

City of Coral Gables
Planning Department Staff Report

To: Planning and Zoning Board Members

From: Planning Department

Date: July 14, 2010

Subject: Application No. 11-09-095-P. Change of Zoning, Zoning Code Text Amendment, Master Plan and Planned Area Development (PAD) Site Plan Review. Review of one development proposal which includes four (4) separate applications for the property commonly referred to as "Fairchild Tropical Garden", requesting the following:

1. An Ordinance of the City Commission of Coral Gables requesting a change of zoning from Single Family Residential (SFR) to Special Use (S) District for a 25.0 acre parcel located in the southwest corner of the property of the overall 82.5 acre parcel commonly referred to as "Fairchild Tropical Garden" (10901 Old Cutler Road), legally described as Fairchild Tropical Botanical Garden Section, including Tracts 9 and 10, Avocado Land Company Subdivision, Coral Gables, Florida; and providing for severability, repealer, codification, and an effective date.
2. An Ordinance of the City Commission of Coral Gables requesting an amendment to Zoning Code Article 4, Section 4-204, "Special Use (S) District", providing for and listing permitted uses within a botanical garden; and providing for severability, repealer, codification, and an effective date.
3. An Ordinance of the City Commission of Coral Gables requesting an amendment to the Master Site Plan for the property commonly referred to as "Fairchild Tropical Garden" (10901 Old Cutler Road), for a 82.5 acre parcel legally described as all of Fairchild Tropical Botanical Garden Section, including Tracts 9 and 10, Avocado Land Company Subdivision, Coral Gables, Florida; and providing for severability, repealer, codification, and an effective date.
4. An Ordinance of the City Commission of Coral Gables requesting Planned Area Development (PAD) assignment and site plan review for the construction of additions to the "Science Village" buildings on the southwest corner of the property commonly referred to as "Fairchild Tropical Garden" (10901 Old Cutler Road), being an approximately 82.5 acre parcel legally described as all of Fairchild Tropical Botanical Garden Section, including Tracts 9 and 10, Avocado Land Company Subdivision, Coral Gables, Florida; and including required conditions; and providing for severability, repealer, codification, and an effective date.

(Legal description(s) and mapping on file in the Planning Department).

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Recommendation

The Planning Department based upon the findings of fact contained herein recommends approval of the four (4) applications:

1. An Ordinance of the City Commission of Coral Gables requesting a change of zoning from Single Family Residential (SFR) to Special Use (S) District for a 25.0 acre parcel located in the southwest corner of the property of the overall 82.5 acre parcel commonly referred to as “Fairchild Tropical Garden” (10901 Old Cutler Road), legally described as Fairchild Tropical Botanical Garden Section, including Tracts 9 and 10, Avocado Land Company Subdivision, Coral Gables, Florida; and providing for severability, repealer, codification, and an effective date.
2. An Ordinance of the City Commission of Coral Gables requesting an amendment to Zoning Code Article 4, Section 4-204, “Special Use (S) District”, providing for and listing permitted uses within a botanical garden; and providing for severability, repealer, codification, and an effective date.
3. An Ordinance of the City Commission of Coral Gables requesting an amendment to the Master Site Plan for the property commonly referred to as “Fairchild Tropical Garden” (10901 Old Cutler Road), for a 82.5 acre parcel legally described as all of Fairchild Tropical Botanical Garden Section, including Tracts 9 and 10, Avocado Land Company Subdivision, Coral Gables, Florida; and providing for severability, repealer, codification, and an effective date.
4. An Ordinance of the City Commission of Coral Gables requesting Planned Area Development (PAD) assignment and site plan review for the construction of additions to the “Science Village” buildings on the southwest corner of the property commonly referred to as “Fairchild Tropical Garden” (10901 Old Cutler Road), being an approximately 82.5 acre parcel legally described as all of Fairchild Tropical Botanical Garden Section, including Tracts 9 and 10, Avocado Land Company Subdivision, Coral Gables, Florida; and including required conditions; and providing for severability, repealer, codification, and an effective date.

(Legal description(s) and mapping on file in the Planning Department).

Summary of the basis for approval

Staff’s support of this proposal is based on the compliance with the Comprehensive Plan (CP) and Zoning Code as enumerated in the findings of fact presented herein and the two following considerations:

1. The subject property does not have an approved master plan that encompasses the entire Fairchild Tropical Garden property. This approval provides for a comprehensive master plan and assigns one land use and zoning designation to the entire parcel. Previously, the property was governed by two different zoning designations (Single-Family and Special (S) Use), which provided for two varying sets of requirements and regulations for one parcel of land. This approval removes this inconsistency.
2. No specific regulations other than the applicable City codes, exist which govern the use and operations of the property to insure surrounding residential properties are not negatively impacted. The approval of this proposal with the conditions sets forth specific operational and use safeguards to allow for the operation of the facility in concert with surrounding properties. The operation and use safeguards proposed herein are similar, if not identical to other limitations that have been placed upon other institutional and educational facilities within residential areas of the City.

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Planning Staff requested the applicant complete significant outreach to the adjoining residential neighborhood to disseminate information and solicit input of the pending applications. The applicant has completed this outreach and the end result is the applicant has secured Fairchild Executive Committee approval of an Agreement which provides for concurrence of several issues raised by the adjoining neighborhood. This Agreement has been ratified and will be provided to the President of the Hammock Oaks Homeowners Association.

