REPORT:** On October 1st of each year, you are required to submit to the City Clerk a signed statement under oath listing all lobbying expenditures in excess of \$25.00 for the preceding calendar year. A statement is required to be filed even if there were no expenditures.

**LOBBYIST ISSUE APPLICATION:** Prior to lobbying for a specific issue, you are required to fill out a Lobbyist Issue Application form with the Office of the City Clerk; stating under oath, your name, business address, the name of each principal who employed you to lobby, and the specific issue on which you wish to lobby.

**NOTICE OF WITHDRAWAL:** If you discontinue representing a particular client, a notice of withdrawal is required to be filed with the City Clerk.

**ANNUAL LOBBYIST REGISTRATION FEE:** This Registration must be on file in the Office of the City Clerk prior to The filing of an Issue Application to lobby on a specific issue, and payment of a \$150.00 Lobbyist Registration Fee is required.

I Mario Garcia-Serra hereby swear or affirm under penalty of per-  
Print Name of Lobbyist  
jury that I have read the provisions of the City of Coral Gables Ordinance 2006-11, governing Lobbying and that all of the facts contained in this Registration Application are true and that I agree to pay the \$150.00 Annual Lobbyist Registration Fee.

*Mario Garcia-Serra*  
Signature of Lobbyist

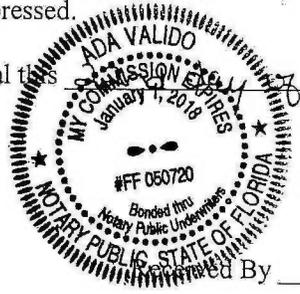
STATE OF FLORIDA     )  
  )  
COUNTY OF DADE     )

BEFORE ME personally appeared Mario Garcia-Serra to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he/she executed said instrument for the purposes therein expressed.

WITNESS my Hand and Official Seal this 27 March, 2016

X Personally Known

\_\_\_\_ Produced ID



*[Signature]*  
Notary Public  
State of Florida

\$150.00 Fee Paid \_\_\_\_\_

Witnessed By \_\_\_\_\_ Date: \_\_\_\_\_

Fee Waived for Not-for-Profit Organizations (documentary proof attached.) \_\_\_\_\_

|                                 |                   |
|---------------------------------|-------------------|
| <b>For Office Use Only</b>      |                   |
| Data Entry Date: _____, 20____. | Entered By: _____ |



I Mario Garcia-Serra hereby swear or affirm under penalty of per-  
Print Name of Lobbyist  
jury that all the facts contained in this Application are true and that I am aware  
that these requirements are in compliance with the provisions of the City of Coral  
Gables Ordinance No. 2006-11, governing Lobbying.

Mario Garcia-Serra  
Signature of Lobbyist

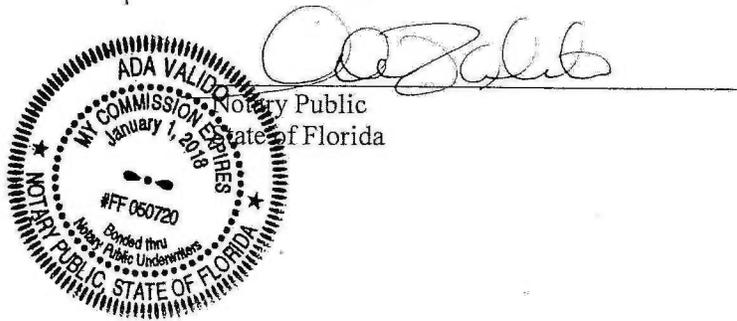
3/22/14  
Date

STATE OF FLORIDA     )  
  )  
COUNTY OF DADE     )

BEFORE ME personally appeared Mario Garcia-Serra to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he/she executed said instrument for the purposes therein expressed.

WITNESS my Hand and Official Seal this 22nd day of March, 2014

X Personally Known  
       Produced ID



|                                |                   |
|--------------------------------|-------------------|
| <b>For Office Use Only</b>     |                   |
| Data Entry Date: _____, 20____ | Entered By: _____ |

Annual Fees Waived for Not-for-Profit Organization. Please attach documentary proof.



