



City of Coral Gables Planning Division Staff Recommendation

Applicant:	1248 Coral Way LLC
Application:	Conditional Use Review for a Building Site Determination
Property:	1248 Coral Way
City Public Hearing Dates/Times:	Planning and Zoning Board June 13, 2012, 6:00 – 9:00 p.m. City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134

Application Request.

Request for Conditional Use Review for a Building Site Determination for the historically designated property located at 1248 Coral Way, as follows:

“An Ordinance of the City Commission of Coral Gables, Florida requesting Conditional Use Review for a Building Site Determination pursuant to Zoning Code Article 3, “Development Review”, Section 3-206, “Building Site Determination” to create two (2) separate single family building sites on property assigned Single-Family Residential (SFR) zoning and Local Historic Landmark; one building site consisting of Lots 5 and 6 and the other of Lots 7 and 8 on property legally described as Lots 5-8, Block 1, Section “D” (1248 Coral Way), Coral Gables, Florida; including required conditions; providing for severability, repealer, codification, and an effective date.”

Summary of Application.

“1248 Coral Way LLC” (hereinafter referred to as “Applicant”), has submitted a “Conditional Use Review for a Building Site Determination” application (hereinafter referred to as the “Application”) for City of Coral Gables review and public hearing consideration.

The request is to separate an existing 200 foot frontage building site into two (2) building sites, each with 100’ of frontage. The property has a single address, but is comprised of two (2), 17,500 SF parcels each with separate Miami-Dade County folio numbers for tax purposes. The property consists of four (4) platted lots and the proposed two (2) building sites would each have two (2) platted lots. An existing

Site Data and Background.

Site Data and Surrounding Uses

The following tables provide the subject property's designations and surrounding land uses:

Existing Property Designations

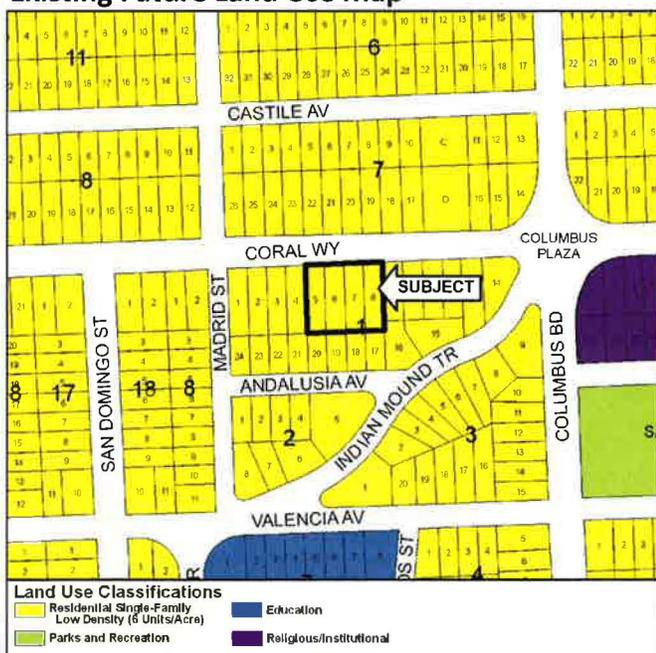
Comprehensive Plan Map designation	"Residential Single-family Low Density"
Zoning Map designation	Single Family Residential (SFR)

Surrounding Land Uses

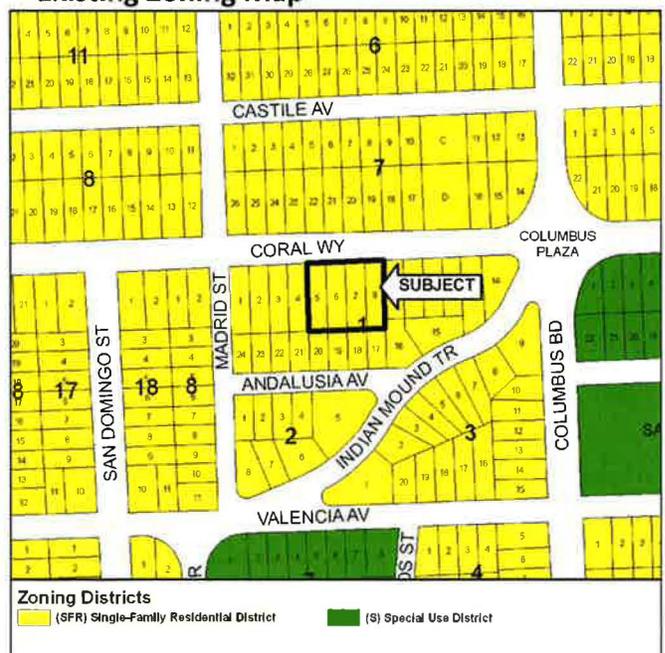
Location	Existing Land Uses	CP Designations	Zoning Designations
North	1-2 story single-family residences	"Residential Single-family Low Density"	Single Family Residential (SFR)
South	1-2 story single-family residences	"Residential Single-family Low Density"	Single Family Residential (SFR)
East	1-2 story single-family residences	"Residential Single-family Low Density"	Single Family Residential (SFR)
West	1-2 story single-family residences	"Residential Single-family Low Density"	Single Family Residential (SFR)

