CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2007-16

AN ORDINANCE OF THE CITY COMMISSION APPROVING TWENTY-TWO (22) SEPARATE AMENDMENTS TO THE UNIVERSITY OF MIAMI CAMPUS AREA DEVELOPMENT (UMCAD) MASTER PLAN PURSUANT TO SECTION 4-202 OF THE ZONING CODE; INCLUDING CONDITIONS OF APPROVAL; PROVIDING A REPEALER PROVISION, A SAVINGS CLAUSE AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. THE PROPOSED AMENDMENTS ARE INCLUDED IN THE UNIVERSITY'S 2006 ANNUAL REPORT AND ARE LOCATED THROUGHOUT THE CAMPUS, AND INCLUDE THE FOLLOWING:

H1. RETAIN THE JERRY HERMAN THEATRE COMPLEX.

H2. RENOVATION AND EXPANSION OF THE NORMAN A. WHITTEN UNIVERSITY CENTER, DEMOLITION OF CHARLES A. GAUTHIER HALL "RATHSKELLER", AND A NEW STUDENT ACTIVITY CENTER.

H3. COMBINED OTTO G. RICHTER LIBRARY AND LAW SCHOOL ADDITION AND DECREASE IN COMBINED TOTAL BUILDING AREA.

H4. MODIFICATION OF ASHE ENROLLMENT ADDITION, AND INCREASE OF BUILDING AREA AND RENAMING OF THE PROJECT INTERACTIVE SCIENCE CENTER AND ENGINEERING RESEARCH PHASE II.

H5. BOTANY GREENHOUSE RELOCATION AND CHANGE TO NON FAR AND NEW SURFACE PARKING.

H6. ART BUILDING 1 PARTIAL RESTORATION/REPLICATION.

H7 DEMOLITION AND REPLACEMENT OF WHITTEN LEARNING CENTER.

H8. INCREASED BUILDING AREA OF MIGUEL B. FERNANDEZ FAMILY ENTREPRENEURSHIP BUILDING AT THE SCHOOL OF BUSINESS ADMINISTRATION, RESIDENTIAL AND ACADEMIC SITE PHASE I; MIGUEL B. FERNANDEZ FAMILY ENTREPRENEURSHIP BUILDING AT THE SCHOOL OF BUSINESS ADMINISTRATION, RESIDENTIAL AND ACADEMIC SITE PHASE II; AND DEMOLITION OF BEHAVIORAL MEDICINE RESEARCH INSTITUTE.

H9. LOWE ART MUSEUM ADDITION SITE.

H10. LAKEVIEW STUDENT HOUSING I AND II SITES.

H11. PAVIA PARKING GARAGE ADDITION; MERRICK PARKING GARAGE SITE; AND RELOCATION OF PORTION OF NORTH SOUTH CENTER DEVELOPMENT ZONE PROJECT; AND DEMOLITION OF THE WRITING CENTER.

H12. THEATER SITE CHANGE AND INCREASE IN BUILDING AREA.

H13. ART & ARCHITECTURE COLLEGE ACADEMICS FACILITY; AND ART AND ARCHITECTURE RESIDENTIAL COLLEGE; AND CONVOCATION/STUDENT PARKING GARAGE NEW SITES; AND MUSEUM AND UNIVERSITY HALL SITE CHANGES AND DECREASES IN BUILDING AREA.

H14. BANK UNITED CONVOCATION CENTER PARKING GARAGE SITE RELOCATION; AND BASKETBALL PRACTICE FACILITY.

H15. SERPENTINE PARKING LOT INTERIM EXPANSION; AND DICKINSON DRIVE REALIGNMENT.

H16. DICKINSON STUDENT HOUSING SITE AND DICKINSON RESIDENTIAL PARKING GARAGE SITE.

H17. WELLNESS CENTER ADDITION SITE.
H18. HECHT CENTER ADDITION SITE AND DEMOLITION OF KEARNS SPORTS HALL OF FAME; AND EXPANSION OF COBB TRACK AND FIELD FACILITY.
H19. ALEX RODRIGUEZ PARK AT MARK LIGHT FIELD REDUCED FROM ADOPTED MASTER PLAN; AND DEMOLITION OF BASEBALL MEDIA BUILDING.
H20. ROBERT AND JUDI PROKOP NEWMAN ALUMNI CENTER SITE; BRESCIA SURFACE PARKING LOT; AND DEMOLITION OF DANCE STUDIO/THEATER ARTS BUILDING, THE ALUMNI HOUSE, AND THE MARION AND ED LAU FOUNDER'S CLUB BUILDING.
H21. CENTER FOR MUSIC LEARNING AND LEADERSHIP AT THE FROST SCHOOL OF MUSIC; NEW ACADEMIC FACILITY REPLACEMENT; AND DEMOLITION OF ARNOLD VOLPE MUSIC BUILDING, BERTHA FOSTER MEMORIAL MUSIC BUILDING AND REHEARSAL CENTER; AND DELETION OF STUDENT SERVICES FACILITY FROM THE ADOPTED LOCATION.
H22. INTERACTIVE SCIENCE CENTER AND COLLEGE OF ENGINEERING RESEARCH PHASE I MODIFICATION OF FOOTPRINT AND INCREASE OF BUILDING AREA.

WHEREAS, Article IX of the previous "Zoning Code" entitled "Planned Area Development," was amended by Ordinance No. 2828 on March 7, 1989 by adding provisions pertaining to the "University of Miami Campus Area Development" (UMCAD), to regulate the development of the University of Miami; and

WHEREAS, the University of Miami Master Plan was approved by Ordinance No. 2964 on December 10, 1991, pursuant to the requirements of the "Zoning Code" (UMCAD); and

WHEREAS, Section 4-202 of the current "Zoning Code" (UMCAD) requires that an Annual Report be submitted by the University to update and document any proposed changes to its Master Plan, and pursuant to this requirement the 2006 Annual Report of the University of Miami Campus Master Plan has been submitted by the University to the City of Coral Gables; and

WHEREAS, the University of Miami has submitted within the 2006 Annual Report the UMCAD 2006 Amendment application to the City of Coral Gables proposing the following twenty-two (22) amendments to the approved UMCAD Master Plan being considered by this ordinance:

H1. Retain the Jerry Herman Theatre Complex.
H2. Renovation and Expansion of the Norman A. Whitten University Center, Demolition of Charles A. Gauthier Hall "Rathskeller", and a new Student Activity Center.
H3. Combined Otto G. Richter Library and Law School Addition and Decrease in Combined Total Building Area.
H4. Modification of Ashe Enrollment Addition, and Increase of Building Area and renaming of the project Interactive Science Center and Engineering Research Phase II.
H5. Botany Greenhouse Relocation and Change to Non FAR and New Surface Parking.
H6. Art Building 1 Partial Restoration/Replication.
H7 Demolition and Replacement of Whitten Learning Center.

H8. Increased Building Area of Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration, Residential and Academic Site Phase I; Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration, Residential and Academic Site Phase II; and Demolition of Behavioral Medicine Research Institute.
H9. Lowe Art Museum Addition Site.
H10. Lakeview Student Housing I and II Sites.
H11. Pavia Parking Garage Addition; Merrick Parking Garage Site; and Relocation of Portion of North South Center Development Zone Project; and Demolition of the Writing Center.
H12. Theater Site Change and Increase in Building Area.
H13. Art & Architecture College Academics Facility; and Art and Architecture Residential College; and Convocation/Student Parking Garage New Sites; and Museum and University Hall Site Changes and Decreases in Building Area.
H14. Bank United Convocation Center Parking Garage Site Relocation; and Basketball Practice Facility.
H15. Serpentine Parking Lot Interim Expansion; and Dickinson Drive Realignment.
H16. Dickinson Student Housing Site and Dickinson Residential Parking Garage Site.
H17. Wellness Center Addition Site.
H18. Hecht Center Addition Site and Demolition of Kearns Sports Hall of Fame; and Expansion of Cobb Track and Field Facility.
H19. Alex Rodriguez Park At Mark Light Field Reduced from Adopted Master Plan; and Demolition of Baseball Media Building.
H20. Robert and Judi Prokop Newman Alumni Center Site; Brescia Surface Parking Lot; and Demolition of Dance Studio/Theater Arts Building, the Alumni House, and the Marion and Ed Lau Founder's Club Building.
H21. Center for Music Learning and Leadership at the Frost School of Music; New Academic Facility Replacement; and Demolition of Arnold Volpe Music Building, Bertha Foster Memorial Music Building and Rehearsal Center; and Deletion of Student Services Facility from the adopted location.
H22. Interactive Science Center and College of Engineering Research Phase I modification of footprint and increase of Building Area.