COPY  
2016 AUG 19 PM 1:06  
CITY OF CORAL GABLES  
RECEIVED BY THE  
OFFICE OF THE  
CITY CLERK

**CITY OF CORAL GABLES  
LOBBYIST ANNUAL REGISTRATION APPLICATION  
FOR EACH PRINCIPAL REPRESENTED**

REGISTRATION #: \_\_\_\_\_

**HAVE YOU BEEN RETAINED TO LOBBY ANY OF THE FOLLOWING FOR THE STATED PURPOSE?**

**CITY OFFICIALS:** Mayor, City Commissioners, City Attorney, City Manager, City Clerk, Assistant City Manager, Special Assistant to City Manager, Heads or Directors of Departments, and their Assistant or Deputy, Police Major or Chief, Fire Major or Chief, Building and Zoning Inspectors Board, Committee Members, or any other City Official or staff.

**FOR THIS PURPOSE:** To encourage the approval, disapproval, adoption, repeal, passage, defeat or modification of any ordinance, resolution, action or decision of the City Commission; or any action, decision or recommendation of the City Commission, any Board, Committee or City Official.

**IF THE FOREGOING APPLIES TO YOU, YOU ARE REQUIRED TO REGISTER AS A LOBBYIST:**

Print Your Name Zac Gruber LOBBYIST

Print Your Business Name, if applicable Banyan Street/GAP Douglas Entrance Owner, LLC  
c/o Banyan Street Capital

Business Telephone Number 305-722-9400

Business Address 80 SW 8 Street, Suite 2200, Miami, Florida 33130  
ADDRESS CITY, STATE ZIP CODE

Federal ID#: \_\_\_\_\_

State the extent of any business or professional relationship you have with any current member of the City Commission.

N/A

**PRINCIPAL REPRESENTED:**

NAME Banyan Street/GAP Douglas Entrance COMPANY NAME, IF APPLICABLE \_\_\_\_\_  
Owner, LLC

BUSINESS ADDRESS 80 SW 8 Street, Suite 2200 TELEPHONE NO.: 305-722-9400  
Miami, Florida 33130

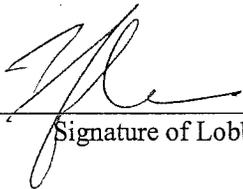
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**NOTICE OF WITHDRAWAL:** If you discontinue representing a particular client, a notice of withdrawal is required to be filed with the City Clerk.

**ANNUAL LOBBYIST REGISTRATION FEE:** This Registration must be on file in the Office of the City Clerk prior to The filing of an Issue Application to lobby on a specific issue, and payment of a \$150.00 Lobbyist Registration Fee is required.

I Zac Gruber hereby swear or affirm under penalty of per-  
jury that I have read the provisions of the City of Coral Gables Ordinance 2006-11, governing Lobbying and that all of the facts contained in this Registration Application are true and that I agree to pay the \$150.00 Annual Lobbyist Registration Fee.

  
\_\_\_\_\_  
Signature of Lobbyist

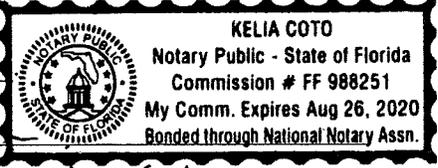
STATE OF FLORIDA     )  
  )  
COUNTY OF DADE     )

BEFORE ME personally appeared Zac Gruber to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he/she executed said instrument for the purposes therein expressed.