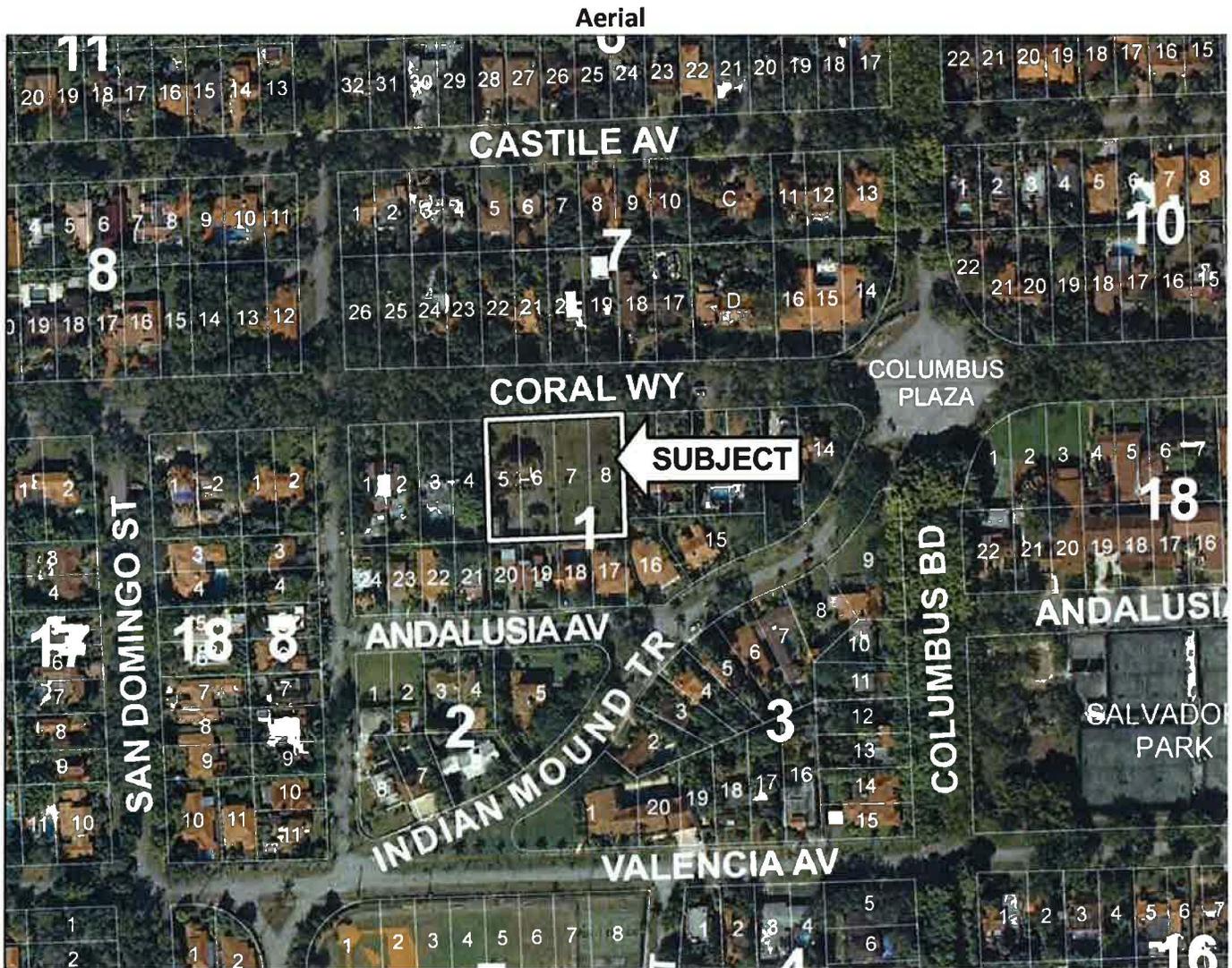
The surrounding properties have the same single-family residential land use and zoning designations as the subject property, illustrated as follows:

Existing Future Land Use Map



Existing Zoning Map





City Review Timeline

The submitted application has undergone the following City reviews:

Type of Review	Date
Development Review Committee	N/A
Board of Architects	03.08.12 and 03.15.12
Historic Preservation Board	05.17.12
Planning and Zoning Board	06.13.12
City Commission (1 st reading)	07.24.12
City Commission (2 nd reading)	08.28.12

City Legislative History

The property was designated a Local Historic Landmark via Resolution No. HPR165-LHD2011-02 on 11.17.11.