WHEREAS, the University has proffered various improvements and agreed to conditions to mitigate the potential impact of the proposed amendments to the approved UMCAD Master Plan, and the University has agreed to conditions of approval as outlined and provided herein; and

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on January 10, 2007, at which hearing all interested persons were afforded the opportunity to be heard, and the Board recommended that the proposed UMCAD 2006 Amendments, which included twenty-five (25) amendments (on file in the Planning Department, date stamped January 2, 2007) be denied (Vote: 7-0); and

WHEREAS, the University revised the UMCAD 2006 Amendment application following the public hearing before the Planning and Zoning Board by reducing the number of amendments from the originally proposed twenty-five (25) amendments to the current twenty-two (22) amendments as identified and described herein; and

WHEREAS, the University as a part of the revision to the UMCAD 2006 Amendment application following the public hearing before the Planning and Zoning Board withdrew the following amendments:

- Construction of a New School of Music West Parking Garage.
- Relocation of the School of Education; Demolition of Mary B. Merritt Panhellenic Building; and Construction of New East Parking Garage.
- Reduction of campus setbacks along Ponce de Leon Boulevard.
- Amendments to UMCAD Master Plan Design Manual.; and

WHEREAS, the City Commission after due consideration at its regular meeting of February 27, 2007 approved the proposed UMCAD 2006 Amendment revised application with conditions on first reading (vote: 5-0) as provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The Planning Department presented the below listed "Findings of Facts" to the City Commission on February 27, 2007 for each "H" Amendment of the UMCAD 2006 Application. The City Commission after securing public input and testimony and completing discussion and deliberation provided the following "Findings of Facts" of each "H" Amendment of the UMCAD 2006 Application (refer to the Recommended Conditions of approval on pages 26 – 43 of this Ordinance for each "H" Amendment):

H1. Modification of Previously Approved Demolition of Jerry Herman Theater

Description: The approved UMCAD provided for the demolition of the Jerry Herman Theater. The applicant requests that the Theater be retained which previously was requested to be demolished.

Discussion: While the theater is an existing condition and on its face poses no apparent threat to the City and its neighborhoods, the location and access of the theater are in close proximity to San Amaro and adjacent single family residential neighborhoods. City Staff is concerned that the impacts of future use of the theater primarily in the context of other planned improvements in the immediate vicinity of the theater on San Amaro and the adjacent residential neighborhood are not addressed in the 2006 UMCAD amendment application submission.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed retention of the Jerry Herman Theater is consistent with the UMCAD regulations.
2. The proposed retention of the Jerry Herman Theater is compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements are in the public interest, provided that parking and vehicular access to

the theater do not adversely affect the function of San Amaro Drive.

3. The proposed retention of the Jerry Herman Theater satisfies the requirements and standards of the UMCAD regulations.
4. The retention of the Jerry Herman Theater does not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.
5. The proposed retention of the Jerry Herman Theater is compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that parking and vehicular access to the theater do not adversely affect the function of San Amaro Drive.
6. The proposed retention of the Jerry Herman Theater is desirable in terms of the public interest and the physical development of the City.
7. The proposed retention of the Jerry Herman Theater is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan.

Recommendation: Proposed 2006 UMCAD Amendment H1 is recommended for approval with no conditions.

H2. Renovation and Expansion of the Norman A. Whitten University Center, Demolition of Charles A. Gauthier Hall "Rathskeller", and new Student Activity Center.

Description: Renovation and expansion of the Norman A. Whitten University Center (+31,000 SF), demolition of the Rathskeller, and construction of a new Student Activity Center (+108,000 SF).

Discussion: These improvements as indicated by the applicant are intended to improve the quality of student activity facilities on campus and to provide for additional "student "demand for on campus facilities as a result of planned development of additional on campus student housing. While the improvements do not pose any apparent impact on the City and its neighborhoods, it is not apparent what parking or vehicle access, if any, would be associated with these improvements

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed student activity facilities are consistent with the UMCAD regulations, provided that any parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
2. The proposed student activity facilities are compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements are in the public interest, provided that any parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
3. The proposed student activity facilities satisfy the requirements and standards of the UMCAD regulations, provided that any parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.

4. The proposed student activity facilities do not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that any parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro Drive as a residential address.
5. The proposed student activity facilities are compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that any parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro Drive as a residential address.
6. The proposed student activity facilities are desirable in terms of the public interest and the physical development of the City, provided that any parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
7. The proposed student activity facilities are consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that any parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.

Recommendation: Proposed 2006 UMCAD Amendment H2 is recommended for approval, subject to conditions.

H3. Combined Otto G. Richter Library and Law School Addition and Decrease in Combined Total Building Area.

Description: Combine Otto G. Richter Library and Law School addition into one project and decrease combined total building area (-35,000 SF).

Discussion: On its face, the combination of the Otto G. Richter Library and the Law School addition into a single project involving a reduction in the total square footage of the facilities makes sense. Nevertheless, the character and location of the project raise questions as to the trip generation characteristics of these facilities, *e.g.* law students rarely live on campus and are typically involved in off-campus activities. The traffic study which was a part of the 2006 UMCAD Amendment application submission materials does not address the trip generation, vehicular access or parking of these facilities which is of concern because of the proximity and accessibility of the proposed facilities to San Amaro and the absence of a functional internal circulation system which would provide access to and from these facilities to the core of the campus to the south of the [waterway] and to Ponce.

Findings: The 2006 UMCAD application submission demonstrates that:
1. The proposed combination of the Otto G. Richter Library and the Law School addition with a reduction in planned square footage are consistent with the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.

2. The proposed combination of the Otto G. Richter Library and the Law School addition with a reduction in planned square footage are compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements are in the public interest, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
3. The proposed combination of the Otto G. Richter Library and the Law School addition with a reduction in planned square footage satisfy the requirements and standards of the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
4. The proposed combination of the Otto G. Richter Library and the Law School addition with a reduction in planned square footage do not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
5. The proposed combination of the Otto G. Richter Library and the Law School addition with a reduction in planned square footage are compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
6. The proposed combination of the Otto G. Richter Library and the Law School addition with a reduction in planned square footage are desirable in terms of the public interest and the physical development of the City, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
7. The proposed combination of the Otto G. Richter Library and the Law School addition with a reduction in planned square footage are consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.

Recommendation: Proposed 2006 UMCAD Amendment H3 is recommended for approval, subject to conditions.

H4. Modification of Ashe Enrollment Addition, and Increase of Building Area and renaming of the project Interactive Science Center and Engineering Research Phase II.

Description: Relocate Ashe Enrollment Addition to adjacent site as a 4-5 story stand alone building, and increase from 30,000 SF to 96,000 SF (+ 66,000 SF).

Discussion The elimination of the proposed addition to the enrollment center does not impact on the City.

The proposed increase in the Interactive Science Center and Engineering Building to 145,000 square feet raises significant issues as a result of the location of the project north of the [waterway] and its proximity to residential areas. Although the University has planned an internal roadway which would provide access from Ponce to the area proposed for development from the south through the campus, the internal road way has not been constructed.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed elimination of the proposed addition to the enrollment center is consistent with the UMCAD regulations.
2. The proposed elimination of the proposed addition to the enrollment center is compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and is an improvement which is in the public interest.
3. The proposed elimination of the proposed addition to the enrollment center meets the requirements and standards of the UMCAD regulations.
4. The elimination of the proposed addition to the enrollment center requires no public services and has no impact on vehicular traffic, designated common open areas, or light and air, recreation and visual enjoyment.
5. The proposed elimination of the proposed addition to the enrollment center is compatible with adjacent properties and neighborhoods outside of the UM Campus.
6. The proposed elimination of the proposed addition to the enrollment center is desirable in terms of the public interest and the physical development of the City.
7. The proposed elimination of the proposed addition to the enrollment center conforms with and is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan.
8. The proposed increase in the Interactive Science Center and Engineering Building is consistent with the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
9. The proposed increase in the Interactive Science Center and Engineering Building are compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements are in the public interest, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
10. The proposed increase in the Interactive Science Center and Engineering Building satisfy the requirements and standards of the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
11. The proposed increase in the Interactive Science Center and Engineering Building do not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that trip generation, parking and vehicular access associated

with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.

12. The proposed increase in the Interactive Science Center and Engineering Building are compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
13. The proposed increase in the Interactive Science Center and Engineering Building are desirable in terms of the public interest and the physical development of the City, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
14. The proposed increase in the Interactive Science Center and Engineering Building are consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.

Recommendation: Proposed 2006 UMCAD Amendment H4, modification of Ashe Enrollment Addition is recommended for approval.

Proposed 2006 UMCAD Amendment H4, proposed increase in the Interactive Science Center and Engineering Building is recommended for approval, subject to conditions.

H5. Botany Greenhouse Relocation and Change to non FAR and New Surface Parking.

Description: Relocation of Botany Greenhouse and elimination from FAR calculations (1,022 SF non-habitable structure), and new 115 space surface parking lot.

Discussion: On its face, the proposed amendment does not appear to impose any adverse conditions on adjacent neighborhoods and the City. However, given the location of the project in close proximity to San Amaro Drive and the residential neighborhood to the north it is possible that the proposed amendment, individually or cumulatively with other proposed amendments, could affect neighborhood interests depending on the functional characteristics of access and parking which are not explained in the materials which UM has submitted.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed relocation of the botany greenhouse, designation of the greenhouse as not constitute FAR square footage and the construction of a 115 space surface parking lot are consistent with the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.

