

STATEMENT OF USE



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May 4, 2016

VIA HAND DELIVERY

Mr. Ramon Trias
Planning and Zoning Director
City of Coral Gables
427 Biltmore Way, 2nd Floor
Coral Gables, FL 33134

Re: "Gables Station" / 215 and 251 South Dixie Highway / Planning and Zoning Board Application / Statement of Use and Zoning Code Text Amendment Justification

Dear Mr. Trias:

On behalf of NP International USA, LLC, (the "Applicant"), we respectfully submit this Statement of Use in connection with the enclosed Planning and Zoning Board application for site plan review of a proposed mixed use development to be located at 251 and 215 South Dixie Highway (the "Property"). The Property is identified by the following Miami-Dade County Tax Folio Numbers: 03-4120-026-0010, 03-4120-027-0010, and 03-4120-027-0020. The Applicant is the contract purchaser of the Property and proposes to demolish the existing one-story structure and to construct a new mixed use development tentatively named "Gables Station," (the "Project"), on the approximately 4.46 acre site. The Property has frontages on South Dixie Highway, Ponce de Leon Boulevard, and South Grand Avenue.

Pursuant to the City's Future Land Use Map ("FLUM"), the Property is designated Industrial, and pursuant to the City's Zoning Map, the Property is zoned as Industrial and within the South Industrial Mixed Use Overlay District. The existing one-story structure has been determined to not have any historic significance by the Coral Gables Historical Resources Department. We believe that redevelopment of this Property is overdue, desirable, and of mutual benefit to the City and the Applicant.

The purpose of this letter is to request the Planning and Zoning Board review of the proposed project. The land use and zoning approvals necessary for the project will include: (1) a change of the Property's land use designation from "Industrial" to "Mixed Use;" (2) the rezoning of the Property from Industrial (I) to Commercial (C) and its removal from the South Industrial

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Mixed-Use Overlay District; (3) the approval of a Planned Area Development ("PAD") and a mixed use site plan; and (4) text amendments to the Site Specific regulations so as to (a) permit a maximum height of 160 feet, a maximum FAR of 3.5, and a maximum density of 104 units per acre, and to (b) delete certain setback restrictions (the "Zoning Code Text Amendment").

Specifically, the Applicant is proposing a mixed use residential/hotel/retail project, which will be composed of three towers with a maximum height of 160 feet with approximately 147 hotel units, 460 luxury condominium residences, and 60,000 square feet of retail space (the "Project"). The Project includes a public access drive along the north boundary of the Property (the "Access Drive Easement"), in a County-owned right of way and a driveway from Ponce de Leon Boulevard to the Property over the same County-owned right of way (the "Connection Easement"). The Connection Easement was previously approved as part of a predecessor project and will be incorporated into the Project in its approved form. The Access Drive Easement requires approval from the County. The Applicant is also proposing to improve the entire County-owned Metrorail Right of Way and City Right of Way that lies to the north of the Property (the "Metrorail and City Right of Way Property") with public amenities that will be incorporated into the proposed "Underline" pedestrian and bicycle path improvements which will be open to and for the use of the general public. The improvements to the Metrorail Right of Way Property will require approvals from the County's Bicycle Path Advisory Committee. Even though the Applicant proposes to improve these spaces to the north of the project, the Applicant is not factoring or including this area as part of its lot area for purposes of floor area or density calculations. The proposed FAR of 3.5 is based solely on the Property as referenced in the first paragraph of this letter. Additionally, the Project will comply with LEED requirements.

Comprehensive Plan Analysis

We respectfully submit that the proposed mixed use site plan complies with the applicable conditional use criteria as set forth in Section 3-408 of the Zoning Code as follows:

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

The development is consistent with the Comprehensive Plan and will help realize the following goals, objectives, and policies thereof:

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.

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Objective FLU-1.7. When amendments to the Zoning Code are processed, discourage the proliferation of urban sprawl by including 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 FLU-1.7.1. Encourage effective and proper high quality development of the Central Business District, the Industrial District and the University of Miami employment centers which offer potential for local employment in proximity to protected residential neighborhoods.

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.

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.

Policy DES-1.1.2. Provide for rigorous design guidelines, standards, and review processes via the City's Zoning Code that ensure high quality design of buildings and spaces.