Proposed Building Site Separation and Site Plan

Proposal – Building Site Separation and Site Plan

Proposed Building Site Separation Application

The application package includes the following (see Attachment A:

- 1) Letter of Intent and compliance with building site separation criteria;
- 2) Building Site Determination Letter of 05.12.11;
- 3) Ownership and property survey;
- 4) Aerial photo and site photos;
- 5) Illustrative site plans and elevations;
- 6) Building Site Frontage Analysis;
- 7) Historic Designation Letter and background materials; and
- 8) Historic Preservation Board approval update.

Conceptual Site Plan

A conceptual site plan was submitted with the building site separation application showing the development of the property with the creation of the second building site that is required by the Zoning Code to assist with the evaluation of the request. This site plan is only intended to indicate that the proposed building sites can be developed according to the Single-Family Residential (SFR) Zoning Code provisions. The conceptual site plan is not tied to the request for building site separation. Future construction of this historically designated property requires architectural and historic compatibility review and approval by the Historic Preservation Board and Board of Architects prior to the issuance of a building permit.

Permitted Development

Currently, the subject property has a street frontage of 200' and a depth of 175'. The proposal is to create two building sites, each with a frontage of 100' and a depth of 175'. Each of the proposed single-family building sites would be approximately 17,500 SF in size. This would allow a residence with a maximum 6,400 SF to be constructed on the proposed building site. The existing historic residence would remain and will have 5,593 SF of total A/C area after renovation. This would result in a total permitted development of 11,993 SF within two separate residences on the subject property based on the provisions in the Zoning Code if the request for building site separation is granted. If developed as permitted by Zoning Code as a single building site, a single residence with approximately 11,650 SF could be constructed on the property.

The following table compares the proposed building sites with the applicable Zoning Code requirements for single-family residences. This analysis shows that the property can be developed as proposed and meet the requirements of the Zoning Code:

Site plan information:

Type	Entire property permitted/required	Lots 5 and 6 – Existing historic SF residence	Lots 7 and 8 – Conceptual new SF residence
Building site frontage	200'	100'	100'
Building site depth	175'	175'	175'
Total site area	35,000 sq. ft.	17,500 sq. ft.	17,500 sq. ft.
Building floor area (FAR)	Max. 11,650 sq. ft.	5,593 sq. ft. total A/C area after renovation	Max. 6,400 sq. ft.
Building height	Max. 2 stories/29'-0" above established grade	Existing 2 story historic residence to remain	Max. 2 stories/29'-0" above established grade
Setbacks:			
Front	Min. 50'-0"	50'-0"	Min. 50'-0"
Side interior	Min. 20'-0" (total)	26'-5" (total)	Min. 20'-0" (total)
Rear	Min. 10'-0"	10'-2"	Min. 10'-0"
Building ground area coverage (including aux. structures)	Max. 45%	28%	Max. 45%

Historic Preservation Board Review

On 05.17.12 the Historic Preservation Board granted design approval for the construction of the addition and alterations to the existing historic residence located on Lots 5 and 6. The Historical Resources Department's Staff report stated and informed the Historic Preservation Board that the application was submitted in association with a building site separation request to create two building sites, which shall be subject to the purview of the Planning and Zoning Board and the City Commission. No variances are required for the renovation of the existing historic home. The Historical Resource Department's 05.17.12 Staff report is provided as Attachment B for informational purposes.