2. The proposed relocation of the botany greenhouse, designation of the greenhouse as not constitute FAR square footage and the construction of a 115 space surface parking lot are compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements are in the public interest, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
3. The proposed relocation of the botany greenhouse, designation of the greenhouse as not constitute FAR square footage and the construction of a 115 space surface parking lot are satisfy the requirements and standards of the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
4. The proposed relocation of the botany greenhouse, designation of the greenhouse as not constitute FAR square footage and the construction of a 115 space surface parking lot are do not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
5. The proposed relocation of the botany greenhouse, designation of the greenhouse as not constitute FAR square footage and the construction of a 115 space surface parking lot are compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
6. The proposed relocation of the botany greenhouse, designation of the greenhouse as not constitute FAR square footage and the construction of a 115 space surface parking lot are desirable in terms of the public interest and the physical development of the City, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
7. The proposed relocation of the botany greenhouse, designation of the greenhouse as not constitute FAR square footage and the construction of a 115 space surface parking lot are consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.

Recommendation: Proposed 2006 UMCAD Amendment H5, relocation of the botany greenhouse and designation of the greenhouse as not constituting FAR square footage is recommended for approval.

Proposed 2006 UMCAD Amendment H5, the construction of a 115 space surface parking lot is recommended for approval subject to conditions.

H6. Art Building 1 Partial Restoration/Replication.

Description: Partial restoration of existing Art Building 1 (12,500 SF) and demolition of remaining portion (-14,223 SF).

Discussion: The Historical Resources Department has determined that the existing buildings are eligible for designation a local historic landmark and should be subject to a review by the Historic Preservation Board as to whether the buildings should be designated as a local historic landmark.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed partial restoration of the existing art buildings which would result in the demolition of 14,223 square feet are consistent with the UMCAD regulations, provided that the partial demolition/restoration complies with the requirements of Article 3, Division 11 (Historic Preservation Designations and Certificate of Appropriateness) of the Coral Gables Zoning Code.
2. The proposed partial restoration of the existing art buildings which would result in the demolition of 14,223 square feet are compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements are in the public interest, provided that the partial demolition/restoration complies with the requirements of Article 3, Division 11 of the Coral Gables Zoning Code.
3. The proposed partial restoration of the existing art buildings which would result in the demolition of 14,223 square feet satisfy the requirements and standards of the UMCAD regulations, provided that the partial demolition/restoration complies with the requirements of Article 3, Division 11 of the Coral Gables Zoning Code.
4. The proposed partial restoration of the existing art buildings which would result in the demolition of 14,223 square feet do not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that the partial demolition/restoration complies with the requirements of Article 3, Division 11 of the Coral Gables Zoning Code.
5. The proposed partial restoration of the existing art buildings which would result in the demolition of 14,223 square feet are compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that the partial demolition/restoration complies with the requirements of Article 3, Division 11 of the Coral Gables Zoning Code.
6. The proposed partial restoration of the existing art buildings which would result in the demolition of 14,223 square feet are desirable in terms of the public interest and the physical development of the City, provided that the partial demolition/restoration complies with the requirements of Article 3, Division 11 of the Coral Gables Zoning Code.
7. The proposed partial restoration of the existing art buildings which would result in the demolition of 14,223 square feet are consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that the partial demolition/restoration complies with the requirements of Article 3, Division 11 of the Coral Gables Zoning Code.

Recommendation: Proposed 2006 UMCAD Amendment H6 is recommended for approval, subject to conditions.

H7. Demolition and Replacement of Whitten Learning Center.

Description: Demolition and Replacement of Whitten Learning Center.

Discussion: Demolition and replacement at same location and size (45,054 SF).

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed retention is consistent with the UMCAD regulations.
2. The proposed retention is compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements are in the public interest, provided that parking and vehicular access to the theater do not adversely affect the function of San Amaro Drive.
3. The proposed retention satisfies the requirements and standards of the UMCAD regulations.
4. The retention does not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.
5. The proposed retention is compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that parking and vehicular access to the theater do not adversely affect the function of San Amaro Drive.
6. The proposed retention is desirable in terms of the public interest and the physical development of the City.
7. The proposed retention is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan.

Recommendation: UMCAD 2006 Amendment H7 is approved with no conditions.

H8. Increased Building Area of Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration, Residential and Academic Site Phase I; Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration, Residential and Academic Site Phase II, and Demolition of Behavioral Medicine Research Institute.

Description: Two phase development involving a total of 348,878 square feet of residential and academic floor area. Increase combined building area (+175,148 SF/+700 students), including the demolition of the Behavioral Medicine Research Institute.

Discussion: The proposed two phase development of residential and academic floor area for the Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration are desirable improvements. The buildings are located in the campus core and are oriented towards the south away from residential neighborhoods. The development of on campus student housing is beneficial to the City in a number of ways, including commuter traffic to and from the campus. However, traffic study submitted by UM does not provide sufficient data with regard to trip generation

characteristics, parking and access to determine what modifications or mitigation are necessary to ensure compliance with the requirements for UMCAD amendments.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed two phase development of residential and academic floor area for the Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration is consistent with the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
2. The proposed two phase development of residential and academic floor area for the Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration are compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements is in the public interest, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
3. The proposed two phase development of residential and academic floor area for the Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration satisfies the requirements and standards of the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
4. The proposed two phase development of residential and academic floor area for the Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration does not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
5. The proposed two phase development of residential and academic floor area for the Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration is compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
6. The proposed two phase development of residential and academic floor area for the Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration is desirable in terms of the public interest and the physical development of the City, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
7. The proposed two phase development of residential and academic floor area for the Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.

Recommendation: Proposed 2006 UMCAD Amendment H8 is recommended for approval, subject to conditions.

H9. Lowe Art Museum Addition Site.

Description: Addition to the existing Lowe Art Museum (+10,000 SF).

Discussion: Although the addition to the Lowe Art Museum involves an increase in total square foot, given the location of the Museum in the UM Campus core and the nature of the use is unlikely to generate additional trips or adversely affect surrounding neighborhoods.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed addition to the Lowe Art Museum is consistent with the UMCAD regulations.
2. The proposed addition to the Lowe Art Museum is compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and is an improvement which is in the public interest.
3. The proposed addition to the Lowe Art Museum meets the requirements and standards of the UMCAD regulations.
4. The addition to the Lowe Art Museum is makes adequate provision for public services, provides adequate control over vehicular traffic and provides for and protects designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.
5. The proposed addition to the Lowe Art Museum is compatible with adjacent properties and neighborhoods outside of the UM Campus.
6. The proposed addition to the Lowe Art Museum is desirable in terms of the public interest and the physical development of the City.
7. The proposed addition to the Lowe Art Museum conforms with and is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan.

Recommendation: Proposed 2006 UMCAD Amendment H9 is recommended for approval, subject to conditions.

H10. Lakeview Student Housing I and II Sites.

Description: Two phase student housing development (+160,000 SF each / +320,000 SF total) and will house approximately 400 students each.

Discussion: The proposed two phase Lakeview Student Housing development are desirable improvements. The buildings are located in the campus core and are oriented towards the south away from residential neighborhoods. The development of on campus student housing is beneficial to the City in a number of ways, including commuter traffic to and from the campus. However, traffic study submitted by UM does not provide sufficient data with regard to parking and vehicular access to determine what

modifications or mitigation may be necessary to ensure compliance with the requirements for UMCAD amendments.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed two phase development of the Lakeview Student Housing facilities is consistent with the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
2. The proposed two phase development of the Lakeview Student Housing facilities is compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements is in the public interest, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
3. The proposed two phase development of the Lakeview Student Housing facilities satisfies the requirements and standards of the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
4. The proposed two phase development of the Lakeview Student Housing facilities does not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
5. The proposed two phase development of the Lakeview Student Housing facilities is compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
6. The proposed two phase development of the Lakeview Student Housing facilities is desirable in terms of the public interest and the physical development of the City, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
7. The proposed two phase development of the Lakeview Student Housing facilities is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.

Recommendation: Proposed 2006 UMCAD Amendment H10 is recommended for approval, subject to conditions.

H11. Pavia Parking Garage Addition, Merrick Parking Garage Site, and relocation of a Portion of North South Center Development Zone Project; and Demolition of the Writing Center.

Description: Addition of two floors to the existing Pavia Parking Garage (304 parking spaces), construction of Merrick Parking Garage (871 parking spaces) and demolition of the Writing Center (-8,375 SF).

Discussion: The proposed parking facilities are desirable improvements. The garages are located in the campus core and are oriented towards the south away from residential neighborhoods. However, traffic study submitted by UM does not provide sufficient data with regard to vehicular access to and from garages and potential impacts on the streets and roads system of the City to make a determination as to what modifications or mitigation may be necessary to ensure compliance with the requirements for UMCAD amendments.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed parking facilities are consistent with the UMCAD regulations, provided that vehicular access associated with the use of the facilities does not adversely affect the function of the City's network of roads and streets.
2. The proposed parking facilities are compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements is in the public interest, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
3. The proposed parking facilities satisfy the requirements and standards of the UMCAD regulations, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
4. The proposed parking facilities do not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
5. The proposed parking facilities are compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
6. The proposed parking facilities are desirable in terms of the public interest and the physical development of the City, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
7. The proposed parking facilities are consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that vehicular access associated with the use of the facilities does not adversely affect the function of the City's network of roads and streets.