Staff Recommended Conditions of Approval

In furtherance of the Comprehensive Plan (CP) Goals, Objectives and Policies, the Zoning Code and other applicable City provisions, the recommendation for approval is subject to all of the following conditions of approval:

1. Application/supporting documentation. Construction of the project shall be in conformance with the following:
 - a. Master Plan, PAD site plan, landscape plan, building elevations and building program contained in application package prepared by Corwil Architects, Inc., dated 05.26.09.
 - b. Traffic Impact Study prepared by David Plummer and Assoc., dated 12.14.09 and updated 04.28.10.
 - c. Improvements and/or conditions contained herein, unless otherwise specified herein, shall be completed prior to receipt of final Certificate of Occupancy (CO).
 - d. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated 07.07.10.
 - e. All representations proffered by the applicant's representatives provided during public hearing review.
 - f. Changes to the plans required by the City Commission as part of the review of this application at public hearings.
2. General.
 - a. Restrictive Covenant. Within 30 days of approval and adoption of the ordinances, the property owner, its successors or assigns shall submit a Restrictive Covenant for City Attorney review and approval outlining all conditions of approval required by the City Commission. Failure to submit the draft Restrictive Covenant within the specified time frame shall render the approval void unless said time frame for submittal of the draft Restrictive Covenant is extended by the City Attorney after good cause as to why the time frame should be extended.
 - b. Revisions to approved PAD site plan. Administrative approval of minor amendments to the approved PAD site plan as permitted in Zoning Code Section 3-508(A) shall only apply to changes less than twenty percent (20%) for floor area, lot coverage and the location of individual buildings. All other changes, including maximum height, minimum setbacks, total square footage and required on-site parking shall be considered major amendments an subject to review and consideration at public hearings in accordance with Section 3-508(B) of the Code.
 - c. Public information liaison/point of contact. A specific point of contact person shall be selected to serve as the single point of contact for the neighborhood, surrounding properties and public inquiries. The purpose of the contact is to provide a vehicle for exchange of information between all parties. The point of contact persons names, email, mailing address and phone, and hours of availability shall be provided to all property owners within 1,000' of the property and the adjoining neighborhood association's point

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of contact. This notice shall be provided prior to the issuance of a building permit for the Science Village. Verification of the notification shall be provided to the Planning Department.

3. Prior to the issuance of a building permit, or as otherwise specified herein, the property owner, its successors or assigns, shall adhere or agree to the following conditions:
 - a. Emergency vehicle access. Use of the Campana Avenue gate shall be for City emergency vehicles only. The gate shall be closed and locked at all times, and shall include an approved Fire Department access control system.
 - b. Emergency vehicle gate. The vehicular gate onto Campana Avenue shall be 100% opaque. The vehicle approach between the gate and Campana Avenue shall consist of sod over a compacted surface and shall have a similar appearance to the swale area along this portion of the Campana Avenue right-of-way.
 - c. Pedestrian access. There shall be no pedestrian access from Campana Avenue onto the Fairchild Tropical Garden property, except as permitted under separate agreement for residents of Hammock Oaks Subdivision.
 - d. Outdoor events and dining. There shall be no outdoor activities, outdoor dining or vehicular service facilities permitted between the Science Village buildings and Campana Avenue property line.
 - e. Landscape plan along Campana roadway. Provide a landscape plan that shows all existing and proposed landscape screening materials and reconstructed coral rock wall for entire rear property line (Campana Avenue property line) from the proposed Campana Avenue gate to Old Cutler Road, as follows:
 - 1) Landscape screening. Provide landscaping plan and/or vegetation survey providing the following:
 - a) Location of existing under and over-story vegetation along roadway.
 - b) Provide overlay of existing trees on site plan.
 - c) Supplemental under-story (i.e. shrubs, hedges, etc) and over-story shade trees to achieve 80% to 100% opacity in direct proximity of all buildings backing upon Campana Avenue. Identify type and height at time of planting.
 - d) Maintenance of landscape buffering shall be required in perpetuity.
 - 2) Existing coral rock wall. Provide reconstruction plan for coral rock wall, to include as a minimum the following:
 - a) Survey showing location and condition of existing coral rock wall.
 - b) Plan showing portions of coral rock wall where reconstruction is required to a minimum height of four (4) feet.
 - c) Maintenance of reconstructed coral rock wall shall be required in perpetuity.
- f. Building architecture and signage. No building signage shall be permitted on any building elevation that faces onto the adjoining residential properties along Campana Avenue.
- g. Nighttime lighting.
 - 1) There shall be no nighttime lighting on any south building elevation or within the shade house that faces onto the adjoining residential properties along Campana Avenue. Required low level safety and/or emergency lighting shall be exempt from these provisions.
 - 2) There shall be no nighttime understory lighting of landscaping located between the Science Village buildings and Campana Avenue.

All of the above referenced landscaping and coral rock wall improvements are subject to review and final approval by the Directors of Public Service, Public Works and Planning Departments.