WITNESS my Hand and Official Seal this \_\_\_\_\_

Personally Known  
\_\_\_\_ Produced ID

  
Notary Public  
State of Florida Kelia Coto



\$150.00 Fee Paid \_\_\_\_\_ Received By \_\_\_\_\_ Date: \_\_\_\_\_

Fee Waived for Not-for-Profit Organizations (documentary proof attached.) \_\_\_\_\_

**For Office Use Only**

Data Entry Date: \_\_\_\_\_, 20\_\_\_\_ Entered By: \_\_\_\_\_



**CITY OF CORAL GABLES  
LOBBYIST  
ISSUE APPLICATION**

REGISTRATION #: \_\_\_\_\_

**HAVE YOU BEEN RETAINED TO LOBBY ANY OF THE FOLLOWING FOR THE STATED PURPOSE?**

**CITY OFFICIALS:** Mayor, City Commissioners, City Attorney, City Manager, City Clerk, Assistant City Manager, Special Assistant to City Manager, Heads or Directors of Departments, and their Assistant or Deputy, Police Major or Chief, Fire Major or Chief, Building and Zoning Inspectors, Board, Committee Members, or any City Official or staff.

**FOR THIS PURPOSE:** To encourage the passage, defeat or modification of any ordinance, resolution, action or decision of the City Commission; or any action, decision or recommendation of any Board, Committee or City Official.

**IF THE FOREGOING APPLIES TO YOU, YOU ARE REQUIRED TO REGISTER AS A LOBBYIST AND TO FILE THE FOLLOWING INFORMATION, UNDER OATH, WITH THE CITY CLERK FOR EACH ISSUE ADDRESSED. ISSUE FEE: NO CHARGE, PROVIDING YOU HAVE A CURRENT ANNUAL LOBBYIST REGISTRATION DOCUMENT ON FILE.**

Print Your Name Zac Gruber  
LOBBYIST

Print Your Business Name Banyan Street/GAP Doulgas Entrance Owner, LLC  
c/o Banyan Street Capital

Business Telephone Number 305-722-9400

Business Address 80 SW 8 Street, Suite 2200, Miami, Florida 33130  
ADDRESS CITY, STATE ZIP CODE

Corporation, Partnership, or Trust Represented:

Principal Name: Banyan Street/GAP Douglas Entrance Owner, LLC

Principal Address: 80 SW 8 Street, Suite 2200, Miami, Florida 33130 Telephone Number: 305-722-9400

**ISSUE:** Describe in detail, including address, if applicable, of the specific issue on which you will lobby: **(Separate Application is required for each specific issue)**

Development approvals in connection with the proposed redevelopment of the property  
at Douglas Entrance located at 800 Douglas Road in the City of Coral Gables, Florida.

I Zac Gruber hereby swear or affirm under penalty of perjury that all the facts contained in this Application are true and that I am aware that these requirements are in compliance with the provisions of the City of Coral Gables Ordinance No. 2006-11, governing Lobbying.

[Signature]  
Signature of Lobbyist

8/5/16  
Date

STATE OF FLORIDA )  
COUNTY OF DADE )

BEFORE ME personally appeared Zac Gruber to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he/she executed said instrument for the purposes therein expressed.

WITNESS my Hand and Official Seal this \_\_\_\_\_

Personally Known  
 Produced ID

[Signature]  
Notary Public  
State of Florida  
**KELIA COTO**  
Notary Public - State of Florida  
Commission # FF 988251  
My Comm. Expires Aug 26, 2020  
Bonded through National Notary Assn.

|                                 |                   |
|---------------------------------|-------------------|
| <b>For Office Use Only</b>      |                   |
| Data Entry Date: _____, 20____. | Entered By: _____ |

Annual Fees Waived for Not-for-Profit Organization. Please attach documentary proof.



CFN 2014R0235660  
 OR Bk 29092 Pgs 0614 - 619; (6pgs)  
 RECORDED 04/02/2014 11:00:17  
 DEED DOC TAX 604,500.00  
 SURTAX 453,375.00  
 HARVEY RUVIN, CLERK OF COURT  
 MIAMI-DADE COUNTY, FLORIDA

This instrument was prepared  
 by and upon recording should  
 be returned to:

David A. Lapins, Esq.  
 Drane Freyer & Lapins Limited  
 200 West Madison Street  
 Suite 3200  
 Chicago, IL 60606