Objective DES-1.2. Preserve the Coral Gables Mediterranean design and architecture.

Policy DES-1.2.1. Continue the award of development bonuses and/or other incentives to promote Coral Gables Mediterranean design character providing for but not limited to the following: creative use of architecture to promote public realm improvements and pedestrian amenities; provide a visual linkage between contemporary architecture and the existing and new architectural fabric; encourage landmark opportunities; and creation of public open spaces.

Policy MOB-1.1.1. Promote mixed use development to provide housing and commercial services near employment centers, thereby reducing the need to drive.

Policy MOB-1.1.2. Encourage land use decisions that encourage infill, redevelopment, and reuse of vacant or underutilized parcels that support walking, bicycling, and public transit use.

Policy MOB-1.1.3. Locate higher density development along transit corridors and near multimodal stations.

B. The available use to which the property may be put is appropriate to the property that is subject to the proposed conditional use and compatible with existing and planned uses in the area.

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The proposed mixed residential, retail and hotel use is appropriate and compatible with the surrounding area, which is characterized by relatively new residential and retail uses and is designated for further mixed use development. This property is one of the largest redevelopment sites in the City and is in a key "gateway" location.

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

The proposed development will not conflict with the needs and character of the neighborhood and City; instead it will be complimentary as discussed above.

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

The proposed development will enhance the other properties in the area by increasing property values, providing new customers for existing business, and new retail options for existing residents. It will also better utilize a severely underutilized site which has been a vast barren surface parking lot along one of the busiest roadways in the City for most of the City's history.

E. The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.

The proposed mixed use is compatible with adjacent uses, buildings, and structures and will not have an adverse impact on them. To the contrary, the proposed development will enhance adjacent properties, as discussed above.

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

The parcel is more than adequate to accommodate the development. It is one of the largest infill development sites in the City.

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

The proposed development is not detrimental to the health, safety and general welfare of the community. None of the residential and retail uses proposed constitute nuisances or noxious uses. Instead, the proposed development and its amenities—including the upgrades to the Metrorail Right of Way—will enhance the health, safety and general welfare of the community.

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

The proposed development has been designed to carefully address traffic-related issues including circulation, parking and pedestrian traffic and the public amenities proposed to be incorporated into the Underline will be a major catalyst to improve pedestrian activity not only in the City but throughout all of Miami-Dade County.

I. The proposed conditional use satisfies the concurrency standards of Article 3, Division 13 and will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner.

The proposed project will comply with the City's concurrency standards. A concurrency impact statement is included along with this submittal.

Zoning Code Text Amendment Justification

We respectfully submit that the proposed Zoning Code Text Amendment, attached as **Exhibit A**, which permits height a maximum height of 160 feet and deletes a setback requirement for one side of the Property, complies with the standards set forth in Section 3-1405 as follows:

A. Promotes the public health, safety, and welfare.

The Property's current use as a parking lot is not an efficient use of the Property, nor does it promote the public health, safety, and welfare of the City and its residents. In fact, as a parking lot, the Property is underutilized and does not take advantage of the Property's location on South Dixie Highway which renders it a sort of "gateway" to the City. By amending the text of the Zoning Code as proposed, the Property can be developed in a way that promotes public health, safety and welfare. Specifically, the mix of uses proposed for this Project along with the amenities provided as part of the Underline improvements, will encourage a pedestrian and bicycling community that will greatly enhance public health, safety and welfare.

B. Does not permit uses the Comprehensive Plan prohibits in the area affected by the district boundary change or text amendment.

The Zoning Code Text Amendment does not permit any uses that are not already permitted under the Comprehensive Plan. The Zoning Code Text Amendment only modifies the height permitted and the setbacks and does not modify the uses permitted.

C. Does not allow densities or intensities in excess of the densities or intensities which are permitted by the future land use categories of the affected property.

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The Zoning Code Text Amendment, which only affects the maximum height and the setbacks, does not allow densities or intensities in excess of the densities or intensities which are permitted by the future land use categories of the affected property.

D. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less [than] the minimum requirements of the Comprehensive Plan.

As demonstrated by the Concurrency Impact Statement included along with this submittal, the Zoning Code Text Amendment will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Plan.