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- h. Outdoor amplified music and paging systems. No amplified music or address/pager announcements shall be permitted outside the Science Village buildings or in the shade house at any time (day or night). No fixed amplified speaker/announcer equipment shall be permitted within 200' of Campana Avenue and/or the south property of Fairchild Gardens.
 - i. Special events permits. All events held at the Science Village complex where 200 or more vehicles are anticipated shall secure a special events permit from the City's Special Events Committee. A tentative schedule of facility events shall be submitted to the City annually on or before January 1st of each year to determine which events are necessary to submit future applications to the Special Events Committee for review and approval. Those events requiring Committee review must be forwarded a minimum of 48 hours in advance of the event.
4. Vehicle access from Campana. No vehicular access shall be permitted from Campana Avenue.
 5. Drainage. Fairchild Tropical Garden shall prepare and implement a storm water management/drainage plan for the entire property pursuant to SFWMD requirements to ensure all storm water is retained on-site, and there is no drainage off-site. The plan shall be subject to Public Works Department review and final approval subject to all applicable city, local, state, etc. requirements.
 6. Construction staging. Construction vehicles shall be prohibited from using Campana Avenue for the construction of any portion of the proposed development. There shall be no construction vehicle access or parking permitted on the Campana Avenue and no storage of construction materials along the Campana Avenue right-of-way.
 7. Zoning Code Text Amendment. Provide for the following Zoning Code Text Amendment renumbered appropriately within the Special (S) Use provisions:

"Botanical gardens with previously approved master plan. Allow for the placement of the following uses to solely serve the patrons of the botanical gardens:

- a. Offices
- b. Research and technology.
- c. Retail sales and services.
- d. Restaurant.
- e. Educational facility.
- f. Nighttime uses.
- g. Outdoor recreation/entertainment.
- h. Camps.
- i. Other such uses as are customary for botanical gardens."

Request

The applicant is requesting a Change of Zoning, Zoning Code text amendment, Master Plan and PAD site plan review which are being submitted in conjunction with, and necessary for, the proposed construction of new structures and additions to the "Science Village" at Fairchild Tropical Garden. The new construction at the Science Village would be located on the east end of the existing building complex, and would consist of additional new office space, an expanded café and a new plant shade house to replace the existing screened structure. The Change of Zoning would correct an existing inconsistent zoning designation as required by the City's Comprehensive Plan for the southwest portion of the property on which the Science Village is located that is incorrectly zoned Single Family Residential (SFR). For clarification, the Zoning

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Code text amendment identifies permitted uses that are being specified for botanical gardens. The submittal of the Master Plan for the Fairchild Tropical Garden campus is required by Section 4-204(B) of the Zoning Code to allow for the permitted uses as specified by the proposed text amendment.

All four (4) requests require review and recommendation by the Planning and Zoning Board prior to consideration by the City Commission, and are considered and adopted in ordinance form by the City Commission (two public hearings). Any future changes to the PAD site plan or Master Plan other than what is being approved herein would be required to be re-submitted and reviewed by the Planning and Zoning Board and considered by the City Commission at public hearings.

The applicant has submitted an application package that includes a Statement of Use, Master Plan, proposed PAD site plan, site data and building program, building plans and elevations and other miscellaneous support documents, which are provided in Attachment A.

Facts – Background and Proposed Project

Development information:

Application	Request
Change of land use	No
Comprehensive Plan text amendment	No
Change of zoning	Yes – from Single Family Residential (SFR) to Special Use (S) District
Zoning Code text amendment	Yes
Site plan review	Yes – PAD and Master Plan
Mixed use site plan review	No
Planned Area Development	Yes
Subdivision Review or Tentative Plat	No
Street or alleyway vacation	No
Conditional uses	No

City Reviews:

City Reviews/Timeline	Date Scheduled/ Reviewed/Approved*
Development Review Committee	07.28.08
Board of Architects (preliminary approval)	09.17.08 and 10.30.08
Board of Architects (final approval)	02.26.09, 03.05.09 and 06.18.09
Board of Adjustment	N/A
Historic Preservation Board (historic significance letter)	N/A
Local Planning Agency	N/A
Planning and Zoning Board	07.14.10
Street and Alley Vacation Committee	N/A
Public rights-of-way encroachment	N/A
City Commission, 1 st reading	08.24.10
City Commission, 2 nd reading	TBD

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

Existing Property Designations:

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Applicable Designations	
CP Map Designation	"Parks and Recreational Use"
Zoning Map Designation	Single Family Residential (SFR) and Special Use (S) District
Within Central Business District	No
Mixed Use District	No
Mediterranean Architectural District (citywide)	Yes
Within Coral Gables Redevelopment Infill District (GRID) (Traffic Concurrency Exemption Zone)	No

Surrounding Uses:

Location	Existing Land Uses	CP Designations	Zoning Designations
North	Matheson Hammock Park	"Parks and Recreational Use"	Special Use (S) District
South	1 and 2 story single-family residences	"Residential Use (Single-Family) Low Density"	Single Family Residential (SFR)
East	Matheson Hammock Park	"Parks and Recreational Use"	Special Use (S) District
West	1 and 2 story single-family residences	"Residential Use (Single-Family) Low Density"	Single Family Residential (SFR)

Site Plan Analysis:

Type	Date Completed
Concurrency Impact Statement (CIS)	11.02.09
Preliminary Zoning Analysis	01.26.10
Traffic study review (by City consultant)	06.17.10