Board of Architects Review of Existing Residence

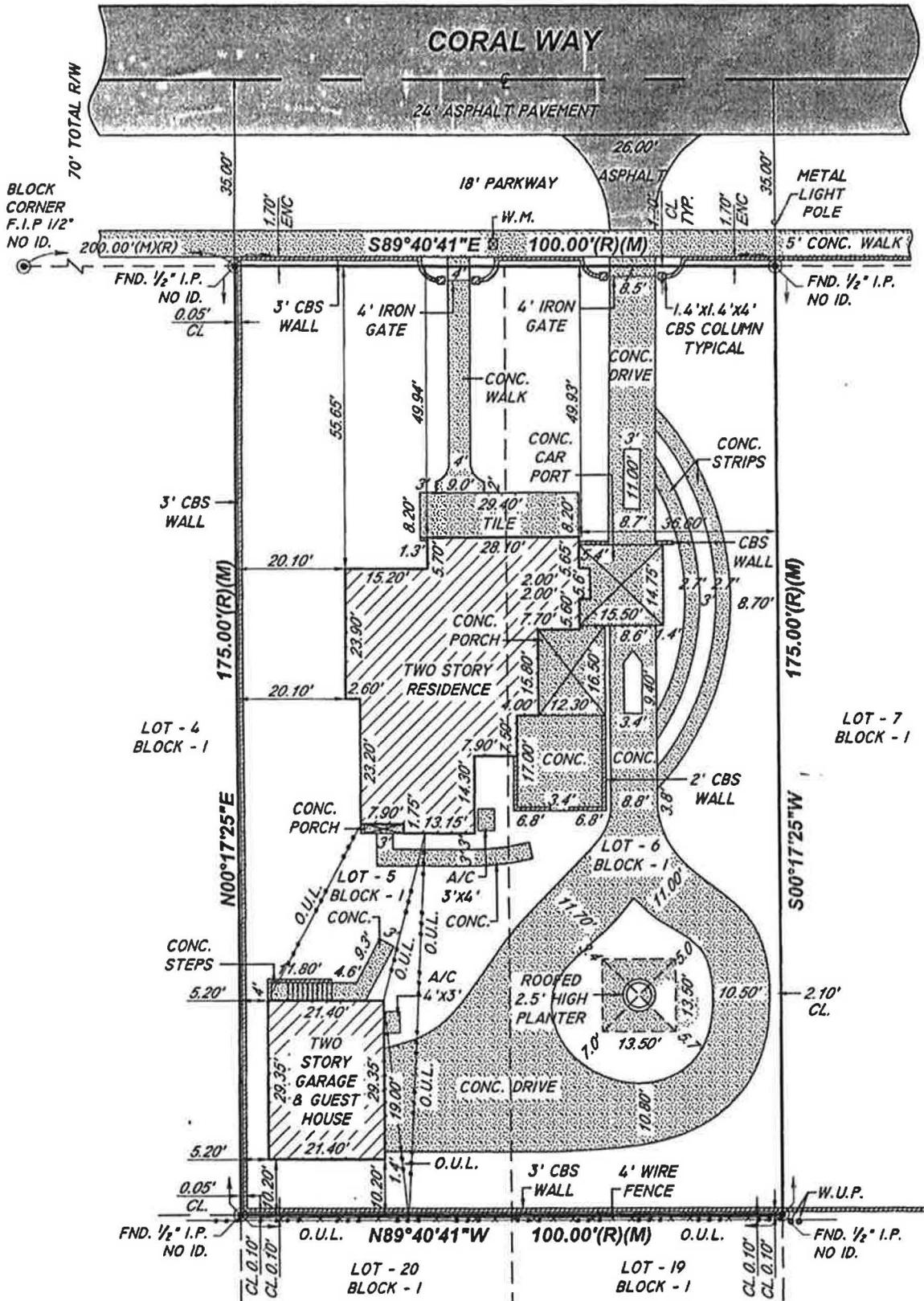
The proposed renovations to the existing historic residence were reviewed by the Board of Architects and received preliminary approval on 03.08.12 and 03.15.12.

City Staff Comments

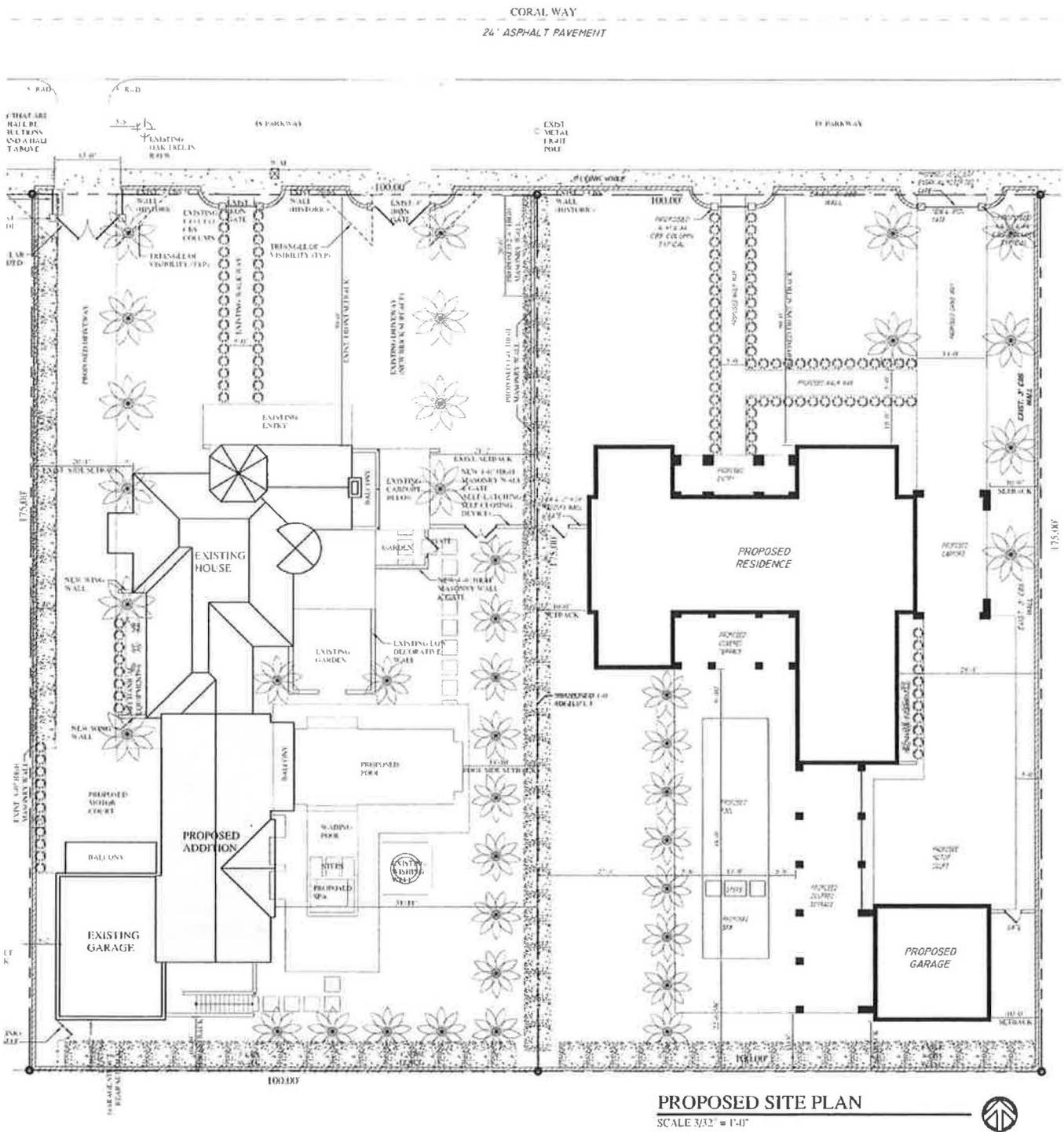
This proposal has been reviewed by the Zoning Division, Historical Resources, Public Works and Public Service Departments. All City Department comments that were provided have been addressed by the applicant.

