

Revised Staff Report – July 3, 2003
(*Including issues identified at
May 14, 2003 Planning and
Zoning Board meeting,
and applicant’s response
to each issue)

City of Coral Gables
Planning Department Staff Report

To: Honorable Planning and Zoning Board Members

From: Planning Department

Date: May 14, 2003

Subject: **Application No. 07-02-069-P, Rezoning and Site Plan Review.** Submitted by Zeke Guilford, Esq., applicant, 400 University LLC, owner, requesting a change of zoning from “XR-14”, Residential and “XD-10”, Duplex to “CB”, Commercial, and site plan review for the Junior Chamber of Commerce (JCI) Building located on Lots 1-10, Block 119, Country Club Section 6 (400 University Drive), Coral Gables, Florida. The change of zoning and site plan review are required to allow commercial use of the existing building which was previously occupied by JCI International Headquarters.

Recommendation

The Planning Department recommends approval of the following requests for the 1.5 acre property commonly know as the JCI Building, and located on Lots 1-10, Block 119, Country Club Section 6 (400 University Drive), Coral Gables, Florida:

- a) Change of Zoning from “XR-14”, Residential and “XD-10”, Duplex to “CB”, Commercial; and
- b) Site plan.

In furtherance of the Comprehensive Land Use Plan Goals, Objective and Policies, and the Zoning Code’s provisions the recommendation for approval is subject to the following conditions:

1. Installation of site improvements shall be in conformance with the following documents as modified subject to the conditions contained herein:
 - a) Site plan, building elevations and building program prepared by Arden Architectural Group Inc., dated September 20, 2002 and revised November 21, 2002.
 - b) Landscape plan prepared by The Stern Design Group, P.A., dated September 26, 2002 and revised March 24, 2003.
 - c) Traffic Impact study prepared by D.L. Plummer and Associates, Inc., date stamped July 27, 2002.
 - d) All representations and exhibits prepared and provided to the Planning Department as a part of the application package (as amended) dated April 2, 2003.

JCI Building-Change of Zoning & Site Plan Review

May 14, 2003

Page 2

2. All conditions of approval recommended by the City Commission shall be included within a Restrictive Covenant prepared by the applicant with final review and approval by the City Attorney.
3. Prior to the issuance of any building permits for the project, the applicant, its successors or assigns, shall adhere to the following conditions:
 - a) All site improvements included on the applicant's plans and application materials, as modified subject to the conditions contained herein, shall be completed, installed and inspected for final approval not less than one (1) year after approval of the ordinance.
 - b) A six foot (6') high masonry wall shall be installed, or increased in height as required, along the entire length of the property's south and west property lines from the parking lot entrance located on Le Jeune Road to the parking lot entrance located on University Drive. The finish, color and architectural style of the wall shall be consistent with the principal building.
 - c) Remove pedestrian passageway between parking lot and the Youth Center proposed on the applicant's plans on west side of property. Replace with landscaping and 6' high masonry wall as recommended in item (b) herein.
 - d) All Mahogany trees shall be a minimum of 14'-16" height and 3" caliper at time of installation; all perimeter hedge plant materials (Jasmine and Japanese Yew) shall be a minimum 6' high at time of planting; and, all perimeter Areca palms shall be a minimum of 12'-14' high at time of planting.
 - e) Maintain all landscaping as detailed on the landscaping plan, and replace all dead or non-complying plant materials in accordance with the plant materials identified.
 - f) All landscaped areas shall be irrigated with 100% coverage.
 - g) Parking lot entrances and exits shall not be gated, or restricted by any other means which would prohibit or discourage use of available on-site parking.
 - h) The commercial uses permitted within the existing building, as agreed to by the applicant, shall be restricted to those uses listed below:
 1. *Abstract and/or title company*
 2. *Accountant*
 3. *Actuaries*
 4. *Addressing and mailing service*
 5. *Administrative office*
 6. *Advertising office – no shops*
 7. *Appraisers*
 8. *Architects*
 9. *Attorneys*
 10. *Auctioneers – office only*
 11. *Auditors*
 12. *Broker – mortgage*
 13. *Broker mercantile*
 14. *Business analyst– counselors or brokers*
 15. *Calculating and statistical service*
 16. *Computer design studio*
 17. *Computer software development*
 18. *Consulates*
 19. *Consultant*
 20. *Court reporting, public stenographers*
 21. *Credit reporting*
 22. *Data processing*
 23. *Dental laboratory*
 24. *Detective agency*
 25. *Employment agencies, placing executives only*
 26. *Engineers – professional*