Recommendation: Proposed 2006 UMCAD Amendment H11 is recommended for approval, subject to conditions.

H12. Theater Site Change and Increase in Building Area.

Description: Relocation of proposed site and increase in building area from 50,000 SF to 80,000 SF (+ 30,000 SF).

Discussion: The proposed theater involves a considerable increase in floor area without any explanation with regard to the anticipated use of the additional floor area. According to the 2006 UMCAD submission materials the additional floor area will "allow the facility to serve as a performing arts theater with academic, faculty and production support spaces." The submission materials also state that "[a]additional trips will not be associated with the facility as users are on campus." The proposed theater is located in the UM Campus Core and is oriented towards the south. A performing arts theater is a normal and beneficial element of major universities; however, such facilities typical draw users from outside the university campus, even for student productions. Presumably, the location of the theater adjacent to new parking facilities means that users will park in those parking facilities. However, the traffic study submitted by UM does not address the trip generation anticipated from the proposed theater nor the impact of whatever traffic is generated on access to and from the University and the City's roads and street network.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed university theater is consistent with the UMCAD regulations, provided that vehicular access associated with the use of the facilities does not adversely affect access to and from the University or the function of the City's network of roads and streets.
2. The proposed university theater is compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements is in the public interest, provided that vehicular access associated with the use of the facilities do not adversely affect access to and from the University or the function of the City's network of roads and streets.
3. The proposed university theater satisfies the requirements and standards of the UMCAD regulations, provided that vehicular access associated with the use of the facilities do not adversely affect access to and from the University or the function of the City's network of roads and streets.
4. The proposed university theater makes adequate provision for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that vehicular access associated with the use of the facilities do not adversely affect access to and from the University or the function of the City's network of roads and streets.
5. The proposed university theater is compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that vehicular access associated with the use of the facilities do not adversely affect access to and from the University or the function of the City's network of roads and streets.
6. The proposed university theater is desirable in terms of the public interest and the physical development of the City, provided that vehicular access associated with the use of the facilities do not adversely affect access to and from the University or the function of the City's network of roads and streets.

7. The proposed university theater is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that vehicular access associated with the use of the facilities do not adversely affect access to and from the University or the function of the City's network of roads and streets.

Recommendation: Proposed 2006 UMCAD Amendment H12 is recommended for approval, subject to conditions.

H14. Bank United Convocation Center Parking Garage Site Relocation; and Basketball Practice Facility.

Description: Relocation of previously approved parking garage (unspecified parking spaces) incorporating new basketball practice facility (+14,000 SF).

Discussion: The relocation of the parking garage and construction of a basketball practice facility are desirable improvements. The garages are located in the campus core and are oriented towards the south away from residential neighborhoods. However, traffic study submitted by UM does not provide sufficient data with regard to vehicular access to and from garages and potential impacts on the streets and roads system of the City to make a determination as to what modifications or mitigation may be necessary to ensure compliance with the requirements for UMCAD amendments.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The relocation of the parking garage and construction of a basketball practice facility are consistent with the UMCAD regulations, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
2. The relocation of the parking garage and construction of a basketball practice facility are compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements is in the public interest, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
3. The relocation of the parking garage and construction of a basketball practice facility satisfy the requirements and standards of the UMCAD regulations, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
4. The relocation of the parking garage and construction of a basketball practice facility do not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
5. The relocation of the parking garage and construction of a basketball practice facility are compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
6. The relocation of the parking garage and construction of a basketball practice facility

are desirable in terms of the public interest and the physical development of the City, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.

7. The relocation of the parking garage and construction of a basketball practice facility are consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.

Recommendation: Proposed 2006 UMCAD Amendment H14 is recommended for approval, subject to conditions.

H15. Serpentine Parking Lot Interim Expansion; and Dickinson Drive Realignment.

Description: Interim expansion of Serpentine parking lot to provide additional parking (400 parking spaces) and realignment of Dickinson Drive from the adopted to existing configuration.

Discussion: The proposed expansion of the existing serpentine parking lots and road realignment are located within the campus core and in and of them are unlikely to adversely affect nearby residential neighborhoods and is consistent with the City's desire to orient vehicular access to the south away from the residential neighborhoods to the east, north and northwest of the campus. To further mitigate any potential impacts of the parking facility, submission of a detailed landscape plan.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed expansion of the existing serpentine parking lots and road realignment are consistent with the UMCAD regulations.
2. The proposed expansion of the existing serpentine parking lots and road realignment are compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements are in the public interest. However, based upon information submitted by the applicant the parking lot is not compliant with the landscape provisions of the Zoning Code Article 5, Division 11.
3. The proposed expansion of the existing serpentine parking lots and road realignment satisfy the requirements and standards of the UMCAD regulations.
4. The physical design of the proposed expansion of the existing serpentine parking lots and road realignment makes adequate provision for public services, provide adequate control over vehicular traffic and provides for and protect designated common open areas, and however does not further the amenities of light and air, recreation and visual enjoyment.
5. The proposed expansion of the existing serpentine parking lots and road realignment are compatible with adjacent properties and neighborhoods outside of the UM Campus.
6. The proposed expansion of the existing serpentine parking lots and road realignment are desirable in terms of the public interest and the physical development of the City.

7. The proposed expansion of the existing serpentine parking lots and road realignment are conform with and is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan.

Recommendation: Proposed 2006 UMCAD Amendment H15 is recommended for approval, subject to conditions.

H16. Dickinson Student Housing Site Dickinson Residential Parking Garage Site.

Description: Construction of new student housing project (+160,000 SF) housing 400 students and parking garage (750 parking spaces).

Discussion: The additional Dickinson student housing facilities and parking garage are desirable improvements located in the campus core and are oriented towards the south away from residential neighborhoods. However, traffic study submitted by UM does not provide sufficient data with regard to vehicular access to and from garages and potential impacts on the streets and roads system of the City to make a determination as to what modifications or mitigation may be necessary to ensure compliance with the requirements for UMCAD amendments.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The additional Dickinson student housing facilities and parking garage are consistent with the UMCAD regulations, provided that vehicular access associated with the use of the facilities does not adversely affect the function of the City's network of roads and streets.
2. The additional Dickinson student housing facilities and parking garage are compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements is in the public interest, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
3. The additional Dickinson student housing facilities and parking garage satisfy the requirements and standards of the UMCAD regulations, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
4. The additional Dickinson student housing facilities and parking garage do not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
5. The additional Dickinson student housing facilities and parking garage are compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
6. The additional Dickinson student housing facilities and parking garage are desirable in terms of the public interest and the physical development of the City, provided that vehicular access associated with the use of the facilities do not adversely affect the

function of the City's network of roads and streets.

7. The additional Dickinson student housing facilities and parking garage are consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that vehicular access associated with the use of the facilities does not adversely affect the function of the City's network of roads and streets.

Recommendation: Proposed 2006 UMCAD Amendment H16 is recommended for approval, subject to conditions.

H17. Wellness Center Addition Site.

Description: Addition to existing Wellness Center (+18,000 SF).

Discussion: Although the proposed expansion of the existing wellness center is located to the north and east of the [waterway] there is limited vehicular access to center and the expansion is unlikely to have any impacts which are external to the UM Campus. The expansion is easily justified by the proposed increase in on campus housing.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed expansion of the existing wellness center is consistent with the UMCAD regulations.
2. The proposed expansion of the existing wellness center is compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements are in the public interest.
3. The proposed expansion of the existing wellness center satisfies the requirements and standards of the UMCAD regulations.
4. The physical design of the proposed expansion of the existing wellness center makes adequate provision for public services, provides adequate control over vehicular traffic and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.
5. The proposed expansion of the existing wellness center is compatible with adjacent properties and neighborhoods outside of the UM Campus.
6. The proposed expansion of the existing wellness center is desirable in terms of the public interest and the physical development of the City.
7. The proposed expansion of the existing wellness center conforms with and is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan.

Recommendation: Proposed 2006 UMCAD Amendment H17 is recommended for approval.

H18. Hecht Center Addition Site and Demolition of Kearns Sports Hall of Fame; and Expansion of Cobb Track and Field Facility.

Description: Demolition of existing Hall of Fame structure (-2,902 SF) and relocation in addition to existing Hecht Athletic Center (+50,000 SF), and addition to seating area adjacent to track field (+1,000 SF).

Discussion: The location of the expansion minimizes the potential impact on the City, provided that any additional traffic generated by the expansion and access are managed so that traffic volumes are not increased on San Amaro.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed expansion of the Hecht Center and Cobb Track and Field Facility is consistent with the UMCAD regulations.
2. The proposed expansion of the Hecht Center and Cobb Track and Field Facility is compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements are in the public interest.
3. The proposed expansion of the Hecht Center and Cobb Track and Field Facility satisfies the requirements and standards of the UMCAD regulations.
4. The proposed expansion of the Hecht Center and Cobb Track and Field Facility reduces the demands for public services, and helps to ensure adequate control over vehicular traffic and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.
5. The proposed expansion of the Hecht Center and Cobb Track and Field Facility is compatible with adjacent properties and neighborhoods outside of the UM Campus.
6. The proposed expansion of the Hecht Center and Cobb Track and Field Facility is desirable in terms of the public interest and the physical development of the City.
7. The proposed expansion of the Hecht Center and Cobb Track and Field Facility is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan.