The property surveys for Lots 5 and 6 and Lots 7 and 8, and the Applicant's Conceptual Site Plans and Conceptual Building Elevation are provided on the following pages:

Property Survey – Lots 5 and 6



Conceptual Site Plans (Both lots)



Conceptual Building Elevations (Both lots)



Findings of Fact.

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

Findings of Fact- Separation and Establishment of Building Sites

Review of Zoning Code Criteria

Zoning Code Section 3-206(F) provides the criteria for the separation and establishment of building sites, as follows:

"F. When reviewing and providing a recommendation on an application for conditional use for a building site determination, the Planning Department, Planning and Zoning Board and the City Commission shall consider and evaluate the request together with a proposed site plan and provide findings that the application satisfies at least four (4) of the following six (6) criteria:

Staff has reviewed the Application based upon the six (6) criteria and finds that the Application satisfies four (4) of the six (6) criteria, as follows:

"1. That exceptional or unusual circumstances exist, that are site specific such as unusual site configuration or partially platted lots, or are code specific such as properties having two (2) or more zoning and/or land use designations, multiple facings or through-block sites, which would warrant the separation or establishment of a building site(s)."

Staff Comment: The two proposed building sites (Lots 5/ 6 and Lots 7/8) have separate folio numbers and are separate parcels for tax purposes. This indicates both parcels have been held separately and are not tied by a Unity of Title, which qualifies as exceptional and unusual circumstances.

The Application satisfies this criteria.

"2. That the building site(s) created would be equal to or larger than the majority of the existing building site frontages of the same zoning designation within a minimum of one thousand (1,000) foot radius of the perimeter of the subject property or extending no farther than the immediate vicinity, whichever is less. "Immediate vicinity" shall be defined as an area in which a parcel of land is located, that is physically, functionally or geographically identifiable as a distinct realm, place or neighborhood, or an area within a radius of not more than one-half (1/2) mile from the subject property, whichever is smaller."

The Applicant’s building site frontage analysis is as follows (see Attachment A):

Surrounding single-family building site frontages:

Frontage	0’ to 99’	100’	101’ to 150’+	Total
No. of Sites	121	68	45	234
Percentage	52%	29%	19%	100%

Staff Comment: Both of the proposed single-family building sites would have frontages equal to or larger than 81% of the surrounding building site frontages.

The Application satisfies this criteria.

- “3. That the building site(s) separated or established would not result in any existing structures becoming non-conforming as it relates to setbacks, lot area, lot width and depth, ground coverage and other applicable provisions of the Zoning Code, CP and City Code. The voluntary demolition of a building which eliminates any of the conditions identified in this criterion shall not constitute or result in compliance with this criterion.”

Staff Comment: The conceptual site plan submitted by the Applicant indicates that the proposed building sites can satisfy all applicable Zoning Code provisions for the single-family residences.

The Application satisfies this criteria.

- “4. That no restrictive covenants, encroachments, easements, or the like exist which would prevent the separation of the site. The voluntary demolition of a building which eliminates any of the conditions identified in this criterion shall not constitute or result in compliance with this criterion.”