JCI Building-Change of Zoning & Site Plan Review

May 14, 2003

Page 3

27. General office use.
 28. Importer/exporter office only
 29. Insurance agencies and bond office
 30. Interior decorating, (no work to be done on premises)
 31. Investment and securities dealer
 32. Loan agencies (excluding pawn shops)
 33. Mail order office without storage of products
 34. Manufacturer's agents
 35. Market research
 36. Medical laboratory
 37. Notary public
 38. Office for business and professional purposes
 39. Public relations
 40. Real estate sales and management offices
 41. Stock exchanges and brokerage offices
 42. Tax consultants
 43. Telephone exchange
 44. Travel agencies
 45. Video production
 46. Or other similar general office uses, which are not more obnoxious or detrimental to the welfare of the particular community that the business or enterprise herein, enumerated. These general office uses shall require review and approval by the Board of Adjustment.
- i) "Clinics, Medical or Dental Uses", shall be prohibited uses.
 - j) The existing medical clinic currently occupying the building on the fourth floor shall be removed from the building within 60 calendar days (March 1, 2007) upon expiration of current lease agreement (January 1, 2007).
 - k) "No Parking" signs shall be installed along both sides of Sarto Avenue between LeJeune Road and University Drive as approved by Public Works Department
4. The Planning Department may approve additional square footage to the building up to a maximum of 1,250 sq. ft. for the sole purpose of upgrading the building to satisfy applicable building and life safety code issues (i.e., ADA requirements). Any additional square footage shall be required to satisfy all other applicable requirements (i.e., additional parking, etc.)
 5. All proposed signage shall conform to the Sign Code provisions applicable at the time of permit submittal.

Request

The request is to rezone the 1.5 acre parcel from "XR-14", Residential and "D-10", Duplex to "CB", Commercial in association with site plan review with various site improvements. These improvements include the reconfiguration of the existing parking lot, landscaping of the property, installation of new lighting, submittal of a signage plan and other related improvements. The property's "X" designation permits the operation of an office building specifically for use by the Junior Chamber International World Secretariat. The Chamber has now vacated the property, and the new owners wish to lease the building's space for general commercial uses.

Land Use and Zoning Designation.

The JCI property is located at the southwest corner of LeJeune Road and University Drive. The property currently has two land use and zoning designations. Lots 1-5 (west half of the site) have a "Commercial, Low-Rise Intensity" land use designation, and are zoned "XR-14", Residential Single-

JCI Building-Change of Zoning & Site Plan Review

May 14, 2003

Page 4

Family. Lots 6-10 (east half of site) have a "Commercial, Mid-Rise Intensity" land use designation, and are zoned "XR-14", Residential Single-Family on Lots 6-8 and "XD-10", Duplex on Lots 9-10. The property's "X" designation permits the construction of the existing office building specifically for use by the Junior Chamber of Commerce Secretariat.

The property's underlying residential and duplex zoning designations are non-conforming and not consistent with its commercial land use designation. Granting of this application would correct that existing non-conforming zoning designation.

Surrounding Uses.