The Building and Zoning Department's Preliminary Zoning Analysis findings are summarized in the below tables. The Preliminary Zoning Analysis is provided as Attachment B:

Site Plan Information:

Type	Permitted	Proposed
Total site area	3,594,705 sq. ft. (82.5 acres)	3,594,705 sq. ft. (82.5 acres)
Floor area ratio (FAR)	0.35 FAR	0.02 FAR
FAR x total site area =	1,258,147 sq. ft.	---
New building square footage:	---	
- café		3,360 sq. ft.
- plant shade house		10,094 sq. ft.
- west wing office building		2,188 sq. ft.
- east wing office building		9,991 sq. ft.
Total new building:		25,633 sq. ft.
Existing building:		49,690 sq. ft.
Total (new and existing) building:		75,323 sq. ft.
Building height (above grade*):	45'-0"	
- plant shade house		44'-5"
- west wing office building		14'-0"
- east wing office building		34'-6"
Total existing development	---	49,690 sq. ft.
Office (new)	---	12,179 sq. ft.

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<i>Type</i>	<i>Permitted</i>	<i>Proposed</i>
Restaurant (café)	---	3,360 sq. ft.
Plant shade house	---	10,094 sq. ft.

* "at grade" is the average of the crown of road elevations from Campana Avenue and Old Cutler Road.

Setbacks (new project):

<i>Type</i>	<i>Required</i>	<i>Proposed*</i>
Front (Campana Avenue)	25'-0"	13'-6"
Side / interior	10'-0"	complies
Side / street (Old Cutler Road)	15'-0"	complies
Rear (north)	5'-0"	complies

* Setback relief permitted for PAD projects.

Parking (new project):

<i>Uses</i>	<i>Required</i>	<i>Proposed</i>
Research and technical	16 spaces	---
Restaurant (café)	41 spaces	---
Office (new)	23 spaces	---
Total required on-site parking	80 spaces	---
Paved surface on-site parking	---	200 spaces
Unpaved special events parking	---	approx. 1,800 spaces

Discussion

Proposed Project

Fairchild Tropical Gardens is located on the east side of Old Cutler Road, between Matheson Hammock Park (north and east), Hammock Oaks Subdivision (south) and Snapper Creek Subdivision (west). The proposed project is named the "Paul and Swanee DiMare Science Village at Fairchild Tropical Garden", but is commonly referred to as the "Science Village". The proposed project consists of additions to the existing building complex, including additional new office space, an expanded café and a plant shade house. The existing Whitman Tropical Fruit Pavilion, shade house sunken garden and conservatory building would remain.

Miami-Dade County property information records indicate the original Fairchild Tropical Garden building complex was constructed in 1941. The gatehouse building is the only historically designated structure on the entire Fairchild Tropical Garden property (designated by the City in 1994). The maintenance building was constructed in 1947 and the café was constructed in 1983. The maintenance building, shade house and cafe would be demolished as a result of this project. The Historic Resources Department has determined that the maintenance building is not historically significant, that the new construction will not require design approval from the Historic Preservation Board (see Attachment C).

There is 25,633 sq. ft. of new building space proposed at the Science Village complex and 49,690 sq. ft. of existing building that would remain resulting in a total 75,323 sq. ft. build-out for the Fairchild Tropical Garden property. A new screened structure with a height of 44'-5" above grade would replace the existing 34'-0" high shade house ("at grade" is the average of the crown of road elevations from Campana Avenue and Old Cutler Road). The applicant has

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requested the PAD to also provide for a reduction in the front setback from Campana Avenue from 25' to 13'-6". To the east of the shade house the existing one story maintenance building would be replaced with a one story office building pavilion (14'-0" height above grade) referred to as the "west wing", and a new two story office building (34'-6" height above grade) referred to as the "east wing" would be constructed in the location of the existing gated driveway access from Campana Avenue. The existing café would be expanded at its existing location. All existing rear building setbacks from Campana Avenue would be maintained for the new proposed buildings.

There is no new construction or changes to the existing Fairchild Tropical Garden property proposed with this application other than the proposed Science Village complex project.

Previous City Approvals

The following is a chronological summary of previous City ordinances and resolutions granted for Fairchild Tropical Gardens:

1. 04.04.39 – Resolution No. 1903 exempting Fairchild Tropical Garden from City taxes.
2. 06.06.61 – Resolution No. 8907 granting approval to construct a storage and shelter building constructed of corrugated sliding and flat roof, provided the building is setback 25' from Old Cutler Road and shrubbery is planted to conceal the building from view.
3. 06.08.65 – Resolution No. 11421 granting approval to construct a six (6) foot high chain link fence south of the green house and hot house along the north side of Campana Avenue.
4. 11.25.69 – Resolution No. 15436 granting approval to construct a six (6) foot high chain link fence generally paralleling Old Cutler Road along the west side of Fairchild Tropical Garden.
5. 07.10.72 – Resolution No. 298-ZB granting a variance to permit the existing off street parking in front of the main gate to remain.
6. 10.11.94 – Ordinance No. 3098 designation the gatehouse at Fairchild Tropical Garden as a local historic landmark.