Staff Comment: The property has two separate folio numbers and there is no Unity of Title tying the entire site together. However, a permit for a sprinkler system and an existing concrete block wall along the front and rear of the property encroach onto Lots 7 and 8. These existing encroachments tie this property together as a single building site as indicated in the 05.12.11 Letter of Determination issued by the Zoning Division, which is included with the Application provided as Attachment A.

The Application does not satisfy this criteria.

- “5. That the proposed building site(s) maintains and preserves open space, promotes neighborhood compatibility, preserves historic character, maintains property values and enhances visual attractiveness of the area.”

Staff Comments: The proposal would retain and renovate an existing historically designated residence. The proposed second building site is vacant and would be developed in accordance with the Zoning Code’s provisions for single-family residences. Alternatively, the historic residence would be demolished and an

oversized new residence could be constructed over the entire property that would not be in character with the surrounding neighborhood.

The Application satisfies this criteria.

“6. That the building site(s) created was purchased as a separate building(s) by the current owner prior to September 17, 1977.”

Staff Comment: A Warranty Deed submitted with the Application shows that the Applicant became the fee owner of the property in January 2012.

The Application does not satisfy this criteria.

Pursuant to Zoning Code, Article 3, Development Review, Section 3-206., Building Site Determination, Subsection F, Planning Staff finds the Application satisfies at least four (4) of the six (6) criteria.

Consistency Evaluation of the Comprehensive Plan (CP) Goals, Objectives and Policies

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

Consistent CP Goals & Objectives and Policies are as follows:

Ref. No.	CP Goal, Objective and Policy	Staff Review
1.	Goal FLU-1. Protect, strengthen, and enhance the City of Coral Gables as a vibrant community ensuring that its neighborhoods, business opportunities, shopping, employment centers, cultural activities, historic value, desirable housing, open spaces, and natural resources make the City a very desirable place to work, live and play.	Complies
2.	Objective FLU-1.2. Efforts shall continue to be made to control blighting influences, and redevelopment shall continue to be encouraged in areas experiencing deterioration.	Complies
3.	Policy FLU-1.3.2. All development applications in residential neighborhoods shall continue to be reviewed by applicable boards and committees to ensure the protection from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic. The City will continue to enforce the adopted restrictive design standards; historic preservation policies and the applicable performance standards of the Commercial Limited designation in the Zoning Code.	Complies
4.	Objective FLU-1.4. Provide for protection of natural and historic resources from	Complies

Ref. No.	CP Goal, Objective and Policy	Staff Review
	development and/or redevelopment together with continued maintenance.	
5.	Policy FLU-1.4.3. Historic sites shall be identified and protected, and performance standards for development and sensitive reuse of historic resources shall be established.	Complies
6.	Objective FLU-1.11. Maintain a pattern of overall low density residential use with limited medium and high density residential uses in appropriate areas to preserve the low intensity and high quality character of the residential neighborhoods.	Complies
7.	Policy FLU-1.11.1. Maintain and enforce effective development and maintenance regulations through site plan review, code enforcement, and design review boards and committees.	Complies
8.	Objective FLU-1.13. The City shall enforce the recently adopted Zoning Code which creates, preserves and maintains scenic vistas in keeping with the classic traditions as embodied in the original city plan.	Complies
9.	Objective FLU-1.14. The City shall enforce Zoning Code provisions which continue to preserve and improve the character of neighborhoods.	Complies
10.	Goal FLU-3. The City as a part of its development review process shall engage public/community participation and collaboration to provide for a transparent development review process.	Complies
11.	Objective FLU-3.1. The City shall continue its efforts to notify stakeholders, residents, property owners and neighborhood associations of pending development reviews to provide transparency within the development process.	Complies
12.	Objective DES-1.1. Preserve and promote high quality, creative design and site planning that is compatible with the City's architectural heritage, surrounding development, public spaces and open spaces.	Complies
13.	Policy DES-1.1.1. Promote and support George Merrick's vision consistent with the established historic and cultural fabric of the City.	Complies
14.	Policy DES-1.1.3. Ensure that the design of buildings and spaces in historic areas of the City complements, is compatible with, does not attempt to imitate and does not undermine the City's historic character.	Complies
15.	Policy DES-1.1.5. Promote the development of property that achieves unified civic design and proper relationship between the uses of land both within zoning districts and surrounding districts, by regulating, limiting and determining the location, height, density, bulk and massing, access to light and air, area of yards, open space, vegetation and use of buildings, signs and other structures.	Complies
16.	Policy DES-1.1.6. Maintain the character of the residential and nonresidential districts, and their peculiar suitability for particular uses.	Complies
17.	Policy DES-1.1.7. Preserve residential properties to assure that future development will be in conformity with the foregoing distinctive character, with respect to type, intensity, design and appearance.	Complies
18.	Policy DES-1.2.4. Preserve and protect the City's existing Mediterranean-inspired landmarks and facilities through historic preservation, capital improvements, and	Complies

Ref. No.	CP Goal, Objective and Policy	Staff Review
	other available means.	
19.	Goal HIS-1. Preserve and promote the recognition of structures, sites, manmade or natural landscape elements, works of art or integrated combinations thereof, which serve as visible reminders of the history and cultural heritage of the City.	Complies
20.	Goal HIS-3. Continue the preservation and protection of the historical and cultural resources within the City of Coral Gables.	Complies

Staff Comments: Staff’s determination that this Application is “consistent” with the CP’s goals, objectives and policies that are identified is based upon compliance with conditions of approval recommended by Staff and site plan review requirements for future plans for the new residence that will be constructed on the second building site.

