

City of Coral Gables
Planning Department Staff Report

To: Honorable Planning and Zoning Board Members

From: Planning Department

Date: June 3, 2009

Subject: **Application No. 05-09-086-P. Site Plan Review.** An Ordinance of the City Commission of Coral Gables granting site plan approval for a proposed one story, less than 1,000 square feet "Plant Conservation Building", located centrally within the Montgomery Foundation Property, and legally described as a portion of the Robert H. Montgomery Section (11901 Old Cutler Road), Coral Gables, Florida; providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date.

Staff Recommendation

The Planning Department based upon the findings of fact contained herein recommends approval of the proposed "Plant Conservation Building", located centrally within the Montgomery Foundation Property, and legally described as a portion of the Robert H. Montgomery Section (11901 Old Cutler Road), Coral Gables, Florida.

Request

Proposed plans for new buildings on "S", Special Use zoned property are required by the Zoning Code to be reviewed at public hearings. The proposed site plan review for the "Plant Conservation Building" at the Montgomery Botanical Center requires review and recommendation by the Planning and Zoning Board and consideration and adoption in ordinance form by the City Commission (two public hearings).

The applicant has submitted an application package that includes a Statement of Use, building program/site data, site plans, landscape plans, phasing plan, building elevations, massing study and other miscellaneous support documents (see Attachment A).

Development information:

| Application | Request |
|--------------------------------------|---------------------------------------|
| Change of land use designation(s) | No |
| Comprehensive Plan text amendment | No |
| Change of zoning designation(s) | No |
| Zoning Code text amendment | No |
| Site plan review | Yes ("S", Special Use zoned property) |
| Planned Area Development (PAD) | No |
| Subdivision Review or Tentative Plat | No |

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| Application | Request |
|--|----------------|
| Conditional uses | No |
| Abandonment and vacation of non fee interests (streets and alleys) | No |

Facts – Background and Proposed Project

The Montgomery Botanical Center is an approximately 120 acre tropical plant research institution located in the south end of the City at the intersection of Old Cutler Road and Red Road. The Center is proposing to construct an office / work space for visiting scientists and academics that is referred to as the “Plant Conservation Building”. One full time employee would work in the plant conservation building and up to 3 or 4 part time visiting professionals could use the facility for limited periods of time.

The building would be located centrally on the property, and would be constructed as a part of the Center’s existing guest house and studio complex. The building is relatively small, consisting of a one story (15’-4”) structure containing a total of 957 sq. ft. The existing employee and visitor parking lots on the property would provide parking for the visiting scientists. As a tropical plant research institution, the property is heavily landscaped and since the Plant Conservation Building is centrally located, it cannot be seen from either Old Cutler Road or Red Road.

City reviews and approvals:

| City Reviews/Timeline | Date Scheduled/ Reviewed/Approved* |
|---|---|
| Development Review Committee | 05.15.09 |
| Board of Architects | 11.26.08 and 03.26.09 |
| Board of Adjustment | N/A |
| Historic Preservation Board | N/A |
| Landscape Advisory Board | N/A |
| Local Planning Agency | N/A |
| Planning and Zoning Board | 06.03.09 |
| Street and Alley Vacation Committee | N/A |
| Public rights-of-way encroachment (City Commission) | N/A |
| City Commission, 1 st reading | 07.07.09 |
| City Commission, 2 nd reading | 07.29.09 |

*All scheduled dates and times are subject to change without notice.

Existing property designations:

| Applicable Designations | |
|---|---------------------------|
| CLUP Map designations | “Religious/Institutional” |
| Zoning Map designations | “S”, Special Use |
| Within Central Business District | No |
| Mixed Use District (“C”, Commercial only) | No |
| Mediterranean Architectural District (citywide) | Yes |
| Within Coral Gables Redevelopment Infill District (GRID) (Traffic Concurrency Exemption Area) | No |