Recommendation: Proposed 2006 UMCAD Amendment H18 is recommended for approval, subject to conditions.

H19. Alex Rodriguez Park At Mark Light Field Reduced from Adopted Master Plan; and demolition of Baseball Media Building.

Description: Reduction in size of the approved ballpark addition (-14,000 SF) and demolition of the existing Baseball Media Building (-576 SF).

Discussion: The proposed modification does not implicate any potential impact on the City.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed reduction in intensity of the previously approved expansion of Alex Rodriguez Park is consistent with the UMCAD regulations.
2. The proposed reduction in intensity of the previously approved expansion of Alex Rodriguez Park is compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements are in the public interest.

3. The proposed reduction in intensity of the previously approved expansion of Alex Rodriguez Park satisfies the requirements and standards of the UMCAD regulations.
4. The reduction in intensity of the previously approved expansion of Alex Rodriguez Park reduces the demands for public services, and helps to ensure adequate control over vehicular traffic and provides for and protects designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.
5. The proposed reduction in intensity of the previously approved expansions of Alex Rodriguez Park is compatible with adjacent properties and neighborhoods outside of the UM Campus.
6. The proposed reduction in intensity of the previously approved expansions of Alex Rodriguez Park is desirable in terms of the public interest and the physical development of the City.
7. The proposed reduction in intensity of the previously approved expansions of Alex Rodriguez Park is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan.

Recommendation: Proposed 2006 UMCAD Amendment H19 is recommended for approval.

H20. Robert and Judi Prokop Newman Alumni Center Site; Brescia Surface Parking Lot; and Demolition of Dance Studio/Theater Arts Building, the Alumni House, and the Marion and Ed Lau Founder's Club Building.

Description: Demolition of existing Alumni House (-3,324 SF), Founders Club (-6,570 SF) and Dance Studio/Theatre Arts Building (-7,808 SF), and the construction of a new Alumni Center (+ 70,000 SF) and surface parking lot (224 parking spaces).

Discussion: The proposed alumni center implicates a variety of concerns, most related to traffic and access. The use of the center would be particularly problematic if it generated significant peak hour trips or increased traffic volumes on San Amaro and other residential roads in the area.

Findings: The 2006 UMCAD application submission demonstrates that:
1. The proposed Robert and Judi Prokop Alumni Center is consistent with the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
2. The proposed Robert and Judi Prokop Alumni Center is compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements is in the public interest, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
3. The proposed Robert and Judi Prokop Alumni Center satisfies the requirements and standards of the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.

4. The proposed Robert and Judi Prokop Alumni Center does not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
5. The proposed Robert and Judi Prokop Alumni Center is compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
6. The proposed Robert and Judi Prokop Alumni Center is desirable in terms of the public interest and the physical development of the City, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
7. The proposed Robert and Judi Prokop Alumni Center is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.

Recommendation: Proposed 2006 UMCAD Amendment H20 is recommended for approval, subject to conditions.

H21. Center for Music Learning and Leadership at the Frost School of Music; New Academic Facility Replacement; and Demolition of Arnold Volpe Music Building, Bertha Foster Memorial Building and Rehearsal Center; and Deletion of Student Services Facility from the adopted location.

Description: Increase size of previously approved music facility from 50,000 SF to 70,000 SF (+20,000 SF) and new academic facility (+94,000 SF) to replace the demolition of existing music facilities (-54,889 SF) and deletion of the previously approved student services building.

Discussion: The location of the proposed music center is problematic because of its location and proximity to residential neighborhoods. Trip generation and access are of particular concern. Planned campus road improvements, including the realignment of Miller Road and implementation of the internal roadway, have not been constructed so that access and traffic impact adjacent residential streets and neighborhoods to increased cut-through traffic.

Findings: The 2006 UMCAD application submission demonstrates that:
1. The proposed Center for Music Learning and Leadership is consistent with the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
2. The proposed Center for Music Learning and Leadership is compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use,

and the improvements is in the public interest, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.

3. The proposed Center for Music Learning and Leadership satisfies the requirements and standards of the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
4. The proposed Center for Music Learning and Leadership does not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
5. The proposed Center for Music Learning and Leadership is compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
6. The proposed Center for Music Learning and Leadership is desirable in terms of the public interest and the physical development of the City, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.
7. The proposed Center for Music Learning and Leadership is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of the City's network of roads and streets.

Recommendation: Proposed 2006 UMCAD Amendment H21 is recommended for approval, subject to conditions.

H22. *Interactive Science Center and College of Engineering Research Phase I modification of footprint and increase of Building Area.*

Description: Modifies location and footprint of proposed three (3) story facility and increases size from 45,000 SF to 54,000 SF (+9,000 SF).

Discussion The proposed Interactive Science Center and Engineering Building raises significant issues as a result of the location of the project north of the [waterway] and its proximity to residential areas. Although the University has planned an internal roadway which would provide access from Ponce to the area proposed for development from the south through the campus, the internal road way has not been constructed.

Findings: The 2006 UMCAD application submission demonstrates that:

1. The proposed Phase I of the Interactive Science Center and Engineering Building is consistent with the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the

function of San Amaro Drive or the integrity of San Amaro as a residential address.

2. The proposed Phase I of the Interactive Science Center and Engineering Building is compliant with the provisions of the City's Zoning Code in terms of use density, size, area, bulk and use, and the improvements are in the public interest, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
3. The proposed Phase I of the Interactive Science Center and Engineering Building satisfies the requirements and standards of the UMCAD regulations, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
4. The proposed Phase I of the Interactive Science Center and Engineering Building does not increase demand for public services and provides for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
5. The proposed Phase I of the Interactive Science Center and Engineering Building is compatible with adjacent properties and neighborhoods outside of the UM Campus, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
6. The proposed Phase I of the Interactive Science Center and Engineering Building is desirable in terms of the public interest and the physical development of the City, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.
7. The proposed Phase I of the Interactive Science Center and Engineering Building is consistent with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Land Use Plan, provided that trip generation, parking and vehicular access associated with the use of the facilities do not adversely affect the function of San Amaro Drive or the integrity of San Amaro as a residential address.

Recommendation: Proposed 2006 UMCAD Amendment H22 is recommended for approval, subject to conditions.

SECTION 3. The twenty-two (22) amendments proposed in the UMCAD 2006 Amendment as submitted by the University in the 2006 Annual Report of the University of Miami Campus Master Plan, Coral Gables, Florida, as set forth in Application No. 11-06-443-P shall be and are hereby approved with the following conditions:

The conditions of approval are provided in two parts: 1) Conditions of approval that apply to all UMCAD 2006 amendments H1 through H22; and, 2) specific conditions that apply to each UMCAD 2006 "H" amendment. The "*Applicant*" referenced herein shall be the "*University of Miami*" and the "*City*" shall be the *City of Coral Gables* and shall mean the "*City Manager*" and/or "*His/her designee*".

The following conditions are applicable to all UMCAD 2006 Amendments H1 through H22 unless noted otherwise herein:

1. Application/supporting documentation. The completion and/or construction of each amendment within the UMCAD 2006 application shall be in conformance with all of the following:
   a. 2006 UMCAD Amendments and Annual Report, Campus Area Development District (UMCAD) Final Submittal, February 27, 2007 prepared by University of Miami Campus Planning and Development, received, stamped "FINAL" and date stamped by the Planning Department on March 15, 2007 (on file in the Planning Department).
   b. Methodology Letter of Understanding (MLOU), Study Methodology Traffic Updates for the University of Miami Campus Area Development District (UMCAD), Coral Gables Campus, dated February 5, 2007, revised February 14, 2007 and March 5, 2007, prepared by Keith and Schnars, P.A. received by the Planning Department on March 7, 2007 (on file in the Planning Department).
   c. Legal descriptions of properties within the main campus, City of Coral Gables, Miami-Dade County, Florida (referenced as University of Miami file name "UM Legal Descriptions August 8, 2004" (on file in the Planning Department).
   d. All representations, PowerPoint Presentations, conditions of approval, items entered in the public record and items proffered by the applicant and/or applicants representatives provided during public hearing review and consideration including:
      i. Planning and Zoning Board public hearing of January 10, 2007.
      ii. City Commission public hearing of February 27, 2007.
      iii. City Commission public hearing of March 27, 2007.
   e. The applicants revised submissions of Year 2006 UMCAD Amendments and Annual Reports Campus Area Development District (UMCAD) applications submitted throughout the public hearing review process except as superseded by the Final 2006 UMCAD Amendments and Annual Report referenced in above item (1)(a). The revised applications are as follows:
      i. Year 2006 UMCAD Amendments and Annual Report, Campus Area Development District (UMCAD) Final Submittal, January 2, 2007, prepared by the University of Miami Campus Planning and Development, Volume I, Year 2006 UMCAD Amendments Letter of Transmittal received and date stamped by the Planning Department on January 2, 2007 (on file within the Planning Department).
      ii. Year 2006 UMCAD Amendments and Annual Report, Campus Area Development District (UMCAD), Additional Information Requested by the City of Coral Gables Planning Department, January 2, 2007, prepared by the University of Miami Campus Planning and Development received and date stamped by the Planning Department on January 2, 2007 (on file within the Planning Department).
      iii. Year 2006 UMCAD Amendments and Annual Report, Campus Area Development District (UMCAD), Final Submittal, November 21, 2006, prepared by the University of

Miami Campus Planning and Development, Volume II, 2006 UMCAD Traffic Study Update & Concurrency analysis, prepared by Keith and Schnars, P.A., received and date stamped by the Planning Department on November 22, 2006 (on file within the Planning Department).

iv. Revised 2006 UMCAD Amendments and Annual Report, Campus Area Development District (UMCAD) Final Submittal, February 27, 2007 prepared by University of Miami Campus Planning and Development, received and date stamped by the Planning Department on February 20, 2007 (on file within the Planning Department).

f. San Amaro Drive/Trillo Avenue Pedestrian Signal and San Amaro Drive/ Memorial Drive Pedestrian Signal recommended actions outlined in the March 28, 2007 letter from Keith and Schnar, P.A. submitted on behalf of the University of Miami.