This information was obtained from the records of the City Clerk's Office and the Building and Zoning and Historic Resources Departments. No information was found regarding the original approval for the "X" zoning designation to allow the "Tropical Garden and Appurtenances" as noted on the City's Zoning Map, or the approval for the setback encroachment of the existing buildings along Campana Avenue.

Compliance with Special Use and PAD Provisions

The stated purpose of the Special Use (S) District zoning designation is to accommodate uses which have the potential of adversely impacting adjacent uses, but enhance the quality of life of the citizens of the City. The PAD provisions are intended to allow opportunities for more creative and imaginative development than generally possible under strict application of the Zoning Code regulations. The proposed project incorporates design and operational provisions with the intention to buffer and reduce the impact of uses from the adjacent to residential neighborhood to comply with these Zoning Code objectives.

The proposed project is consistent with the standards and requirements of the Code's PAD provisions and in accordance with the property's existing "Parks and Recreational Use" land use and proposed Special Use (S) District zoning designations. As identified in the Preliminary Zoning Analysis (see Attachment B) relief from requirements of the Code is required for the

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building's setback onto Campana Avenue and the location and ground area coverage of the screened enclosure. This relief is permitted for proposed PAD projects.

Existing and Permitted Development

The applicant has chosen to locate the proposed project in the southwest corner of the property, in the same location. The existing Science Village complex of buildings includes the existing shade house and café, Whitman Tropical Fruit Pavilion, shade house sunken garden, conservatory building and a maintenance building that is no longer in use and in disrepair. The proposed new construction for the Science Village consists of 25,633 sq. ft. project representing a fifty-two percent (52%) increase in the size of the total development that currently exists on the Fairchild Tropical Gardens property. The entire property is significantly under-built when compared to the permitted development that could occur on the property. The existing "Parks and Recreational Use" land use designation allows for a 0.35 FAR when adjacent to a single-family residential district. The total proposed build-out for the Master Plan is 75,323 sq. ft., or 0.02 FAR, as a result of the construction of this proposed project.

Future Development

The Zoning Code Article 3, Division 5, "Planned Area Development" provides for setback relief for approved PAD projects which allows for the proposed 13'-6" setback from Campana Avenue instead of the 25'-0" that would otherwise be required. Those provisions also allow for the proposed location and size of the screened enclosure (plant shade house). To ensure that future development within the Fairchild Tropical Gardens property along Campana Avenue does not impact the residential properties to the south, a condition of approval is recommended with this report requiring that within 30 days of City Commission approval Fairchild Tropical Gardens shall submit to the City Attorney for review and approval of a Covenant including the following:

1. Prohibit any future vehicular access onto the property from Campana Avenue.
2. No vehicle access permitted from Campana Avenue.
3. Require that a heavily landscaped buffer along Campana Avenue to buffer existing/proposed buildings. This shall be subject to review and approval by the Directors of the Public Works, Public Service and Planning Departments. No use of the landscape buffer shall be permitted other than to screen any proposed development.

In addition, recommended conditions of approval are also provided for the following:

1. Provide infill landscaping and reconstruct the rock wall along the north side of Campana Avenue from the proposed emergency vehicle access gate to Old Cutler Road.
2. The vehicular gate onto Campana Avenue for emergency vehicle use shall have 100% opacity so that waste service facilities and operations on the property are screened from public view.
3. The vehicle approach between the gate and Campana Avenue shall consist of sod over a compacted surface and shall have a similar appearance to the swale area along this portion of the Campana Avenue right-of-way.

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Master Plan and Permitted Uses

A Master Plan for Fairchild Tropical Gardens has never been submitted to the City for review and approval. To date, proposed projects have been reviewed and approved on a case-by-case basis. The new Zoning Code allows for botanical gardens as a permitted Special Use (S) with an approved Master Plan. The City requested that a Master Plan for the entire property including all existing facilities and site features be submitted with the application for the proposed project to comply with this requirement. The only new construction on the Fairchild Tropical Garden property proposed with this application is the Science Village project.

The applicant has submitted with this proposal a Zoning Code text amendment that is intended to clarify the specific uses for a botanical garden. Currently, Zoning Code Section 4-204, "Special Use (S) District" identifies "Botanical gardens with previously approved master plan" as a permitted use, but does not specify what uses can occur at a botanical garden. The uses proposed by the applicant currently exist at Fairchild Tropical Garden, and include the following (changes shown in underline):

"Section 4-204. Special Use (S) District.

- A. *Purpose and applicability. The purpose of the Special Use (S) District is to provide a zoning classification which accommodates uses which have the potential of adversely impacting adjacent uses but which enhance the quality of life of the citizens of City.*
- B. *Permitted uses. The following uses are permitted in the S District subject to the standards in this Section and other applicable regulations in Article 5:*
 - 1. *Botanical gardens with previously approved master plan.*
 - a. Offices
 - b. Research and technology.
 - c. Retail sales and services.
 - d. Restaurant.
 - e. Educational facility.
 - f. Nighttime uses.
 - g. Outdoor recreation/entertainment.
 - h. Camps.
 - i. Other such uses as are customary for botanical gardens."