The property is surrounded by the following existing land uses and zoning designations:

<i>Location</i>	<i>Existing Land Use</i>	<i>Land Use Designation</i>	<i>Zoning Designation</i>
North	multiple story apartment buildings	"Residential Use (Multi-Family Low Density" and "Duplex"	"A-15" Apartment and "D-10", Duplex
South	one and two story residence and duplexes	"Residential (Single-Family Low Density" and "Duplex"	"R-7", Residential and "D-10", Duplex
East	one and two story residence and duplexes	"Residential (Single-Family Low Density" and "Duplex"	"R-5", Residential and "D-10", Duplex
West	City's Youth Center and vacant land	"Public Building and Grounds" and "Parks and Recreation Use"	"S, Special Use

***Additional issues identified at the May 14, 2003 Planning and Zoning Board Meeting:**

- **Establish land use designation, zoning designation development restrictions and ownership of undeveloped ("green") parking lot west of subject property)Lots 1-3 and 20-24, Block 20, Country Club Section 6).**

Planning and Zoning Review Provisions

The Planning and Zoning Board review of the application is required action based upon Zoning Code, Section 25-5(f) which states the following:

"The Planning and Zoning Board may recommend to the City Commission that any ordinance passed and adopted in connection with the rezoning shall provide that the proposed building shall be in accordance with the plans submitted with the rezoning application or subsequently revised during the hearing."

Approval of the proposed site plan requires adoption of an ordinance following review and recommendations by the Planning and Zoning Board and approval by the City Commission at public hearings.

The applicant has submitted a comprehensive application package (binder) that includes the proposed building program, site plan, landscaping plan, building elevations, statement of use, traffic and circulation study, Concurrency Impact Statement, miscellaneous support documents, etc. which is on file with the Planning Department. A condensed version of that package includes plans, elevations and pertinent information addressed in this report is provided as Attachment A.

*** Additional issues identified at the May 14, 2003 Planning and Zoning Board Meeting:**

JCI Building-Change of Zoning & Site Plan Review

May 14, 2003

Page 5

- **Determine amount of discretion the PZB has in considering this request.**
- **City Attorney to review whether consent can be denied under applicable case law due to the existence of the Youth Center (should Youth Center have lawyer advocating for it as do the neighbors of Sarto?)**
- **Consequences to City of denying rezoning to conform to Land Use Plan and modifying Land Use Plan to conform to zoning, or otherwise conform to character of neighborhood.**

Background

Development History of the Property.

The Junior Chamber of Commerce purchased Lots 6-10 of the subject property in 1967 for the purpose of constructing a building to house their International Headquarters. The City adopted Ordinance No. 1647 in January 1968 which changed the property's zoning by adding the "X" designation "to permit construction and operation of an office building for the Junior Chamber International World Secretariat" on the property. "X" uses were typically assigned prior to current land use regulations to permit specific additional uses on a property which were not permitted according to the property's zoning designation. Lots 1-5 were added in 1968 to permit off-street parking. These lots were purchased from the City and rezoned in July 1968 (Ordinances No. 1700 and 1701). There after, Resolution No. 14114 was adopted in July 1968 allowed for the construction of two additional floors to the originally proposed three floor building, resulting in the five story building which presently occupies the site.

The building itself was designed by Morris Lapidus, was constructed in 1968, and consists of five floors. Ordinance No. 1699 was adopted in July 1968 "to permit a portion of the office building for the Junior Chamber International World Secretariat to be used for commercial rental office space". Resolution No. 18265 was adopted on appeal from the Zoning Board in January 1973 stating "that any two (2) floors may be leased for a period not to exceed ten (10) years from the date of completion of said building". Currently, only the forth floor (approximately 7,000 square feet) is leased and used as a medical clinic. The lease remaining agreement is for a period of five (5) years with an addition two options of five (5) years each.

JCI has continuously occupied and leased office space for 34 years (since 1968). The City has extended the ten year term twice by ordinance in 1977 (Ordinance No. 2241) and 1989 (Ordinance No. 2848). The current ten year term lapsed in 1999, and the lease agreement with the medical clinic now occupying the building is without authorization from the City. JCI has moved their offices to another location outside the State of Florida, and the property has been purchased by another party. This request for a Change in Zoning is to be consistent with the property's existing commercial land use designation, and permit the entire building to be leased for commercial uses.