2. Verification of revisions to plans, elevations and all supporting documents. Modification to all applicable documents pursuant to City Commission public hearing review and approval of the application shall be submitted to the Planning Department within 30 days of final approval for verification that all conditions of approval are satisfied. If applicable, the Planning Department shall advise of changes as provide as a part of the proceedings shall be provided to the applicant in 30 days and the applicant shall submit revised documents within 30 days.
3. Changes to approved plans.
   a. The applicant, successors or assigns shall advise of any changes to the plans and drawings referenced above as a part of building permit review process. Changes shall require Building and Zoning Department review and approval to determine the extent of changes and may require reconsideration by the Planning and Zoning Board and City Commission.
   b. The applicant will facilitate all reviews and approvals provided herein through the City Manager's Office.
4. Restrictive covenant. Within 30 days of rendition of the adoption of the ordinance, the applicant shall submit for City Attorney review and approval of a Restrictive Covenant outlining all conditions of approval required by the City Commission. Failure to submit the draft Restrictive Covenant within the specified time frame shall render all approvals voidable.
5. Total amount of development. The provisions of this approval are intended to apply to the 2006 UMCAD Amendments on a stand alone basis. Nothing within this approval shall be deemed to waive, abandon, abrogate, increase or limit, ratify or otherwise confirm the development rights previously granted to the University by ordinance or otherwise accruing. This approval shall not serve as an act or omission by the City for purposes of a claim of waiver or estoppel - by City or by applicant - with respect to development rights previously granted. Nothing within this approval shall authorize a total amount of development which exceeds the applicable intensity of use limitations set forth within the City's comprehensive plan and zoning code, and as amended from time to time.
6. Mitigation and impact fees.
   a. Prior to the issuance of a building permit pursuant to a 2006 UMCAD Amendment, the Applicant and the City shall agree on an appropriate mitigation program to mitigate the impacts of each specific project, if any, with regard to police, fire, general services, and parks and recreation. Appropriate mitigation shall be based on the application of a dual rational nexus standard to the specific project and its impact, if any, on the City. Mitigation shall be appropriate only for measurable impacts resulting from net new development not otherwise mitigated. The required mitigation shall be directly proportional to the specific project's impact on the City and shall take into account any facilities or services with regard police,

fire, general services, and parks and recreation which are provided by the Applicant. Any required mitigation shall have a direct and verifiable relationship to the net new impacts caused by the University on such public facilities. The Applicant acknowledges that the City is in the process of legislatively considering ordinances which provide for fees specifically related to workforce housing and art-in-public places. Should consideration of these ordinances proceed, the Commission will determine the terms, scope, conditions and application or non-application of these ordinances to the Applicant through the public hearing process.

b. The Applicant shall provide the City with all required information to determine the appropriate mitigation for each specific project at or before the time of submittal of a project to the Board of Architects for preliminary review. The City shall have fifteen (15) business days thereafter to determine whether or not the information provided is sufficient for purposes of its review or, alternatively, to request any and all additional information necessary for purposes of determining the appropriate mitigation obligation in accordance with the methodologies set forth above. If the City does not request further information, the submittal materials shall be deemed sufficient and complete.

c. The City administration shall meet and confer with the applicant to arrive at an initial determination with respect to appropriate mitigation within thirty (30) days of the day it receives the initial submittal materials or within thirty (30) days of its receipt of supplemental materials as applicable, whichever occurs later. If the applicant and the City Manager cannot agree on appropriate mitigation within said thirty (30) day period, the applicant shall be entitled to receive a building permit, provided that the applicant acknowledges in writing its obligation to comply with whatever mitigation program is ultimately determined to govern prior to the issuance of a certificate of occupancy, unless otherwise provided for in the approved mitigation program.

d. In the event that the City Manager and the Applicant cannot agree within the thirty (30) day period described above, the City Manager shall, within ten (10) days, place the matter on the agenda of the City Commission for a final determination of appropriate mitigation. The City Commission shall make a final determination within thirty (30) days from the date the matter is placed on the City Commission agenda.

e. In the event that the City enacts any codes or ordinances imposing an impact fee or other development exaction for any one or all of subjects for which appropriate mitigation is required which are applicable to the Applicant, payment of such impact fees or exactions shall be deemed to satisfy the Applicant's mitigation obligation for an UMCAD Amendment on a project by project basis, where appropriate. In the event that the City enacts any codes or ordinance imposing an impact fee or other development exaction, and the University's obligation under such legislation is less than that paid above, the University shall be entitled to a credit in the amount of the excess payment which may be applied to future impact fees and exactions. The enactment of an impact fee ordinance shall be through the public hearing process, at which time the Commission will determine the terms, scope, conditions and application or non application of this ordinance to the Applicant through the public hearing process.

7. Previously granted development order approvals. The applicant shall complete previously granted development order requirements, and/or ordinances including but not limited to traffic and roadway improvements pursuant to previously granted development order traffic and roadway improvements and/or the schedule as provided in the City approved MLOU. The traffic

and roadway improvements are not subject to proportionate fair share. The applicant shall be responsible for all costs associated with the design, permitting and construction of all improvements. Construction of all improvements must begin with six (6) months of issuance of permits from permit agencies (i.e. City, County, and Florida Department of Transportation as applicable). If the applicant does not comply with the schedule of improvements, no further building permits shall be issued to the applicant for any improvements to the campus. One extension of six (6) months may be granted by the City Manager based upon delays in permitting as a result of other applicable agencies.

8. Building signage.
   a. All buildings on the University of Miami campus within 1000 feet of "SFR", Single-Family Residential property shall be prohibited from erecting building signage above thirty-five (35) feet facing SFR zoned property.
   b. Signage necessary to satisfy applicable emergency, building code, and life/safety requirements shall be exempt from the above prohibitions.
9. Private property/rights-of-way improvements of Ponce de Leon Boulevard, San Amaro Drive, Campo Sano Drive, Red Road and Granada Boulevard pursuant to the Zoning Code, Article 5, Division 11, Landscaping. Prior to the City of Coral Gables issued certificate of occupancy of buildings and/or certificates of completion provided for the UMCAD 2006 application amendments on/or before December 31, 2010, whichever occurs first, the applicant shall provide for the installation of all improvements as identified in the Zoning Code, Article 5, Division 11 Landscaping.
10. Construction staging plan. Prior to the issuance of a building permits for UMCAD 2006 amendments H3, H4, H6, H7, H21 and H22, the applicant shall submit a construction parking and traffic management plan for above listed amendments for the Building and Zoning Department review and approval.
11. Internal roadway (north and south). Prior to the issuance of a building permit for any 2006 UMCAD amendments located North of the Lake Osceola, titled "Proposed Internal Circulation Plan, Parking and Projects North of the Lake (on file in the Planning Department), the applicant shall submit construction plans for the internal roadway (north and south segments) to the City on before December 31, 2010 whichever occurs first. The applicant shall complete the construction of internal roadway (north and south segments) and secure City approval/acceptance prior to December 31, 2012. No certificate of occupancy/certificate of use shall be granted for any UMCAD 2006 amendments located North of the Lake Osceola as referenced herein if the roadway is not completed as defined herein. The parties recognize that the construction of the internal roadway improvement plan shall not cause or result in a permanent net loss of surface parking in those areas impacted by the road. The University shall possess the right to recapture any surface parking spaces displaced or affected by the roadway and replace that surface parking as close to the affected area as possible. The parties additionally agree that there shall be no reduction in the number of surface parking spaces north of Lake Osceola.
12. Access closure/relocation/consolidation plan. As a part of the submission of the construction plans for the internal roadway (north and south segments), the applicant shall provide an access closure/relocation/consolidation plan. The intent of this plan is to close/relocate/consolidate access points along San Amaro Drive north of Miller Road and on Campo Sano Drive. The applicant shall submit construction plans ("construction plans" shall mean thirty percent (30%) plans as generally understood and accepted within the transportation industry) to the City for the closure/relocation/consolidation of access drives on Campo Sano Drive and closure of Miller

Road by December 31, 2008. The applicant shall complete the construction of the closure/relocation/consolidation of access drives and Miller Road by and secure City approval/acceptance prior to December 31, 2010.