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Surrounding uses:

| Location | Existing Land Uses | CLUP Designations | Zoning Designations |
|-----------------|---|---|---|
| North | Snapper Creek Property and Village of Pinecrest | “Conservation Areas“ | “P”, Preservation District |
| South | Gulliver Academy and 1-2 story single-family residences | “Educational Use“ and “Residential Use (Single-Family) Low Density” | “S”, Special Use and “SFR”, Single Family Residential |
| East | Snapper Creek Property | “Conservation Areas “ | “P”, Preservation District |
| West | 1-2 story single-family residences and Village of Pinecrest | “Residential Use (Single-Family) Low Density” | “SFR”, Single Family Residential |

Site plan analysis:

| Type | Date Completed |
|--|-----------------------|
| Concurrency Impact Statement (CIS) | 05.13.09 |
| Preliminary Zoning Analysis | 05.14.09 |
| Traffic study review (Public Works Department) | N/A |

The Building and Zoning Department’s Preliminary Zoning Analysis findings are summarized in the below tables. The Preliminary Zoning Analysis is provided with the applicant’s submittal package (see Attachment A). That analysis indicates that the proposed project meets all applicable Zoning Code requirements for the proposed project:

Site plan information:

| Type | Permitted | Proposed |
|---|--------------------------------------|--|
| Total site area | Approximately 120 acres | Approximately 120 acres |
| Floor area ratio (FAR) | Maximum .35 FAR | Complies |
| Total square footage of proposed building | --- | 957 sq. ft. |
| Building height | Maximum 45 feet | 1 story/15'-4" |
| Building setbacks: - Front - Side - Rear | Minimum 25 feet 20 feet 5 feet | Complies (building located in center of 120 acre property) |
| Parking | 4 spaces | Complies (parking provided in existing employee and visitor parking lots) |

Planning Staff’s Findings of Fact

This section evaluates the application for consistency with the Zoning Code and Comprehensive Land Use Plan (CLUP). This evaluation provides findings of fact and recommendations for compliance with the above.

Compliance with the Zoning Code

Section 3-406 of the Zoning Code requires that the Planning and Zoning Board “shall review the application for conditional use approval (site plan review) with a recommendation of staff. The Board shall conduct a quasi-judicial public hearing on the application and recommend to the

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City Commission whether they should grant the approval, grant the approval subject to specific conditions or deny the application. The Planning Department, Planning and Zoning Board and City Commission may recommend such conditions to the approval that are necessary to ensure compliance with the standards set out in Section 3-408.”

Site Plan Review Criteria

The applicant’s plans have been compared to the site plan review criteria set out in Zoning Code Section 3-408 as follows:

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

Staff comments: As concluded within this report, this application is “consistent” with the CLUP’s Goals, Objectives and Policies and will further assist in developing and promoting the City and this area as a center for tropical plant research and education.

- 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”.*

Staff comments: This proposal is consistent with the property’s CLUP Future Land Use Map and Zoning Map designations, and the property’s use as an institution for tropical plant research. No variances are requested or required for this building.

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

Staff comments: This site is currently used as an institutional botanical research facility, and this proposal is consistent and furthers that use. The entire property is approximately 120 acres in size, and this is a relatively small building (under 1,000 sq. ft.) centrally located within the property that cannot be seen from the public right-of-way.

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

Staff comments: This is a relatively small building (under 1,000 sq. ft.) centrally located within the property that cannot be seen from the public right-of-way. The size and location of the building will result in minimal, if any, additional impacts on surrounding properties.

- 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”.*

Staff comments: The applicant has chosen to locate this building centrally on the property which minimizes the project’s potential impacts. The building is integrated with the Botanical Center’s other existing guest facilities, which allows for shared use and consolidation of activities.

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

Staff comments: The entire property is approximately 120 acres in size, and this is a relatively small building (under 1,000 sq. ft.) centrally located within the property. No variances are requested or required for this building.

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

Staff comments: The relatively small size of the building and the central location of the building on the property will result in minimal, if any, additional impacts on surrounding properties.

- H. *“The design of the proposed driveways, circulation patterns and parking is well defined to promote vehicular and pedestrian circulation.”*

Staff comments: The building is integrated with the Botanical Center’s other existing guest facilities, which allows for shared use and consolidation of activities. The existing employee and visitor parking lots on the property would provide parking for the visiting scientists.

