

March 3, 2014

Via Hand Delivery and U.S. Mail

Ms. Jane Tompkins
Development Services Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

Re: Planning Board Application Requesting Comprehensive Land Use Map Change; Zoning Code Text Amendment; and Amendment to Development Agreement

Dear Ms. Tompkins,

The University of Miami (“University”) proposes the following amendments:

A. Comprehensive Land Use Map Change.

1. Proposed Small Scale Amendment.

The proposed small scale amendment changes the City of Coral Gables (“City”) Comprehensive Land Use Map as described in Exhibit “A.1” attached hereto, extending the University Multi-Use Zone slightly to the south across the canal to include the Flipse Building, which is attached to the Ponce Garage. The total land area of the amendment comprises approximately 1.22 acres. A legal description and sketch of the current Land Use Map and of the proposed extension of the Multi-Use Zone is attached hereto as Exhibit “A.2”. An aerial of the property subject of the proposed amendment is attached hereto as Exhibit “A.3” and photographs of the same are hereby attached as Exhibit “A.4”. Ordinance No. 2010-29 that approved the most recent Comprehensive Land Use Map change is attached hereto as Exhibit “A-5”.

2. Justification

The proposed amendment allows all uses permitted in the University Multi-Use Zone in the Flipse Building. The Flipse Building is located between the UHealth Building and the proposed parking facility for the UHealth Building. As such, it makes sense to include the Flipse Building within the Multi-Use Zone and to allow those permitted uses within the Multi-Use Zone to be permitted in Flipse.

3. Conclusion

The proposed change to the Comprehensive Land Use Map, consisting of the extension of the University Multi-Use Zone slightly to the south across the canal to include the Flipse Building, will make the uses permitted in said building consistent with the uses permitted in the proposed UHealth Building.

B. Zoning Code Text Amendment

1. Proposed Text Amendment

The proposed text amendment, described in Exhibit “B.1” attached hereto, amends Section 4-202.G.1.c of the City’s Zoning Code – Height and Setback Standards for University Campus District (“UCD”) Frontage C to allow porte cocheres in the setback area. An aerial of the property subject of the proposed amendment is attached hereto as Exhibit “B.2”. Ordinance No. 2010-34 that approved the most recent amendment to Sec. 4-202 of the Zoning Code is attached hereto as Exhibit “B-3”.

2. Justification

The existing regulations in the City’s Zoning Code governing the heights and setbacks of buildings and structures within the UCD Frontage C, that includes the Multi-Use Zone, do not sufficiently address the design element of a port cochere which typically extends from a building in the horizontal plane to offer protection from the elements. From a design perspective, the port cochere adds architectural interest and character to the frontage on Ponce de Leon. From a functional perspective, a port cochere makes sense for the UHealth building. The uses contemplated therein provide a wide range of medical and health care services. Logically, visitors to the building should be protected from the elements during arrival and departure.

3. Conclusion

The proposed amendment to the Zoning Code, consisting of the modification of the established height and setback performance standards for the University Campus District (“UCD”) Frontage C, will allow for the inclusion of much needed porte cocheres in the design of buildings fronting Ponce de Leon Boulevard in the Multi-Use Zone of the UCD.

C. Amendment to Development Agreement

1. Proposed Amendment

The proposed amendment, described in Exhibit C.1 attached hereto, amends Section 18, “Miscellaneous Uses and Temporary Occupancies” of Development Agreement (“Development Agreement”) between the City of Coral Gables (“City”) and the University (see Exhibit “C.2” attached hereto), approved pursuant to Ordinance No. 2010-31 (see Exhibit “C.3” attached hereto) to allow Campus Serving Uses at 5915 Ponce de Leon Boulevard. Miami Dade County property records for the property subject of the amendment are attached hereto as Exhibit “C.4”, photographs of the same are attached hereto as Exhibit “C-5” and an aerial of the same is attached hereto as Exhibit “C.6”.

2. Justification

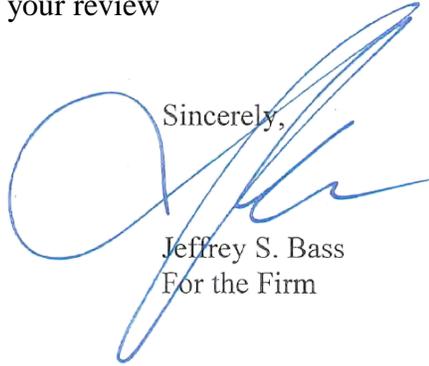
The existing provisions in the Development Agreement governing the “Miscellaneous and Temporary Uses” the University may make of property within the corporate limits of the City are inconsistent with a use that was in existence at the time of inception of the Development Agreement, an effect that was not foreseen or intended by the City or the University. The purpose of the proposed amendment is to correct that oversight.

3. Conclusion.

The proposed amendment to the Development Agreement, consisting of the modification of Paragraph 18 of the Development Agreement that governs the Miscellaneous and Temporary Uses the University may make of property within the corporate limits of the City, will make said standards consistent with a use in existence at the date of inception of the Development Agreement that was not contemplated in the Development Agreement.

We respectfully ask that the City of Coral Gables support the University's request for the proposed amendments.

Thank you for your attention to this matter and please do not hesitate to contact me if you require additional information to assist with your review

Sincerely,

Jeffrey S. Bass
For the Firm

Enclosures (1)

cc: Charles Wu, City of Coral Gables
Ramon Trias, City of Coral Gables
Craig Leen, City of Coral Gables
Charlie Siemon, Outside Counsel for City of Coral Gables
Janet Gavarrete, University of Miami
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