Relocated Vehicular Access Gate

The existing vehicular gate on Campana Avenue is proposed to be relocated to the east of its existing location. As proffered by the applicant, the gate will only be used by emergency vehicles and closed and locked at all times. The gate would be operated by radio transmitter or other similar device and only be used by City emergency vehicles. There would be no paved driveway for use by other vehicles. The vehicle approach to the gate from Campana Avenue gate will consist of sod over a compacted surface so as to appear similar to the swale area along this portion of the right-of-way. The gate will have 100% opacity so that waste service facilities and operations on the property are screened from public view. A recommended condition of approval would require a covenant prohibiting any future vehicular access onto the property from Campana Avenue.

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Perimeter Landscaping, Coral Rock Wall and Design Criteria

There is existing landscaping along the south perimeter of the property along Campana Avenue roadway to buffer the proposed project. The existing buffer along the Campana Avenue roadway consists primarily of areca palms (cluster palms), a deteriorating coral rock wall and a variety of over and under-story vegetative materials of varying condition. Staff has recommended conditions of approval that would require that the existing landscaping be enhanced with additional landscape screening and maintained as a visual buffer for both the new and existing Science Village complex buildings, and that the existing coral rock wall located along the property line south of the project (along Campana Avenue) which is currently in disrepair be reconstructed as part of the perimeter buffer. Also, Staff recommends as conditions of approval that there be no vehicular service facilities, signage, nighttime lighting, outdoor dining or any outdoor amplified music or paging systems permitted along the rear of the property between the Science Village complex and Campana Avenue that would impact the residential neighborhood located to the south.

Parking and Traffic Circulation

Eighty (80) on-site parking spaces are required for the new project. Two hundred (200) paved spaces are provided in surface parking lots in the general area of the Education and Conference Center and the new Visitors Center. There are another approximately 1,800 unpaved parking spaces available for special events located in the center of the property and accessed by an internal ring road. The proposed project will be accessed from Old Cutler Road through the two existing vehicular entrances to the property. The 80 required parking spaces are proposed to be provided in the unpaved special events parking located on the Master Plan northeast of the Science Village complex, and would be accessed by the internal ring road.

The Traffic Impact Study submitted with the application evaluated traffic circulation and the impact on Old Cutler Road (see Attachment D). It was concluded in the applicant's Traffic Impact Study that the proposed improvements to Fairchild Tropical Garden will not result in an increase in the number of employees, so there will be de minimis traffic impacts to the roadway system because:

1. There are no additional employees with the new office space.
2. There are no new access points open to the public or employees.
3. The parking areas remain unchanged.

The Traffic Impact Study has been reviewed by the Public Works Department and City's traffic consultant. In a 06.17.10 memorandum, the City's traffic consultant concurred with the conclusions of the applicant's Traffic Impact Study and determined that the net new trips generated by this project is minimal, as well as its resulting impact (see Attachment E).

City Department Review

This proposal was reviewed by City Staff at the Development Review Committee (DRC) meeting on 07.28.08. The application was also distributed to the Public Works, Public Service, and Historic Resources Departments and the City Architect on 12.19.09 for detailed review and comments. All comments provided have subsequently been addressed by the applicant and the recommended conditions of approval provided with this Staff report.

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Board of Architects Review

The proposed project has been reviewed by the Board of Architects, and received preliminary design approval on 10.30.08. At the applicant's own risk, the plans were submitted to the Board of Architects and received final approval on 06.18.09.

Concurrency Management

This project has been reviewed for compliance with the Building and Zoning Department's Concurrency Management program. The Concurrency Impact Statement (CIS) issued by the Building and Zoning Department for the project indicates that there is adequate infrastructure available to support the project. The CIS is on file and available for review with the Planning Department.

Findings of Facts

This section evaluates the application for consistency with the Zoning Code and Comprehensive Plan (CP). This evaluation provides findings of fact and recommendations for compliance with the above.

Compliance with the Zoning Code

1. *PAD Review Criteria*

Zoning Code Section 3-506 requires that conclusions and findings of fact be provided for any proposed PAD which shall set forth particularly in what respects the proposal would or would not be in the public interest, to include the following:

1. *In what respects the proposed plan is or is not consistent with the stated purpose and intent of the Planned Area Development regulations.*
2. *The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.*
3. *The extent to which the proposed plan meets the requirements and standards of the Planned Area Development regulations.*
4. *The physical design of the proposed Planned Area Development and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, provide for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.*
5. *The compatibility of the proposed Planned Area Development with the adjacent properties and neighborhood.*
6. *The desirability of the proposed Planned Area Development to physical development of the entire community.*
7. *The conformity of the proposed Planned Area Development with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan.*

Staff comments: The conclusions and findings of fact presented in this Staff report for the issues identified in Section 3-506 indicate this proposal is in the public interest. This proposed PAD is consistent with the CP goals, objectives and policies as presented herein and the Zoning

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Code's purpose and intent for a PAD project. The PAD development standards allow for relief from building setbacks and location requirements for the purpose of allowing opportunities for more creative and imaginative development than generally possible under strict application of the Zoning Code regulations. With the exception of the building's front setback (onto Campana Avenue) and the location and ground area coverage of the screened enclosure, the proposed project is consistent with the standards and requirements of the Code's PAD provisions and in accordance with the property's existing land use and proposed zoning designations as exhibited in the attached Preliminary Zoning Analysis (see Attachment B). Public access to the property will remain unchanged, and there are currently structures built at the project site and significant existing landscaping along the south perimeter of the property to buffer the proposed project. The facilities at Fairchild Tropical Garden are an important educational and cultural resource for the residents of the City, and are internationally renowned.