*** Additional issues identified at the May 14, 2003 Planning and Zoning Board Meeting:**

- **Clarify "red tag" status for existing medical office.**

Please find listed below a Chronology of Legislative Actions:

Date of Adoption

Ordinance/Resolution

Action/Purpose

JCI Building-Change of Zoning & Site Plan Review
May 14, 2003
Page 6

January 9, 1968	Ordinance No. 1647	Approved change of zoning by adding "X" designation necessary to permit construction of JCI Building on Lots 6-10.
July 23, 1968	Resolution No. 14114	Approved construction of two (2) additional stories, permitting five (5) story building which currently exists on property.
July 25, 1968	Ordinance No. 1699	Allowed rental of commercial office space within JCI Building.
July 25, 1968	Ordinance No. 1700	Acquisition of adjacent lots (Lots 1, 2 and 3) from the City for use for off-street parking only.
July 25, 1968	Ordinance No. 1701	Acquisition of adjacent lots (Lots 4 and 5) from the City for use for off-street parking only.
January 9, 1973	Resolution No. 18265	Permits any two (2) floors to be leased for a period not to exceed ten (10) years from the date of completion of the building.
May 8, 1973	Ordinance No. 2012	Rescinded original commercial leasing terms of 5 and 10 years permitted in Ordinance No. 1699.
February 22, 1977	Ordinance No. 2241	Approved ten (10) year extension of term for leasing commercial office space.
May 23, 1989	Ordinance No. 2848	Approved second ten (10) year extension of term for leasing commercial office space.

Copies of each of these ordinances and resolutions are included with this Staff report as Attachment B. The City Attorney is finalizing a separate detailed chronology of legislative actions which will be provided to the Board under separate cover.

*** Additional issues identified at the May 14, 2003 Planning and Zoning Board Meeting:**

- **Determine whether existing lease with medical clinic tenant is enforceable (because it is currently illegal).**

Existing Site Data and Analysis

Miscellaneous site data for the existing property is as follows:

Property size	64,058 sq. ft
Building size	
First floor	2,412 sq. ft.
Second floor	4,854 sq. ft
Third floor	7,007 sq. ft
Fourth floor	7,007 sq. ft
<u>Fifth floor</u>	<u>4,854 sq. ft</u>
Total	26,134 sq. ft. (calculated)
Floor Area Ratio (FAR)	0.41 FAR
Parking	69 spaces
Landscaped open space	50,947 sq. ft

Existing Permitted Development of Property

If the existing building was to be demolished, and the property developed according to the current Zoning Code requirements, the property could be developed with 1-2 story duplex buildings on Lots 9 and 10 and 1-2 story single-family residences on the remainder of the site. The number of units of each would have to be determined based upon apply applicable Zoning Code requirements.

Discussion

Proposed Site Plan Data

The following is a comparison of Zoning Code requirements for the site, the existing site conditions and the proposed site plan:

	<u>Zoning Code Requirements</u>	<u>Existing</u>	<u>Proposed</u>
Site area (sq. ft.)	n/a	64,058	64,058
Building area (gross)	n/a	26,488	26,488
Floor Area Ratio (FAR)*	3.0*	0.41	0.41
On-site parking	n/a	69 spaces	93 spaces
Landscaped open space	10%	48.3%	38.0%
Building height	3-4 stories	5 stories	5 stories
Building setbacks			
• Front	17'-0"	30'-6"	30'-6"
• Side (street)	17'-0"	25'-0"	25'-0"
• Side (interior)	10'-0"	30'-4"	30'-4"
• Rear	10'-0"	20'+-	20' +-

* Existing building is not constructed in the Mediterranean Architectural style, therefore, not eligible for Mediterranean bonuses.

Staff Comments: If the existing building were permitted to accommodate the 155 uses permitted in the CB Zoning District, there would be a deficit of required on site parking. Reconfiguration of the parking lot is necessary to meet parking requirements of the Zoning Code. In addition, if a new commercial building were to be constructed on this property, the Zoning Code would restrict the height to 3 floors/ max. 45 feet as this site abuts residential, single-family and duplex zones properties (Zoning Code Section 3-6 (p)). The Code does allow for one additional story for approved Mediterranean style buildings, subject to site plan review at public hearings. The existing building is not in the Mediterranean architectural style, and is 5 floors/75'-4" in height.

