

City of Coral Gables
Planning Department Staff Report

To: Honorable Local Planning Agency (LPA) / Planning and Zoning Board Members

From: Planning Department

Date: August 11, 2010

Subject: **Application No. 07-10-109-P. University of Miami - Development Agreement and Zoning Code Text Amendment.** Review of two (2) Ordinances for University of Miami, City of Coral Gables Campus requesting the following:

1. An Ordinance of the City Commission of Coral Gables granting approval of a Development Order for the University of Miami pursuant to Zoning Code Article 3, Division 19, entitled "Development Agreements", for the University of Miami, City of Coral Gables Campus, for the area bounded by Ponce de Leon Boulevard, Red Road (SW 57th Avenue), Matero Avenue, San Amaro Drive, Campo Sano Avenue, Pisano Avenue and Carillo Street (legal description on file), Coral Gables, Florida; and providing for severability, repealer, codification, and an effective date.
2. An Ordinance of the City Commission of Coral Gables granting approval of an amendment to Zoning Code Article 3, Division 19, entitled "Development Agreements", Section 3-1907, entitled "Contents of development agreement/recording", by increasing the duration of a development agreement from not to exceed ten (10) years to not to exceed twenty (20) years; and providing for severability, repealer, codification, and an effective date.

Recommendation

The Planning Department recommends approval of the following:

1. An Ordinance of the City Commission of Coral Gables granting approval of a Development Order for the University of Miami pursuant to Zoning Code Article 3, Division 19, entitled "Development Agreements", for the University of Miami, City of Coral Gables Campus, for the area bounded by Ponce de Leon Boulevard, Red Road (SW 57th Avenue), Matero Avenue, San Amaro Drive, Campo Sano Avenue, Pisano Avenue and Carillo Street (legal description on file), Coral Gables, Florida; and providing for severability, repealer, codification, and an effective date; and, (see Attachment A)
2. An Ordinance of the City Commission of Coral Gables granting approval of an amendment to Zoning Code Article 3, Division 19, entitled "Development Agreements", Section 3-1907,

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entitled "Contents of development agreement/recording", by increasing the duration of a development agreement from not to exceed ten (10) years to not to exceed twenty (20) years; and providing for severability, repealer, codification, and an effective date (see Attachment B).

Request/Background

The University of Miami Draft Development Agreement and Zoning Code text amendment is associated with the previously considered amendments to the Comprehensive Plan (CP) text and map that were reviewed by the Board on 06.24.2010. The Board recommended approval of the "Transmittal" of the text and map amendments to the City Commission (vote: 7-0). The City Commission subsequently considered the request on 06.30.2010 and also recommended on First Reading "Transmittal" to the Department of Community Affairs (DCA) for review and comment. See Attachment C for a verbatim transcript.

The Planning Department transmitted the CP amendment to the DCA on 07.01.2010. The CP amendments are considered "large scale" amendments according to the Florida Statutes thresholds, therefore these amendments require outside agencies review which includes South Florida Regional Planning Council (SFRPC), Department of Environmental Protection, Department of Transportation, Department of State, South Florida Water Management District and Miami-Dade County. The SFRPC on 08.02.2010 found the request "to be generally consistent with the Strategic Regional Policy Plan for South Florida". See Attachment D for SFRPC findings.

The Draft Development Agreement and Zoning Code text amendment require review and recommendation by the Planning and Zoning Board and consideration and adoption in ordinance form by the City Commission (two public hearings). The Draft DA and Zoning Code text amendment upon recommendation from the Board is tentatively scheduled for City Commission 1st Reading consideration on 09.14.2010. Second reading would then be considered thereafter and the Comprehensive Plan and Development Agreement would be considered at a final public hearing.

Development Agreement

Pursuant to Chapter 163, Florida Statutes, local governments may enter into development agreements to encourage a stronger commitment to comprehensive and capital facilities planning, ensure the provision of adequate public facilities for development, encourage the efficient use of resources, and reduce the economic cost of development. This DA provides such commitments.

The Draft Development Agreement and attachments are attached to the staff report. An electronic copy (see attached CD ROM) of the DA and attachments is also included. The DA includes the following terms and conditions:

- A statement of intent.
- Defined terms.
- A series of UM-City community enrichment and benefit programs (estimated by the University to have a value of \$6.5 million).
- A on-campus enrollment management system.

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- The use and intensity of uses previously authorized for the UM Campus pursuant to previous UMCAD approvals.
- Proposed Comprehensive Plan and Map Amendments.
- Proposed new zoning district to replace the current UMCAD Zoning District regulations (subject to further review and consideration at a later date).
- Amendments to existing UMCAD 2006 including extensions for the construction of the internal road and access points.
- Modifications to existing limits on number of seats and alcoholic beverages at the Bank United Center.
- Restrictions on location of University uses (on and off campus).
- Preparation and implementation of a University Mobility Plan.
- Conveyance of internal streets and internal waterways to the UM Campus.
- Re-conveyance of fire station property to UM.
- Consideration and mitigation (\$22 million in cash payments over 20 years).
- Existing UMCAD obligations.
- DA annual review requirements.
- Default, enforcement and other legal provisions.

The DA and associated exhibits will be presented at the meeting.

Zoning Code Text Amendment

An amendment to the Zoning Code text is necessary to mirror the valid time frame of the DA. Therefore, Staff Zoning Code , Section 3-1907, entitled “Contents of development agreement/recording” , has been increased from the current ten (10) year term to twenty (20) years.

Public Notification/Comments

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

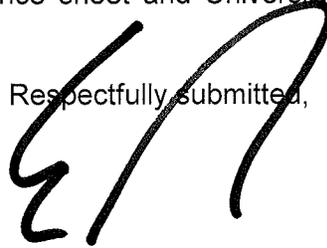
Type	Explanation
Courtesy notification of all property owners within 1,500 feet of the subject property (in excess of required 1000 feet)	Completed 07.23.10
Newspaper ad w/ map published	Completed 07.28.10 and 09.04.10
Posted courtesy notice on City web page	Completed 07.26.10
Posted ad on City web page	Completed 07.26.10
Posted property (30+ signs)	Completed 07.26.10
Posted agenda on City web page/City Hall	Completed 07.26.10
Posted Staff report, Development Agreement and all exhibits on City web page	Completed 08.06.10

The perimeter of the campus was posted with 30+ signs and 1,697 courtesy notices were mailed out to all property owners within 1,500 feet of the entire perimeter of the campus to advise of the request. This is in excess of the 1,000 feet notification per the Zoning Code. The courtesy notice provides for the opportunity to provide written comments on the application. Comments received are provided in Attachment E.

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The University per the request of Planning Staff conducted a neighborhood meeting on 08.04.2010. A summary of the meeting, attendance sheet and University provided notice is attached as Attachment F.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'ERJ'.

Eric Riel, Jr.
Planning Director

Attachments:

- A. Ordinance – Development Agreement
- B. Ordinance – Zoning Code Text Amendment
- C. 06.30.2010 City Commission verbatim meeting minutes
- D. 08.02.2010 South Florida Regional Planning Council (SFRPC) findings memorandum and 08.06.2010 approval letter
- E. Synopsis of comments received from property owners within 1,500 feet
- F. Summary of the residents meeting conducted by University, attendance sheet and notice

Development Agreement and Exhibits (large packet) and accompanying CD ROM