2. Change of Zoning

Zoning Code Section 3-1404 provides the standards for review of applicant-initiated zoning district boundary changes (change of zoning), as follows:

- A. *An applicant-initiated district boundary change shall be approved if it is demonstrated that the application satisfies all of the following:*
1. *It is consistent with the Comprehensive Land Use Plan in that it:*
 - a. *Does not permit uses which are prohibited in the future land use category of the parcel proposed for development.*
 - b. *Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use category of the parcel proposed for development.*
 - c. *Will not cause a decline in the level of service for public infrastructure to a level of service which is less than the minimum requirements of the Comprehensive Land Use Plan.*
 - d. *Does not directly conflict with any objective or policy of the Comprehensive Land Use Plan.*
 2. *Will provide a benefit to the City in that it will achieve two or more of the following objectives:*
 - a. *Improve mobility by reducing vehicle miles traveled for residents within a one-half (1/2) mile radius by;*
 - i. *Balancing land uses in a manner that reduces vehicle miles traveled; or,*
 - ii. *Creating a mix of uses that creates an internal trip capture rate of greater than twenty percent (20%); or*
 - iii. *Increasing the share of trips that use alternative modes of transportation, such as transit rider-ship, walking, or bicycle riding; or,*
 - b. *Promote high-quality development or redevelopment in an area that is experiencing declining or flat property values; or,*
 - c. *Create affordable housing opportunities for people who live or work in the City of Coral Gables; or*
 - d. *Implement specific objectives and policies of the Comprehensive Land Use Plan; and*
 3. *Will not cause a substantial diminution of the market value of adjacent property or materially diminish the suitability of adjacent property for its existing or approved use.*

Staff comments: The standards identified in Section 3-1404 for the proposed zoning district boundary changes are satisfied. Change of zoning would correct an existing inconsistent zoning designation as required by the City's Comprehensive Plan for the portion of the property that is incorrectly designated. The proposed Special Use (S) District zoning designation is the appropriate zoning designation for a botanical garden. The proposed zoning designation is intended to accommodate uses which have the potential of adversely impacting adjacent uses but enhance the quality of life of the citizens of the City. The project will not increase the densities or intensities that are currently permitted, or result in a decline in level of service. This

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high-quality project will result in the planned development of the Fairchild Tropical Garden facilities, which are an important educational and cultural resource for the residents of the City. CP objectives and policies are addressed regarding encroachment by an incompatible use; application of buffering techniques; limitation of potentially disruptive uses with sound innovative development; and, compatibility of new development. It has not been demonstrated that the proposal would cause a substantial diminution of the market value of adjacent property.

Compliance with Comprehensive Plan (CP) Goals, Objectives and Policies

Review of the CP finds the following CP Goals, Objectives and Policies are applicable and the following tabled information provides findings of fact to determine consistency or inconsistency thereof.

Consistent CP Goals & Objectives and Policies are as follows:

Ref. No.	CP Goal, Objective and Policy	Consistency
1.	<i>OBJECTIVE FLU-1.3: By the year 2015 the City shall endeavor to reduce the number of inconsistencies between the Future Land Use Map and the actual land uses from 40 to 20.</i>	Complies
2.	<i>POLICY FLU-1-3.3: Non-residential uses designated in the Comprehensive Plan which cause significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic, shall provide buffering such as landscaping, walls and setbacks, when located adjacent to or across the street from incompatible uses such as residential uses.</i>	Complies
3.	<i>OBJECTIVE FLU-1.9: Encourage sound innovation in the development standards of the City's Zoning Code which provides a continuing process to respond to community needs.</i>	Complies
4.	<i>POLICY FLU -1.11.1: Maintain and enforce effective development and maintenance regulations through site plan review, code enforcement, and design review boards and committees.</i>	Complies
5.	<i>Policy FLU-1.14.1: The City shall enforce Zoning Code provisions which continue to address the location and extent of residential and non-residential land uses consistent with the Future Land Use Map in order to preserve the character of existing neighborhoods.</i>	Complies
6.	<i>OBJECTIVE MOB-2.7: The City's Comprehensive Plan, this element and all applicable plans and programs shall protect and minimize any potential traffic impacts to the community and residential neighborhoods.</i>	Complies
7.	<i>POLICY MOB-2.8.1: The City shall continue implementation and further strengthen the City's existing land development regulations requiring the placement of landscaping within rights-of-way to complete the following:</i> <ul style="list-style-type: none"> • <i>Promote expansion of the City's existing tree canopy.</i> • <i>Provide screening of potentially objectionable uses.</i> • <i>Serve as visual and sound buffers.</i> 	

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Ref. No.	CP Goal, Objective and Policy	Consistency
	<ul style="list-style-type: none"> Provide a comfortable environment for pedestrian walking (walkability) and other activities. Improve the visual attractiveness of the urban and residential areas (neighborhoods). 	Complies
8.	<i>POLICY MOB-3.2: Protect single-family neighborhoods from commercial traffic intrusion.</i>	Complies
9.	<i>POLICY HOU-1.2.6: New development shall be compatible with adjacent established residential areas.</i>	Complies