*** Additional issues identified at the May 14, 2003 Planning and Zoning Board Meeting:**

- **Clarify amount of required/proposed on-site parking with and without existing medical clinic tenant (verify with revised Zoning Analysis from Building and Zoning Department).**

Proposed Site Improvements

JCI Building-Change of Zoning & Site Plan Review

May 14, 2003

Page 8

Improvements proposed to the existing site include: 1) reconfiguration of the parking lot to increase the amount of parking to meet Zoning Code requirements; 2) re-landscaping open areas of the property with additional landscaped buffering around the perimeter of the parking lot and adjacent residential properties; 3) new site lighting to reduce light "spillover" around perimeter of property; and, 4) submittal of a proposed signage plan and construction of a new trash dumpster enclosure and service area. A description of each of those site improvements and staff comments are as follows:

1. **Parking.** The existing parking lot as requested by Staff is being reconfigured to increase the number of existing parking spaces from 69 to 93 spaces. This amount of parking would meet the requirements of the Zoning Code if the building were completely occupied by commercial general office uses. The majority of the changes would occur on the west side of the building on Lots 1-6. The building's "meditation court" on lot 6 would be removed and replaced with parking, and the west end of the parking lot (Lots 1-5) would be redesigned to make more efficient use of the available area. All parking would remain 90 degrees (head in), and the location of the two existing entrances to the parking lot (from Le Jeune Road and University Drive) would remain the same. A pedestrian walkway from the parking lot to the west towards the Youth Center has been provided to separate pedestrian/vehicle conflict at the west parking lot entrance (from University Drive).

Staff Comment: Staff has requested "No Parking" signs be installed along both sides of Sarto Avenue between LeJeune Road and University Drive as approved by Public Works Department. This will insure no parking intrusion into the adjoining single family neighborhood. The applicant has agreed to implement policies and procedures to discourage off-site parking by tenants and their customers along Sarto Avenue.

* Additional issues identified at the May 14, 2003 Planning and Zoning Board Meeting:

- **Provide parking management plan that addresses overflow parking for the remaining term of the existing medical clinic's lease.**
- **Explore and provide alternative solutions to accommodate overflow parking.**
- **Provide revised parking utilization study, include peak use period between 9:45 a.m. and 2:30 p.m.**
- **Provide a "Parking Management Plan" before consideration of application by Commission.**
- **Install "No Parking" signs and implement parking enforcement plan along Sarto Avenue.**
- **Can parking on applicant's property be permitted on Saturdays, or for certain events?**
- **Provide revised traffic study to evaluate cut through traffic during peak use period (between 9:45 a.m. and 2:30 p.m.).**
- **Clarify when timing adjustments to traffic lights on Lejeune Road and University Drive which are recommended by the applicant's traffic study will be implemented.**
- **Provide "Traffic Management Plan" before consideration of application by Commission.**
- **Traffic engineers review the impact of closing Sarto Avenue at University Drive.**
- **Explore potential of using medians, street closures or traffic calming measures at the intersections of Lejeune and Sarto and/or University and Sarto to reduce traffic on sarto Avenue.**

JCI Building-Change of Zoning & Site Plan Review

May 14, 2003

Page 9

- **Evaluate impact of parking and traffic generated by proposal on Youth Center (include period Between 4:30 p.m. and 6 p.m. in revised analysis).**

2. Landscaping. The applicant is installing new landscaping around the perimeter of the parking lot, replacing all the existing Schefflera hedge with a variety of over story and under story plantings. This will include new Mahogany, Palm and Trumpet trees and different types of lower shrub plantings to form a continuous hedge to screen the parking lot from the public view. Additional landscape screening (38 Japanese Yew) will be planted between the east portion of the parking lot and the adjacent duplex on Lot 11. Due to the reconfigurization of the parking lot, 8 existing Mahogany trees need to be removed. These have been replaced with 13 new Mahogany trees installed within the parking lot and around its perimeter.