13. Service deliveries. As a part of the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007, the applicant shall provide a traffic circulation plan that provides for limitations of service deliveries by trucks or other similar service vehicles on San Amaro Drive, Campo Sano Drive and surrounding residential properties. The intent is to provide limitations for deliveries and provide for primary service delivery and truck access via Ponce de Leon Boulevard. The Plan shall include further limitations as a result of the construction and opening of the internal roadway. The Public Works and Planning Department shall review the plan and provide conditions of approval in association with the approved UMCAD Regional Traffic Study (UMRTS).
14. University of Miami shuttle service. Upon completion the internal roadway plan pursuant to the established time frames provided in condition 11 and UMCAD amendment H4, the applicant shall provide a revised shuttle service circulation plan, titled "University of Miami Coral Gables Campus Shuttle Routes (on file in the Planning Department) in association with the completion of the internal roadway. The intent of this plan is to eliminate the use of San Amaro Drive and Campo Sano Drive where the internal circulation allows the shuttle service to remain internal to the campus. City review and approval of this plan shall be completed by the Planning Department and Public Works Department.
15. Use agreement for public rights-of-way. Prior to the issuance of any 2006 UMCAD building permits, the applicant shall provide the City Attorney a use agreement for review and approval of all applicable City right-of-ways utilized by the applicant.
16. Street closures. If applicable, prior to the issuance of a building permit, the applicant shall provide a minimum of 72 hour written notice to those residents impacted by any proposed partial closures of any surrounding streets as a result of the projects construction activity. Full closure of streets shall be prohibited.
17. Right-of-way encroachments. If applicable, prior to the issuance of a building permit, the applicant shall secure City Commission review and approval of all proposed encroachments into public rights-of-way.
18. Concurrency. Prior to the issuance of a building permit for any construction project contained within the UMCAD 2006 amendments, the applicant shall apply for a Concurrency Impact Statement (CIS), and any deficiency in available infrastructure identified by the CIS and the applicant shall be satisfactorily resolved and approved by the City prior to issuance of certificate of occupancy/certificate of use.
19. Advancement of traffic related improvements. To insure advancement of traffic related improvements provided herein, the applicant shall provide to the City Manager for City Commission public hearing review and consideration the following information within the following timeframes:
    a. December 1, 2007. Status report for the advancement/completion (as applicable) of all of the following:
        i. Traffic and roadway improvements pursuant to previously granted development order traffic and roadway improvements and/or the schedule as provided in the City approved MLOU.
        ii. UMCAD Regional Traffic Study (UMRTS) submitted to the City on or before August 1, 2007.

iii. Internal roadway (north and south).
iv. Closure/relocation/consolidation of access drives on Campo Sano Drive and closure of Miller Road.
v. Traffic circulation plan that provides for limitations of service deliveries by trucks or other similar service vehicles on San Amaro Drive, Campo Sano Drive and surrounding residential properties.
vi. If the applicant has submitted a local traffic impact and access study for the development authorized by the approval of any 2006 UMCAD "H" Amendment the findings and conclusions of the study.

b. December 1, 2008. Project Development and Environmental Study (PDE) for the closure/relocation/consolidation of access drives on Campo Sano Drive and closure of Miller Road.

c. June 1 Annually. Status report for the advancement/completion (as applicable) of all of the following until completion:
i. Traffic and roadway improvements pursuant to previously granted development order traffic and roadway improvements and/or the schedule as provided in the City approved MLOU.
ii. Improvements related to the UMCAD Regional Traffic Study (UMRTS).
iii. Internal roadway (north and south).
iv. Closure/relocation/consolidation of access drives on Campo Sano Drive and closure of Miller Drive.
v. Traffic circulation plan that provides for limitations of service deliveries by trucks or other similar service vehicles on San Amaro Drive, Campo Sano Drive and surrounding residential properties.
vi. If the applicant has submitted a local traffic impact and access study for the development authorized by the approval of any 2006 UMCAD "H" Amendment the findings and conclusions of the study.

Failure to adhere to the above timeframes shall result in no further issuance of any UMCAD 2006 building permits or issuance of UMCAD 2006 Certificate of Occupancies.

Specific UMCAD 2006 amendments conditions of approval for each UMCAD 2006 "H" amendment is referenced below and (as applicable) conditions of approval are provided for each amendment. The amendments are as follows:

1. *H1 - Retain the Jerry Herman Theatre Complex.*
   a. UMCAD 2006 amendment H1 is approved subject to a maximum building height of one (1) floor.

2. *H2 - Renovation and Expansion of the Norman A. Whitten University Center; Demolition of Charles A. Gauthier Hall "Rathskeller"; and a New Student Activity Center.*
   a. The approval of the 2006 UMCAD Amendment H2 shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide applicant with a written statement describing with specificity the manner in which the Assessment is insufficient within sixty (60) days after submission of the Assessment. UM shall submit the additional information required to make the UMRTS

sufficient within thirty (30) days. The City will have 30 days for final review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the University proportionate share for development pursuant to the approved UMCAD. In the event that applicant does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that the applicant shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any residential streets will be designed, permitted, and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.

b. The Student Activity Center shall be entitled to building permits and certificates of occupancy provided that the University satisfies its obligation with respect to the realignment of Miller Road. The Miller Road realignment as agreed by the parties shall extend from Miller Road to the south side of the arboretum. This new condition shall prevail over the prior generalized language describing amendments "North of the Lake Osceola." The balance of the "North of the Lake" amendments shall remain linked to the obligations with respect to the internal road.

3. *H3 - Combined Otto G. Richter Library and Law School Addition; and Decrease in Combined Total Building Area*
   a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H3 the applicant shall satisfy the following:
      i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H3 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager , together with a mitigation plan for any traffic or access impacts identified in the study; and,
      ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.
   b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H3 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

c. The maximum building height shall be limited to seven (7) floors.

4. *H4 - Modification of Ashe Enrollment Addition, and Increase of Building Area for Interactive Science Center and Engineering Research Phase II.*
   a. UMCAD 2006 Amendment H4, modification of the Ashe Enrollment Addition is approved with no conditions.
   b. UMCAD 2006 Amendment H4, Increase of Building Area for Interactive Science Center and Engineering Research Phase II shall be subject to the following conditions:
      i. The approval of the 2006 UMCAD H4 amendment shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide the applicant with a written statement describing with specificity the manner in which the Assessment is insufficient within sixty (60) days after submission of the Assessment. The applicant shall submit the additional information required to make the UMRTS sufficient within thirty (30) days. The City will have 30 days for final review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the applicant's proportionate share for development pursuant to the approved UMCAD. In the event that UM does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that the applicant shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any residential streets will be designed, permitted, and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.
      ii. No building permit shall be issued for 2006 UMCAD Amendment H4 until construction plans for the internal roadway (north and south segments) have been submitted to and approved/accepted by the City or December 31, 2010 whichever occurs first.
      iii. The applicant shall complete the construction of internal roadway (north and south segments) and secure City approval/acceptance prior to certificate of occupancy for 2006 UMCAD Amendment H4 or by the year December 31, 2012, whichever occurs first.
      iv. The applicant shall construct the complete internal roadway in substantial compliance with the "Proposed Internal Circulation, Parking and Projects North of Lake" on file in the Planning Department. The parties recognize that the construction of the internal roadway improvement plan shall not cause or result in a permanent net loss of surface parking in those areas impacted by the road. The University shall possess the right to recapture any surface parking spaces displaced or affected by the roadway and replace that surface parking as close to the affected area as possible. The parties additionally

agree that there shall be no reduction in the number of surface parking spaces north of Lake Osceola.

5. *H5 - Botany Greenhouse Relocation and Change to Non FAR; and New Surface Parking.*
   a. UMCAD 2006 Amendment H5, Botanical Greenhouse and the elimination of 1,022 square feet of floor area from total FAR calculations is approved with no conditions.
   b. UMCAD 2006 Amendment H5, New Surface (115 space) surface parking lot is approved subject to the following conditions:
      i. The approval of the 2006 UMCAD H5 amendment shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide the applicant with a written statement describing with specificity the manner in which the Assessment is insufficient within sixty (60) days after submission of the Assessment. The applicant shall submit the additional information required to make the UMRTS sufficient within thirty (30) days. The City will have 30 days for final review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the University proportionate share for development pursuant to the approved UMCAD. In the event that UM does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that the applicant shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any residential streets will be designed, permitted, and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.

6. *H6 - Art Building 1 Partial Restoration.*
   a. The applicant shall submit within 120 days of approval of these UMCAD 2006 amendments, an application to the Historic Resources Department for Historic Preservation Board determination as to whether the Arts buildings should be designated as a local historic landmark; and if the buildings are so designated, the University shall apply for a special certificate of appropriateness for the proposed partial demolition/restoration of the buildings and to comply with the terms and conditions of the certificate.