Inconsistent CP Goals, Objectives and Policies are as follows:

Ref. No.	CP Goal, Policy and Objective	Basis for inconsistency	Recommendation for consistency
1.	<i>POLICY FLU-1-3.3: Non-residential uses designated in the Comprehensive Plan which cause significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic, shall provide buffering such as landscaping, walls and setbacks, when located adjacent to or across the street from incompatible uses such as residential uses.</i>	The existing buffer along Campana Avenue does not adequately screen the buildings and activities in the area of the proposed Science Village complex.	The following recommended conditions are included: 1) all existing rear building setbacks from Campana Avenue would be maintained for the new proposed buildings; and no vehicle access shall be permitted from Campana Avenue; 2) the existing landscaping shall be enhanced and coral rock wall repaired to provide a visual buffer along the north side of Campana Avenue; and, 3) The vehicular gate onto Campana Avenue for emergency vehicle use shall have 100% opacity and the approach between the gate and Campana Avenue shall consist of sod over a compacted surface.
2.	<i>OBJECTIVE FLU-1.9: Encourage sound innovation in the development standards of the City's Zoning Code which provides a continuing process to respond to community needs.</i>	There currently exists no operational restrictions for the proposed Science Village complex or remaining portions of the property specifically intended to minimize the impact on the adjacent residential properties to the south.	Use of the Campana Avenue gate shall be for City emergency vehicles only, and the gate shall be closed and locked at all times and operated by radio transmitter. Recommended design and operational conditions of approval have been included addressing building architecture and signage, nighttime lighting, outdoor amplified music and paging systems, and special events permits for events that exceed 200 vehicles.
3.	<i>POLICY FLU -1.11.1: Maintain and enforce effective development and maintenance regulations through site plan review, code enforcement, and design review boards and committees.</i>	A portion of the property has an inconsistent zoning designation, and there currently is not an approved Master Plan for the Fairchild Tropical garden property.	The proposed application would correct the inconsistent residential zoning designation, clarify permitted uses for botanical gardens and satisfy and comply with the Code requirement for an approved Master Plan requiring site plan review at public hearing for any future changes.

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Staff Comments: The proposal is “consistent” with specific CP Goals, Objectives and Policies as identified herein. Recommendations are provided and included as conditions of approval for those CP Goals, Objectives and Policies identified herein as inconsistent.

Findings of Fact Summary

In summary, Staff based upon its analysis of the CP and applicable codes and information, determined the following findings of fact regarding this application:

1. Proposal is “consistent” with specific CP Goals, Objectives and Policies as identified herein.
2. Recommendations are provided and included as conditions of approval for those CP Goals, Objectives and Policies identified herein as “inconsistent”.
3. Proposal satisfies Zoning Code standards for a PAD project.
4. Change of zoning would correct an existing inconsistent zoning designation as required by the City’s Comprehensive Plan.
5. Clarification of permitted uses for botanical gardens would be provided in Zoning Code.
6. Proposal would satisfy and comply with the Code requirement for an approved Master Plan for Fairchild Tropical Garden.
7. Applicant has proffered design and operational provisions intended to buffer and reduce the impact of proposed project from the adjacent residential neighborhood.
8. All existing rear building setbacks from Campana Avenue would be maintained for the new proposed buildings, and no vehicle access would be permitted from Campana Avenue.
9. The existing landscaping shall be enhanced and coral rock wall repaired to provide a visual buffer along the north side of Campana Avenue.
10. The gated access from Campana Avenue would be for emergency vehicle use only, and there would be no paved driveway for use by other vehicles.
11. City review procedures addressing special events intended to mitigate overflow parking and traffic issues are recommended that currently do not exist.
12. The Fairchild Tropical Garden facilities are an important educational and cultural resource for the residents of the City, and are internationally renowned.

Public Notification/Comments/Future Consideration

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

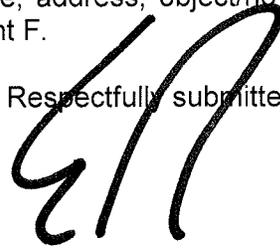
Type	Explanation
Neighborhood meeting completed	Completed 05.19.10
Courtesy notification mailed to all property owners within 1,500 feet of the subject property	Completed 06.18.10
Newspaper ad published	Completed 07.01.10
Posted property	Completed 06.18.10
Posted agenda on City web page/City Hall	Completed 06.22.10
Posted Staff report on City web page	Completed 07.09.10

Courtesy notification was mailed to all property owners within 1,500 feet of the subject property instead of the minimum 1,000 foot distance required by Code to provide additional public notice of this application. The listing of property owners who returned the notification/comment form,

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including the date received, property owners name, address, object/no objection/no comment and verbatim comments are attached as Attachment F.

Respectfully submitted,



Eric Riel, Jr.
Planning Director

Attachments:

- A. Applicant's submittal package.
- B. 01.26.10 Preliminary Zoning Analysis prepared by Building and Zoning Department.
- C. 01.12.09 Historical Determination Letter
- D. Traffic Impact Study prepared by David Plummer and Assoc., dated 12.14.09 and updated 04.28.10.
- E. 06.17.10 Traffic Impact Study review prepared by Marlin Engineering. Inc.
- F. Synopsis of comments received from property owners within 1,500 feet.