Staff Comment: The Zoning Code (Section 16-2(b)7.) requires a six (6) foot masonry wall between commercial and residential property where there exists a common property line. An existing 3'-4' high CBS wall separates all but one of the adjacent residential properties to the south. No masonry wall is proposed between the property (Lot 10) and the duplex which faces onto Le Jeune Road (Lot 11). Staff has included as a condition of approval that the installation of a 6'-high masonry wall along the entire length of the property's south and west property line from the parking lot entrance located on Le Jeune Road to the parking lot entrance located on University Drive.

* Additional issues identified at the May 14, 2003 Planning and Zoning Board Meeting:

- **Extend wall around Sarto Avenue to University Drive parking lot entrance (provide for triangle of visibility at parking lot entrance as required by Code).**
 - **Increase (or increase existing hedge and wall buffering JCI building from residential to 6' high, to be architecturally consistent with existing wall.**
3. Lighting. The existing light fixtures are old and in poor condition. The applicant proposes to replace the nineteen (19) existing 12' high light fixtures located on site with sixteen (16) new 20' high light fixtures. These light fixtures would primarily be located around the perimeter of the parking lot. The applicant proposes using "side shields" to reduce the amount of "spill over" lighting that occurs beyond the parking lot. The applicant has submitted a lighting plan, which indicates that the spillover of light off the property would be minimal.
 4. Other improvements. The applicant's plans indicate the following addition information and site improvements:
 - a. The building would have two locations for primary signage, one on the buildings north elevation and the other on the building's east elevation. Both sign areas would be at the building's second floor level, with a 100 square foot sign area over the building's north entrance. A five foot high directory sign would be located at the parking lot entrance from University Drive.
 - b. A dumpster enclosure constructed of masonry walls with metal screening doors, as required by Code, would be constructed in the west parking lot area internal to the site.
 - c. A new loading space is proposed near the entrance to the building, with the measurements of twenty (20) feet (length) x ten (10) feet (width).

* Additional issues identified at the May 14, 2003 Planning and Zoning Board Meeting:

JCI Building-Change of Zoning & Site Plan Review

May 14, 2003

Page 10

- **Improve visibility of existing parking lot entrances; they are currently not easy to see.**
- **Provide south side elevation of building showing proposed elevator and bathroom additions.**
- **Provide building floor plans showing proposed renovations to accommodate new elevators and bathrooms.**

Proposed Commercial Uses

As requested by Staff, the applicant will be limiting the commercial uses permitted within the existing building. Commercial uses permitted in the "CB", Commercial Zoned district are listed in Section 3-6, "C-Use Districts" of the Zoning Code. A total of 155 commercial uses allowed within "CB", Commercial Zoned districts, which includes all "CA", Commercial uses. Of the 155 permitted commercial uses, the applicant has agreed to restrict the number of commercial uses that could occupy the building to 47 general office and other uses which they believe would not increase the intensity of activity on the property above that of the JCI and previously permitted uses. The commercial uses permitted are listed in this report in Staff's recommended conditions of approval in item 3.c).

Staff Comment: In order to insure no increase in parking occurs, Planning Staff recommends the following conditions of approval:

1. Item 17, "Clinics, medical or dental uses", shall not be a permitted use due to the parking demand generated by the number of patients that utilize such medical and dental clinics. The ability to continue this medical uses or other future medical uses will, in the opinion of Staff, severely impact the property's ability to meet the demand for parking that would be created.
2. The existing medical clinic currently occupying the building on the fourth floor shall be removed within 60 days upon expiration of their current lease agreement (January 1, 2007).