- 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”.*

Staff comments: The proposed project was reviewed by the Building and Zoning Department for concurrency, and it was found that there is adequate infrastructure to support the project.

Compliance with Comprehensive Land Use Plan Goals, Objectives and Policies

The Planning Department has reviewed the CLUP and finds the following CLUP Goals, Objectives and Policies are applicable and the following table provides determination/findings of fact to consistency and inconsistency thereof.

Consistent CLUP Goals & Objectives and Policies are as follows:

| Ref. No. | CLUP Goal, Policy and Objective | Basis for consistency |
|-----------------|--|---|
| 1. | <i>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.</i> | This proposal is consistent with the property’s CLUP Future Land Use Map and Zoning Map designations, and the property’s use as an institution for tropical plant research. No variances are requested or required for this building. |
| 2. | <i>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.</i> | This is a relatively small building (under 1,000 sq. ft.) centrally located within the property that cannot be seen from the public right-of-way. The size and location of the building will result in minimal, if any, additional impacts on surrounding properties. |
| 3. | <i>POLICY 1-1.3.3: LIMITATIONS OF POTENTIALLY DISRUPTIVE USES. Normally disruptive uses may be permitted on sites within related districts only</i> | The applicant has chosen to locate this building centrally on the property which minimizes the project’s potential impacts. The building is integrated with the |

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| Ref. No. | CLUP Goal, Policy and Objective | Basis for consistency |
|----------|---|--|
| | <i>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.</i> | Botanical Center's other existing guest facilities, which allows for shared use and consolidation of activities. |
| 4. | POLICY 1.1.7.1: DEVELOPMENT OF EMPLOYMENT CENTERS. <i>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.</i> | This facility for visiting scientists and academics will further assist in developing and promoting the City and this area as a center for tropical plant research and education, and will provide for additional employment opportunities in related fields. |
| 5. | POLICY 1-1.7.2: DEVELOPMENT OF UNDEVELOPED LAND. <i>Encourage development of remaining undeveloped and vacant isolated parcels of developable property through identification and staff assistance in providing information as to appropriate uses permitted by Code and proper procedures to be undertaken to obtain the proper development orders.</i> | This site is currently used as an institutional botanical research facility, and this proposal is consistent and furthers that use. The entire property is approximately 120 acres in size, and this is a relatively small building (under 1,000 sq. ft.) centrally located within the property. No variances are requested or required for this building. |

Staff Comments: Staff's determination is that this application is "consistent" with the CLUP's goals, objectives and policies that are identified herein.

City Department Review

This proposal was reviewed by City Staff at a Development Review Committee (DRC) meeting on 05.15.09. All comments provided have subsequently been addressed by the applicant.

Concurrency Management

This project has been reviewed for compliance with the Building and Zoning Department's Concurrency Management Program. The Concurrency Impact Statement (CIS) issued by the Building and Zoning Department for the applicant's project indicates that there is adequate infrastructure available to support the project. A copy of the CIS is on file with the Planning Department and available upon request.

Summary of Findings of Fact

The findings of fact that support the approval of the application include the following:

1. The proposed project is "consistent" with the CLUP Goals, Policies and Objectives, as identified and presented in this report.
2. This project satisfies the site plan review criteria as specified in the Zoning Code.
3. This is a relatively small building (under 1,000 SF) centrally located within the property that cannot be seen from the public right-of-way.
4. No variances are required or requested for this project.
5. This proposal has been reviewed by City Departments via the DRC process, and no objections have been made.

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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 1,000 feet of the subject property | Completed 05.21.09 |
| Newspaper ad published | Completed 05.21.09 |
| Posted property | Completed 05.21.09 |
| Posted agenda on City web page/City Hall | Completed 05.21.09 |
| Posted Staff report on City web page | Completed 05.29.09 |

The listing of property owners who returned the notification/comment form, including the date received, property owners name, address, object/no objection/no comment and verbatim comments are attached as Attachment B.

Respectfully submitted,

Eric Riel, Jr.
Planning Director

Attachments:

- A. Applicant's submittal package.
- B. Synopsis of comments received from property owners within 1,000 feet.

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