E. Does not directly conflict with an objective or policy of the Comprehensive Plan.

The Zoning Code Text Amendment does not directly conflict with an objective or policy of the Comprehensive Plan. Please see the section above entitled "Comprehensive Plan Analysis" for a full analysis of how the Project advances the objectives and policies of the Comprehensive Plan.

District Boundary Change Justification

We respectfully submit that the proposed District Boundary Change, so that the Property is Commercial rather than Industrial, complies with the standards set forth in Section 3-1404 as follows:

A. It is consistent with the Comprehensive Plan in that it:

- i. Does not permit uses which are prohibited in the future land use category of the parcel proposed for development.**
- ii. 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.**
- iii. 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 Plan.**
- iv. Does not directly conflict with any objective or policy of the Comprehensive Plan.**

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The District Boundary Change is consistent with the Comprehensive Plan. The change to Commercial does not permit any uses which are prohibited in the Mixed Use future land use category. It also does not permit densities or intensities in excess of those permitted by the future land use category. The District Boundary Change will not cause a decline in the level of service for public infrastructure to a level of service less than the minimum requirements of the Comprehensive Plan and it does not directly conflict with any objective or policy of the Comprehensive Plan. Instead, it is consistent with the objectives and policies of the Comprehensive Plan as set forth above in the section titled "Comprehensive Plan Analysis."

B. Will provide a benefit to the City in that it will achieve two or more of the following objectives:

- i. Improve mobility by reducing vehicle miles traveled for residents within a one-half (1/2) mile radius by:**
- **Balancing land uses in a manner that reduces vehicle miles traveled.**
 - **Creating a mix of uses that creates an internal trip capture rate of greater than twenty percent (20%).**
 - **Implement specific objectives and policies of the Comprehensive Plan.**

The change from Industrial to Commercial for this Property will allow a development that will benefit the City by improving mobility, reducing vehicle miles traveled for residents within half a mile radius. Specifically, the Project will balance land uses by providing a mix of uses including hotel, retail, and residential which creates a self-sustaining community where residents can live, work and play. As discussed above in the section titled "Comprehensive Plan Analysis" this development implements specific objectives and policies of the Comprehensive Plan.

C. 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.

The Project will increase the market value and sustainability of adjacent properties as it will provide new retail opportunities for the adjacent residents, and provide new customers for the existing commercial uses.

We are confident that Gables Station will be a "game changing" type project not just for the City but for all of Miami-Dade County. At long last, the City will have a high quality hotel in

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close proximity to the Village of Merrick Park, vacant parking lots which have been a longtime scar along one of the major traffic arteries of the City will be converted into the largest single new addition into the City's exciting and emerging mixed use district and the first ever full segment of the ambitious Underline project will come to fruition in the City Beautiful. Coral Gables will, as it has so many other times in the past on varying issues, lead the way in providing this new greenbelt for pedestrians and cyclists through the heart of Miami-Dade County.

Accordingly, we respectfully request your favorable consideration of this application and look forward to working with you on this exciting project. If you have any questions, please do not hesitate to contact me at (305) 376-6061. Thank you for your attention to this matter.

Sincerely,

Mario Garcia-Serra

- cc: Mr. Brent Reynolds
Mr. Lou Dorso
Mr. Walter Trujillo

Enclosures

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Exhibit A

Section A-66 – MacFarlane Homestead.

C. Height of buildings.

1. No commercial, residential, or mixed use buildings and/or structures shall be erected or altered on the following described property to exceed ~~six (6) stories or seventy-two (72)~~ one hundred and sixty (160) feet in height, whichever is less:
MacFarlane Homestead and St. Albans Park.
 - a. Tracts A and B, Block 5.
 - b. Tract 1.

E. Setbacks-Minimum front.

1. ~~On all building sites abutting Grand Avenue Twenty (20) feet from Grand Avenue.~~

G. Floor area ratio (FAR) Provisions for mixed use buildings.

1. Maximum floor area ratio (FAR) for mixed use buildings on the following described property shall not exceed 3.5 MacFarlane Homestead and St. Albans Park.
 - a. Tracts A and B, Block 5.
 - b. Tract 1.

H. Density Requirements.

1. The density for mixed use buildings on the following described property shall not exceed 104 units per acre. MacFarlane Homestead and St. Albans Park.
 - a. Tracts A and B, Block 5.
 - b. Tract 1.

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