*** Additional issues identified at the May 14, 2003 Planning and Zoning Board Meeting:**

- **Further reduce list of commercial uses by eliminating uses that could generate parking overflow problems.**

Neighborhood Meeting

Staff requested that the applicant notify and conduct a meeting about the proposed project with residents for the surrounding neighborhood. That meeting was held on Wednesday, April 30, 2003 at the City's Youth Center at 7:00 p.m. Neighboring properties within a 1000-foot radius of the property were notified by written invitation. Twenty-one (21) residents attended the meeting. Concerns that were raised from residents were to discourage on-street parking along Sarto Avenue, and to ensure that landscaping installed around perimeter of property is maintained.

Staff Comment: In order to discourage parking along Sarto Avenue, it was requested by residents at the April 30th meeting that the proposed pedestrian passage from the parking lot to the Youth Center be removed, and the 6' high perimeter wall be continued around the west parking lot to the University Drive parking lot entrance. It was also requested that mature landscaping be installed at time of planting, and that it be irrigated to assure that it survives. These requests have been included as recommended conditions of approval.

*** Additional issues identified at the May 14, 2003 Planning and Zoning Board Meeting:**

- **Address requests made in February 5, 2002 property owner's petition letter submitted to City Manager.**

Concurrency Management

This project has been reviewed for compliance with the City's concurrency program. The Concurrency Impact Statement issued by the Building and Zoning Department for the proposed development indicates that there is adequate infrastructure available to service the proposed project.

*** Additional issues identified at the May 14, 2003 Planning and Zoning Board Meeting:**

- **Obtain a Concurrency Impact Statement from Building and Zoning Department that states existing infrastructure can support proposal.**

City Staff Comments

The Planning Department requested review and comments from the City Manger's Office, Building and Zoning, Public Works, Public Service and Police Departments. The City Manger's Office, Public Service and Police Departments had no objections to the proposal. The Public Works and Building and Zoning Departments provided comments, which have subsequently been satisfactorily addressed by the applicant.

*** Additional issues identified at the May 14, 2003 Planning and Zoning Board Meeting:**

- **Youth Center to be engaged in discussions regarding project – particularly traffic and parking impacts.**
- **Public Works Department be involved in reviewing what can be done to mitigate impact on the Youth Center's University Drive entrance, both as a result of the commercial zoning and if Sarto avenue is closed at its intersection with University Drive.**
- **Public Works and the traffic engineers review what can be done to protect the Youth Center community from speeding traffic on University Drive ("request light" for crossing street, reduced speed zone between 3:00 p.m. weekdays and 8:30 a.m. and 5:00 p.m. on Saturdays, traffic calming devices, etc.).**

Comprehensive Land Use Plan Analysis

Planning Department review of the applicant's proposal finds the application is consistent and furthers the following Comprehensive Plan Goals, Objectives and Policies:

GOAL 1-1: ENHANCE FUTURE LAND USES CONSISTENT WITH NEEDS OF THE COMMUNITY AND ITS RESOURCES. The City of Coral Gables Establishes the Land Use Goal to Maintain and Enhance the Extraordinary Character and Quality of Land Uses Within the City in Meeting the Aesthetic, Physical, Social, Cultural, Economic, Natural and Man Made Environmental Needs of its Residents and Visitors in a Manner That

JCI Building-Change of Zoning & Site Plan Review

May 14, 2003

Page 12

Will Balance Immediate and Long Term Community Interests and Resources in the Orderly Protection of the Population's Health, Safety, and Welfare.

OBJECTIVE 1-1.2: CONTROL BLIGHT AND PROMOTE REDEVELOPMENT. Efforts shall be made to control blighting influences, and redevelopment shall be encouraged in areas experiencing deterioration. This Objective shall be achieved through the implementation of the following policies.

OBJECTIVE 1-1.3: ACHIEVING COMPLIANCE WITH FUTURE LAND USE MAP AND PLAN. By the year 2010 the City shall endeavor to reduce the number of inconsistencies between the Future Land Use Map and the actual land uses from 70 to 35.

POLICY 1-1.3.1: AVOID ENCROACHMENT INTO NEIGHBORHOODS BY INCOMPATIBLE USES. Residential neighborhoods should be protected 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.