Tax Parcel ID No. 03-4108-040-0020

### SPECIAL WARRANTY DEED

ASLAN III DOUGLAS ENTRANCE, L.L.C., a Delaware limited liability company f/k/a Transwestern Douglas Entrance, L.L.C. ("**Grantor**"), whose mailing address is 200 West Madison, Suite 3200, Chicago IL 60606, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash and other good and valuable consideration to it paid by BANYAN STREET/GAP DOUGLAS ENTRANCE OWNER, LLC, a Delaware limited liability company ("**Grantee**"), whose mailing address is c/o Banyan Street Capital, LLC, 777 Brickell Ave., Suite 1100, Miami, Florida 33131, has GRANTED, BARGAINED, SOLD and CONVEYED and by these presents does GRANT, BARGAIN, SELL AND CONVEY unto Grantee the tract of land (the "**Land**") in Miami-Dade County, Florida more fully described on **Exhibit A** hereto, together with all improvements thereon and all or Grantor's right, title and interest, if any, in and to all easements, rights-of-way, rights and appurtenances appertaining thereto (the "**Property**").

This Special Warranty Deed is executed by Grantor and accepted by Grantee subject to validly existing and enforceable rights, interests and estates, if any do in fact exist, but only to the extent that the same do in fact exist, of third parties in connection with those items set out and listed in **Exhibit B** hereto, without reimposing any of the same (the "**Encumbrances**").

TO HAVE AND TO HOLD the Property unto Grantee, its successors and assigns forever; and Grantor does hereby bind itself and its successors and assigns to WARRANT and FOREVER DEFEND all and singular the Property, subject to the validly existing and enforceable rights, if any, of third parties in connection with the Encumbrances, without reimposing any of the same, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

WITNESS THE EXECUTION HEREOF effective as of March 13, 2014.

GRANTOR:

ASLAN III DOUGLAS ENTRANCE, L.L.C., a  
Delaware limited liability company f/k/a  
Transwestern Douglas Entrance, L.L.C.

By: [Signature]  
Name: J. Matthew Haley  
Title: Managing Director

WITNESSES:

Catherine Minton  
Witness  
Catherine Minton  
Print Name  
[Signature]  
Witness  
Lorraine Heart  
Print Name

STATE OF ILLINOIS        )       SS  
                                  )  
COUNTY OF COOK        )       SS

This instrument was acknowledged before me on March 13, 2014, by J. Matthew Haley, a managing director of Aslan III Douglas Entrance, L.L.C., a Delaware limited liability company, as the act and deed of said entity.



[Signature]  
Name: Sarah A. McCormick  
Notary Public in and for  
The State of Illinois

(Seal of Notary)

My commission expires: 11-19-2017

**Exhibit A to Special Warranty Deed****LEGAL DESCRIPTION**

The land referred to herein below is situated in the County of MIAMI-DADE, State of FLORIDA, and is described as follows:

**PARCEL I:**

BEGINNING AT A POINT 35.00 FEET SOUTH OF AND 35.00 FEET WEST OF THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 54 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH 89 DEGREES 59 MINUTES 45 SECONDS WEST ALONG A LINE 35.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST  $\frac{1}{4}$  OF SAID SECTION 8, FOR A DISTANCE OF 633.75 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF GALIANO STREET AS SHOWN ON THE "THE REVISED PLAT OF BLOCKS 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A, AND 7-B, OF DOUGLAS SECTION OF CORAL GABLES", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34, AT PAGE 32, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN SOUTH 00 DEGREES 08 MINUTES 29 SECONDS EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID GALIANO STREET, FOR A DISTANCE OF 540.31 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF AVENUE CALABRIA AS SHOWN ON SAID REVISED PLAT OF DOUGLAS SECTION OF CORAL GABLES; THENCE RUN EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF AVENUE CALABRIA, FOR A DISTANCE OF 632.71 FEET TO A POINT OF INTERSECTION WITH A LINE 35 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST  $\frac{1}{4}$  OF SAID SECTION 8; THENCE RUN NORTH 00 DEGREES 01 MINUTES 51 SECONDS WEST ALONG SAID LINE FOR A DISTANCE OF 540.27 FEET TO THE POINT OF BEGINNING.