Site Specific Provisions

If the Application is approved, a text amendment would be required to Zoning Code Appendix A - Site Specific Regulations by adding Section A-38, “Section D”, to indicate Lots 5-8 are two separate building sites, as follows (underlining denotes additions):

“Section A-38 – Section D.

A. Building Sites.

3. Lots 5 through 8, inclusive, Block 1, shall be considered two (2) building sites as follows:

a. One (1) building site to consist of Lots 5 and 6.

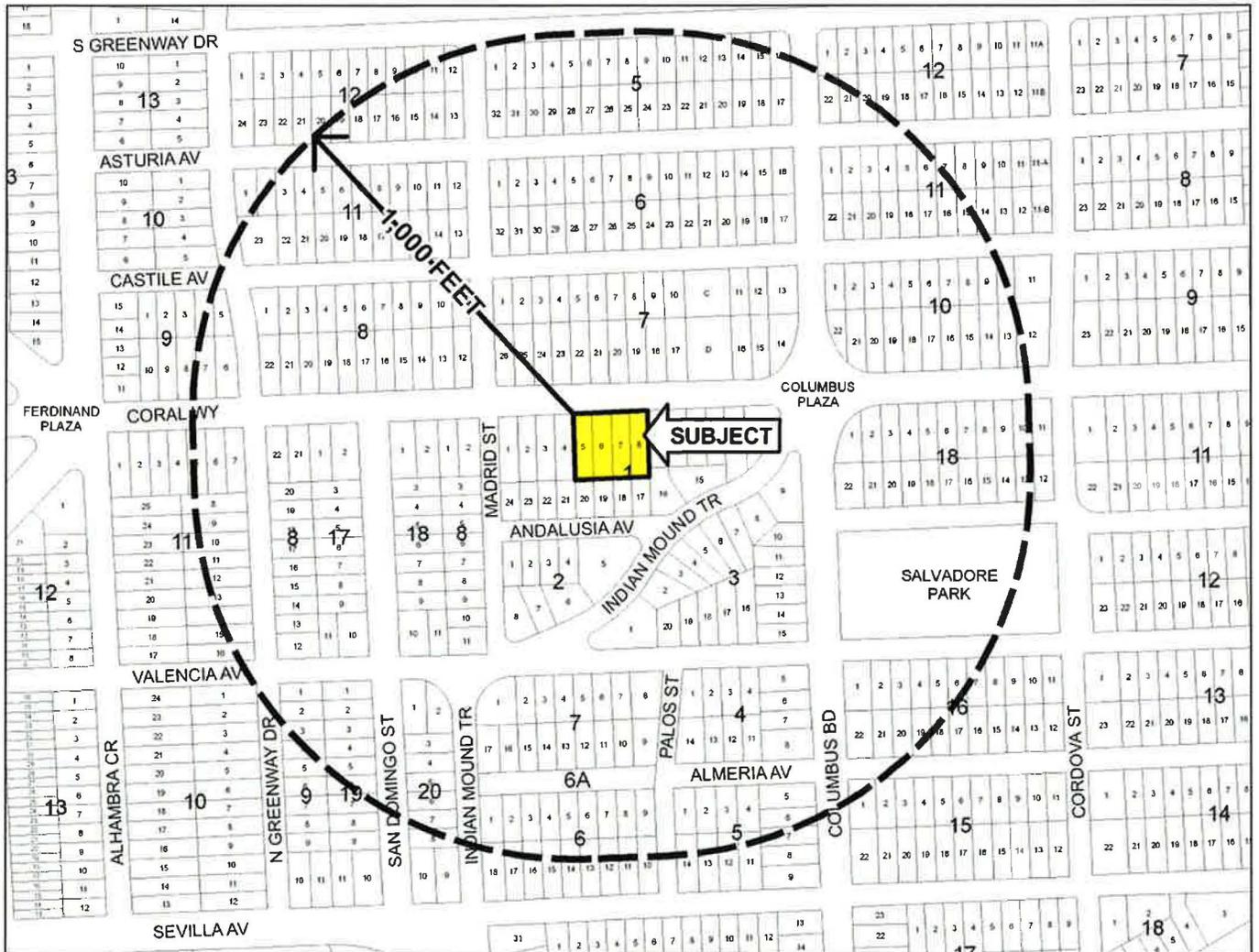
b. One (1) building site to consist of Lots 7 and 8.”