POLICY 1-1.3.2: APPLICATION OF BUFFERING TECHNIQUES. Uses designated in the plan which cause significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic, shall provide buffering when located adjacent to or across the street from incompatible uses such as residential uses.

POLICY 1-1.3.3: LIMITATIONS ON POTENTIALLY DISRUPTIVE USES. Normally disruptive uses may be permitted on sites within related districts only where proper design solutions are demonstrated and committed to in advance which will be used to integrate the uses so as to buffer any potentially incompatible elements.

OBJECTIVE 1-1.7: DISCOURAGE URBAN SPRAWL. Discourage the proliferation of urban sprawl by amending the land development regulations to include a regulatory framework for encouraging future infill and redevelopment within existing developed areas. In drafting the infill/redevelopment program, the City shall coordinate public and private resources necessary to initiate needed improvements and/or redevelopment within these areas.

POLICY 1-1.7.1: DEVELOPMENT OF EMPLOYMENT CENTERS. Encourage effective and proper development of employment centers of high quality which offer potential for local employment in reasonably close proximity to protected residential neighborhoods.

OBJECTIVE 1-1.9: INNOVATIVE DEVELOPMENT REGULATIONS. Encourage sound innovation in development regulations which provide a continuing process to respond to community needs. This Objective shall be achieved through the implementation of the following policies.

Conclusions

In summary, Planning Staff supports this proposed request for the following reasons:

1. The proposed Change in Zoning is consistent with the property's existing CLUP land use designations of "Commercial, Mid-Rise Intensity" and "Commercial, Low-Rise Intensity".
2. The request is in compliance with the goals, objectives and policies in the City's Comprehensive Land Use Plan.
3. The request satisfies Zoning Code requirements for commercial use of the existing five story structure, including parking, landscaping, building setbacks, etc. Specifically, the proposal would increase on-site parking from 69 spaces to 93 spaces.
4. Commercial uses permitted to lease space in the building would be limited to general office uses, with uses which attract large numbers of customers such as medical clinics, banks,

JCI Building-Change of Zoning & Site Plan Review

May 14, 2003

Page 13

restaurants, traditional retail stores and similar businesses would be prohibited. Staff, as agreed by the applicant, has limited the uses to 46 of the available 155 uses allowed in "CA" and "CB", Commercial zoned districts.

5. The existing medical clinic's lease would not be renewed after the completion of their present lease (expiration date - January 1, 2007).
6. Clinics, medical and dental uses are prohibited as agreed by the applicant.
7. The existing site is in a deteriorating condition, and the site improvements proposed by the applicant and recommended as conditions by Staff would improve the parking lot circulation, lighting, site landscaping and general appearance of the property.
8. Requires that perimeter screening wall, irrigation and mature landscaping be constructed/installed within one year of approval.

Timeline

This application is tentatively scheduled for City Commission review and consideration as follows:

1st Reading Tuesday, June 3, 2003, 9:00 a.m.

2nd Reading, Tuesday, July 8, 2003, 9:00 a.m.

Dates and time are subject to change.

Public Notification/Comments

Planning Staff requested the applicant conduct a neighborhood meeting to solicit input on the proposed plan. The applicant held a neighborhood meeting on Wednesday, April 30, 2003. That meeting was held in the evening at the Youth Center, and twenty-one (21) residents attended. Copies of notification, sign in list and summary minutes are available for review in Planning Department's project file.

Staff mailed out notifications to all property owners within 1,000 feet of the subject request to advise them of the request and provide an opportunity to comment on the application. The listing of property owners who returned the notification/comment form, including the date received, property owners name, address, legal description, object/no objection/no comment and verbatim comments are attached as Attachment B. A copy of the published newspaper notification of this public hearing item is included as Attachment C.

Respectfully submitted,

Eric Riel, Jr.
Planning Director

Attachments:

- A. Applicant's submittal package.
- B. Copies of ordinances and resolutions referenced in the "Chronology of Legislative Actions" section of this Staff report.
- C. Synopsis of comments received from property owners within 1,000 feet.
- D. Copy of published newspaper notification (advertisement)

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