**LESS AND EXCEPT**

THE LAND CONVEYED TO THE STATE OF FLORIDA FOR THE USE AND BENEFIT OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, BY DEEDS RECORDED IN OFFICIAL RECORDS BOOK 12676, AT PAGE 110 AND OFFICIAL RECORDS BOOK 12676, AT PAGE 112.

**ALSO DESCRIBED AS FOLLOWS:**

BLOCKS 1, 2, 3, 4 AND LOT "K" OF "THE REVISED PLAT OF BLOCKS 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A, AND 7-B, OF DOUGLAS SECTION OF CORAL GABLES", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34, AT PAGE 32, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; TOGETHER WITH THE REVERSIONARY RIGHTS GRANTED TO DOUGLAS DEVELOPMENT CO., BY DEED FROM DOUGLAS ENTRANCE INC., CONVEYING THE FOLLOWING PROPERTY:

ALL THAT PART OF THE NORTH  $\frac{1}{2}$  OF THE NORTHEAST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$  OF SECTION 8, TOWNSHIP 54 SOUTH, RANGE 41 EAST THAT IS BOUNDED AS FOLLOWS: ON THE NORTH BY THE NORTH LINE OF THE SAID SECTION 8, ON THE EAST BY THE EAST LINE OF THE SAID SECTION 8, ON THE SOUTH BY THE CENTER LINE OF AVENUE CALABRIA AND ON THE WEST BY THE CENTER LINE OF GALIANO STREET (REFERENCE HEREIN TO AVENUE CALABRIA AND GALIANO STREET ARE AS

SAID STREET AND AVENUE ARE SHOWN ON THE REVISED PLAT OF DOUGLAS SECTION OF CORAL GABLES, PLAT BOOK 34, AT PAGE 32); AND ALSO THOSE CERTAIN RIGHTS OF WAY CLOSED BY ORDINANCE NO. 992 PASSED AND ADOPTED BY THE CITY OF CORAL GABLES, FLORIDA ON NOVEMBER 13, 1956.

LESS AND EXCEPT

THE LAND CONVEYED TO THE STATE OF FLORIDA FOR THE USE AND BENEFIT OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, BY DEEDS RECORDED IN OFFICIAL RECORDS BOOK 12676, AT PAGE 110 AND OFFICIAL RECORDS BOOK 12676, AT PAGE 112.

FURTHER LESS AND EXCEPT: (JEFFERSON AT DOUGLAS ENTRANCE LP LANDS)

A PORTION OF "THE REVISED PLAT OF BLOCKS, 4, 4-A, 4-B, 5, 5-A, 5-B, 5-C, 6, 6-A, 7, 7-A, AND 7-B, OF DOUGLAS SECTION OF CORAL GABLES", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34, AT PAGE 32, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; A PORTION OF PONCE DE LEON BOULEVARD EAST AND CALABRIA COURT CLOSED BY ORDINANCE NO. 992 PASSED AND ADOPTED BY THE CITY OF CORAL GABLES, FLORIDA ON NOVEMBER 13, 1956, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK 3 THE SAME BEING A RECOVERED PERMANENT CONTROL POINT; THENCE RUN NORTH 00 DEGREES 01 MINUTES 51 SECONDS WEST ALONG A LINE 35 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST  $\frac{1}{4}$  OF SECTION 8, TOWNSHIP 54 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, OF A DISTANCE OF 169.29 FEET TO A SET PERMANENT CONTROL POINT; THENCE RUN WEST ALONG A LINE 169.29 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 3, OF A DISTANCE OF 323.36 FEET TO A SET PERMANENT CONTROL POINT; THENCE RUN SOUTH 44 DEGREES 01 MINUTES 41 SECONDS WEST FOR A DISTANCE OF 235.45 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF AVENUE CALABRIA AS SHOWN ON SAID REVISED PLAT OF DOUGLAS SECTION OF CORAL GABLES, THE SAME BEING A SET PERMANENT CONTROL POINT; THENCE RUN EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF AVENUE CALABRIA AND THE SOUTH LINE OF SAID BLOCK 3, FOR A DISTANCE OF 487.09 FEET TO THE POINT OF BEGINNING.