Public Notification and Comments.

The Zoning Code requires that a courtesy notification be provided to all property owners within 1,000 feet of the subject property. The notice lists the type of applications filed, proposed public hearing dates/time, location where the application files can be reviewed. The notice also provides for an opportunity to submit comments on pending applications. 238 notices were mailed to surrounding property owners. A Copy of the legal advertisement and courtesy notice are provided as Attachments C and D. One (1) comment was received (See Attachment E).

A map of the notice radius is as follows:

Courtesy Notification Radius Map



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

Public Notice

Type	Date
Courtesy notification - 1,000 feet of the property	05.31.12
Posting of property	05.31.12
Legal advertisement	05.31.12
Posted agenda on City web page/City Hall	05.29.12
Posted Staff report on City web page	06.08.12

Staff Recommendation and Conditions of Approval.

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

“An Ordinance of the City Commission of Coral Gables, Florida requesting Conditional Use Review for a Building Site Determination pursuant to Zoning Code Article 3, “Development Review”, Section 3-206, “Building Site Determination” to create two (2) separate single family building sites on property assigned Single-Family Residential (SFR) zoning and Local Historic Landmark; one building site consisting of Lots 5 and 6 and the other of Lots 7 and 8 on property legally described as Lots 5-8, Block 1, Section “D” (1248 Coral Way), Coral Gables, Florida; including required conditions; providing for severability, repealer, codification, and an effective date.”

Staff’s recommendation for approval includes an amendment the Zoning Code text to include new Zoning Code provisions within Appendix A - Site Specific Regulations by adding Section A-38, “Section D”, to indicate Lots 5-8 are two separate building sites, with Lots 5 and 6 as one building site and Lots 7 and 8 as the other building site, as follows:

“Section A-38 – Section D.

A. *Building Sites.*

3. Lots 5 through 8, inclusive, Block 1, shall be considered two (2) building sites as follows:

a. One (1) building site to consist of Lots 5 and 6.

b. One (1) building site to consist of Lots 7 and 8.”

Summary of the Basis for Approval

Planning Staff based upon the Findings of Fact contained herein, supports the Application based upon the following:

1. The Application satisfies at least four (4) of the six (6) criteria per Zoning Code, Article 3, Development Review, Section 3-206, Building Site Determination, Subsection F.
2. The Application is consistent with the City’s Comprehensive Plan Goals, Objective and Polices.

Conditions of Approval

In furtherance of the Comprehensive Plan (CP) Goals, Objectives and Policies, Zoning Code and other applicable City provisions, Staff recommends **approval** of “Conditional Use Review for a Building Site Determination” pursuant to Zoning Code Article 3, “Development Review”, Section 3-206, “Building Site Determination” to create two (2) separate single family building sites on property assigned Single-Family Residential (SFR) zoning and Local Historic Landmark; one building site consisting of Lots 5 and 6 and the other of Lots 7 and 8 as proposed and referred to as “1248 Coral Way” subject to all of the following conditions of approval.

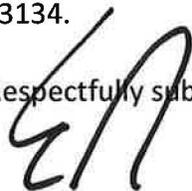
1. Existing over-story tree protection measures. The Applicant, its successor or assigns shall satisfy all of the following:
 - a. The existing trees within the public right-of-way adjoining the Coral Way frontage of the property shall not be removed, relocated or damaged in such a way as to cause their unnatural decline due to the proposed renovation of the existing historic residence or the construction of the new residence.
 - b. Prior to the issuance of a City Building Permit for additions/renovation to the existing historic residence and/or construction of the new residence, the Applicant, its successors or assigns shall provide to the City's Public Service Director a written assessment prepared by a registered Consulting Arborist to determine any impact to the existing tree root systems or branching structure based upon any applicable construction activities associated with the residences. The assessment shall include identification of necessary protective measures, barriers, root zone improvements, etc. The Public Service Director shall review and approved the assessment to determine if proper protection measures are in place during construction and the proper treatment of any impacts to any tree root systems, over-story branches, are alleviated.
 - c. Prior to issuance of a Certificate of Occupancy for the existing historic residence or the construction of the new residence, the Applicant, its successors or assigns shall provide a written assessment prepared by a Certified Arborist to determine any potential impacts to the existing trees that may have occurred during construction. The Public Service Director may require the Applicant, its successors or assigns after issuance of the Certificate of Occupancy to the existing historic residence and/or construction of the new residence to complete additional protection measures and/or mitigation measures to ensure survivability of the existing tree canopy.

A t t a c h m e n t s .

- A. Applicant's submittal package.
- B. 05.17.12 Historical Resource Department's Staff report.
- C. 05.31.12 Legal notice published.
- D. 05.31.12 Courtesy notice mailed to all property owners within 1,000 feet.
- E. Comment received from property owners within 1,000 feet.

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

Respectfully submitted,



Eric Riel, Jr.
Planning Director
City of Coral Gables, Florida