PARCEL II:

FOR THE BENEFIT OF PARCEL I, THOSE CERTAIN EASEMENTS AS CREATED BY THAT DECLARATION OF COVENANTS AND EASEMENTS RECORDED NOVEMBER 17, 2000 IN OFFICIAL RECORDS BOOK 19369, AT PAGE 1858; AND RE-RECORDED IN OFFICIAL RECORDS BOOK 19571, AT PAGE 1238; AS AFFECTED BY AMENDMENT TO DECLARATION FILED NOVEMBER 7, 2001 IN OFFICIAL RECORDS BOOK 20004, PAGE 4378, FOR INGRESS, EGRESS, PARKING AND SIGNAGE, AS APPLICABLE, OVER, UNDER AND ACROSS THE LANDS DESCRIBED IN SAID EASEMENTS.

**Exhibit B to Special Warranty Deed****Permitted Exceptions**

1. Taxes and assessments for the year 2014 and subsequent years, which are not yet due and payable.
2. The terms, provisions and conditions contained in that certain Agreement for the Construction of Water Facilities and for the Provision of Water Service for Douglas Entrance, Phases I and II between Metro-Dade Water and Sewer Utility and City National Bank of Miami, as Trustee under Land Trust Number 5006818 recorded in Official Records Book 11942, Page 2794, of the Public Records of Miami-Dade County, Florida.
3. Terms and conditions contained in that Declaration of Restrictive Covenant recorded March 20, 1985 in Official Records Book 12449, Page 1446, of the Public Records of Miami-Dade County, Florida.
4. Terms and conditions contained in that Declaration of Restrictive Covenant recorded April 5, 1985 in Official Records Book 12468, Page 1621, of the Public Records of Miami-Dade County, Florida.
5. Terms and conditions contained in that Declaration of Restrictive Covenant recorded April 5, 1985 in Official Records Book 12468, Page 1623, of the Public Records of Miami-Dade County, Florida.
6. The terms, provisions and conditions contained in that certain Ordinance No. 2563 recorded August 28, 1985 in Official Records Book 12620, Page 153, designating Douglas Entrance as a historic landmark.
7. Easement recorded April 3, 1926 in Deed Book 839, Page 106, of the Public Records of Miami-Dade County, Florida.
8. Terms and conditions contained in that Declaration of Restrictive Covenants recorded November 17, 2000 in Official Records Book 19369, Page 1833, of the Public Records of Miami-Dade County, Florida.
9. Terms and conditions contained in that Declaration of Covenants and Easements recorded November 17, 2000 in Official Records Book 19369, Page 1858, and re-recorded March 28, 2001 in Official Records Book 19571, Page 1238, as affected by Instrument, recorded November 7, 2001 in Official Records Book 20004, Page 4378, all of the Public Records of Miami-Dade County, Florida.
10. The terms, provisions and conditions contained in that certain Notice of Lease recorded February 7, 1990 in Official Records Book 14424, Page 2995, as affected by that Notice to Lienors recorded November 24, 2008 in Official Records Book 26662, Page 2983, all of the Public Records of Miami-Dade County, Florida.

OR BK 29092 PG 0619  
LAST PAGE

11. Easement to FPL FiberNet, LLC, a Delaware limited liability company recorded February 10, 2009 in Official Records Book 26746, Page 4526, of the Public Records of Miami-Dade County, Florida.
12. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).
13. Any lien or right to a lien for labor, services or materials provided in connection with the construction of the improvements referred to in that Notice of Commencement recorded October 30, 2013, in Official Records Book 28890, Page 3294, of the Public Records of Miami-Dade County, Florida.
14. Any lien or right to a lien for labor, services or materials provided in connection with the construction of the improvements referred to in that Notice of Commencement recorded October 23, 2013 in Official Records Book 28879, Page 4553, of the Public Records of Miami-Dade County, Florida.
15. Any lien or right to a lien for labor, services or materials provided in connection with the construction of the improvements referred to in that Notice of Commencement recorded July 8, 2013, in Official Records Book 28713, Page 990, of the Public Records of Miami-Dade County, Florida.