7. *H7 - Demolition and Replacement of Whitten Learning Center.*
   a. UMCAD 2006 Amendment H7 in approved with no conditions.

8. *H8 - Increased Building Area for Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration, Residential and Academic Site Phase I; Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration, Residential and Academic Site Phase II; and Demolition of Behavioral Medicine Research Institute.*
   a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H3 the applicant shall satisfy the following:
      i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H8 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager, together with a mitigation plan for any traffic or access impacts identified in the study; and,
      ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.
   b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H8 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

9. *H9 - Lowe Art Museum Addition.*
   a. The development authorized by the approval of 2006 UMCAD Amendment H9 shall be subject to any impact fee or other exactions adopted by the City of Coral which becomes effective prior to the issuance of any building permit for the authorized development, or any portion thereof. Refer to general condition number 6, "Mitigation and impact fees".
   b. Notwithstanding the approval of the 2006 UMCAD Amendment H9, the total amount of development authorized pursuant to the UMCAD as thereby amended, shall not exceed the applicable intensity of use limitations set out in the Comprehensive Land Use Plan of the City of Coral Gables, as amended from time to time, calculated on the basis of a sealed survey and legal description of the University of Miami campus actual land area under ownership of the University of Miami. Refer to general condition number 5, "Total amount of development".

10. *H10 - Lakeview Student Housing I and II Sites.*
   a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H10 the applicant shall satisfy the following:
      i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H10 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager , together with a mitigation plan for any traffic or access impacts identified in the study; and,
      ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City

Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.

b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H10 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

11. *H11 - Pavia Parking Garage Addition; Merrick Parking Garage Site; Relocation of Portion of North South Center Development Zone Project; and Demolition of the Writing Center*
    a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H11 the applicant shall satisfy the following:
        i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H11 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager, together with a mitigation plan for any traffic or access impacts identified in the study; and,
        ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.
    b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H11 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

12. *H12 - Theater Site Change and Increase in Building Area*
    a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H12 the applicant shall satisfy the following:
        i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H12 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager , together with a mitigation plan for any traffic or access impacts identified in the study; and,
        ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications

or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.

b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H12 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

13. *H13 - Art & Architecture College Academics Facility; and Art and Architecture Residential College; and Convocation/Student Parking Garage New Site; and Museum and University Hall Site Changes and Decreases in Building Area.*
    a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H13 the applicant shall satisfy the following:
        i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H13 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager , together with a mitigation plan for any traffic or access impacts identified in the study; and,
        ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.
    b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H13 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

14. *H14 - Bank United Convocation Center Parking Garage Site Relocation; and Basketball Practice Facility.*
    a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H14 the applicant shall satisfy the following:
        i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H14 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager, together with a mitigation plan for any traffic or access impacts identified in the study; and,
        ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's

decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.

b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H14 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

15. *H15 - Serpentine Parking Lot Interim Expansion; and Dickinson Drive Realignment.*
    a. Prior to the issuance of a building permit for UMCAD 2006 Amendment H15, the applicant shall secure Planning Department, Public Works Department and Public Service Department review and approval of all of the following:
        i. Landscape plan shall be provided pursuant to Zoning Code Article 5, Division 11 requirements.
        ii. Lighting plan including lighting standards and illumination.

16. *H16 - Dickinson Student Housing Site and Dickinson Residential Parking Garage Site.*
    a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H16 the applicant shall satisfy the following:
        i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H3 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager , together with a mitigation plan for any traffic or access impacts identified in the study; and,
        ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.
    b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H16 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

17. *H17 - Wellness Center Addition Site.*
    a. UMCAD 2006 Amendment H17 is approved with no conditions.

18. *H18 - Hecht Center Addition Site and Demolition of Kearns Sports Hall of Fame; and Expansion of Cobb Track and Field Facility.*
    a. The approval of the 2006 UMCAD Amendment H18 shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide UM with a written statement describing with specificity the manner in

which the Assessment is insufficient within sixty (60) days after submission of the Assessment. UM shall submit the additional information required to make the UMRTS sufficient within thirty (30) days. The City will have 30 days for final review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the applicant's proportionate share for development pursuant to the approved UMCAD. In the event that the applicant does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that UM shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any residential streets will be designed, permitted, and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.

19. *H19 - Alex Rodriguez Park At Mark Light Field Reduced from Adopted Master Plan; and Demolition of Baseball Media Building*
    a. UMCAD 2006 Amendment H19 is approved with no conditions.

20. *H20 - Robert and Judi Prokop Newman Alumni Center Site; Brescia Surface Parking Lot; and Demolition of Dance Studio/Theater Arts Building, the Alumni House, and the Marion and Ed Lau Founder's Club Building*
    a. The approval of the 2006 UMCAD Amendment H20 shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide UM with a written statement describing with specificity the manner in which the Assessment is insufficient within sixty (60) days after submission of the Assessment. The applicant shall submit the additional information required to make the UMRTS sufficient within thirty (30) days. The City will have 30 days for final review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the applicant's proportionate share for development pursuant to the approved UMCAD. In the event that the applicant does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that the applicant shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any residential streets will be designed, permitted,

and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate fair share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.

21. *H21 - Center for Music Learning and Leadership at the Frost School of Music; New Academic Facility Replacement; and Demolition of Arnold Volpe Music Building, Bertha Foster Memorial Music Building and Rehearsal Center, and Deletion of Student Services Facility from the adopted location*
    a. The approval of the 2006 UMCAD Amendment H21 shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide UM with a written statement describing with specificity the manner in which the Assessment is insufficient within sixty (60) days after submission of the Assessment. The applicant shall submit the additional information required to make the UMRTS sufficient within thirty (30) days. The City will have 30 days for final review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the applicant's proportionate share for development pursuant to the approved UMCAD. In the event that the applicant does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that the applicant shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any residential streets will be designed, permitted, and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate fair share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.
    b. No building permit shall be issued for 2006 UMCAD Amendment H21 until construction plans for the relocation and improvement of Miller Road have been submitted to and approved/accepted by the City of Coral Gables or December 31, 2008 whichever occurs first.
    c. The maximum building heights shall be limited to six (6) floors.
    d. The applicant shall complete the construction of Miller Road and secure City approval/acceptance prior to certificate of occupancy for 2006 UMCAD Amendment H21 or December 31, 2010, whichever occurs first.
    e. The applicant shall construct the Miller Road realignment, from Miller Drive to Memorial Drive in substantial compliance with the plan attached hereto as Exhibit D, titled Proposed Internal Circulation, Parking and Projects North of Lake.
    f. No building permit shall be issued for 2006 UMCAD Amendment H21 until submission and approval is secured by the Planning Department and Public Works Department for a parking site plan for this amendment as referenced in the applicant's submitted programming information provided dated February 2, 2007.

g. The Center of Music Learning and Leadership at the Frost School of Music shall be entitled to building permits and certificates of occupancy provided that the University satisfies its obligation with respect to the realignment of Miller Road. The Miller Road realignment as agreed by the parties shall extend from Miller Road to the south side of the arboretum. This new condition shall prevail over the prior generalized language describing amendments "North of the Lake Osceola." The balance of the "North of the Lake" amendments shall remain linked to the obligations with respect to the internal road.

22. *H22 - Interactive Science Center and Engineering Research Site Phase I.*

a. The approval of the 2006 UMCAD Amendment H22 shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide the applicant with a written statement describing with specificity the manner in which the Assessment is insufficient within sixty (60) days after submission of the Assessment. UM shall submit the additional information required to make the UMRTS sufficient within thirty (30) days. The City will have 30 days for final review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the University proportionate share for development pursuant to the approved UMCAD. In the event that the applicant does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that the applicant shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any residential streets will be designed, permitted, and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.

b. No building permit shall be issued for 2006 UMCAD Amendment H22 until construction plans for the internal roadway (north and south segments) have been submitted to and approved/accepted by the City or December 31, 2010, whichever occurs first.

c. The applicant shall complete the construction of internal roadway (north and south segments) and secure City approval/acceptance prior to certificate of occupancy for 2006 UMCAD Amendment H8 or by the year December 31, 2012, whichever occurs first.

d. The applicant shall construct the complete internal roadway (north and south segments) in substantial compliance with the plan attached hereto as Exhibit D, titled Proposed Internal Circulation, Parking and Projects North of Lake. The parties recognize that the construction of the internal roadway improvement plan shall not cause or result in a permanent net loss of parking in those areas impacted by the road. The University shall possess the right to recapture any parking spaces displaced or affected by the roadway and replace that parking as close to the affected area as possible. The parties additionally agree that there shall be no reduction in the number of parking spaces north of Lake Osceola.

e. The maximum height building height shall be three (3) floors.

SECTION 4. All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

SECTION 5. All ordinance or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 6. If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 7. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 8. This ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS TWENTY-SEVENTH DAY OF MARCH, A.D. 2007.

(Moved: Anderson / Seconded: Kerdyk)
(Yeas: Withers, Anderson, Cabrera, Kerdyk, Slesnick)
(Unanimous 5-0 Vote)
(Agenda Item E-3)

APPROVED:

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH HERNANDEZ
CITY ATTORNEY

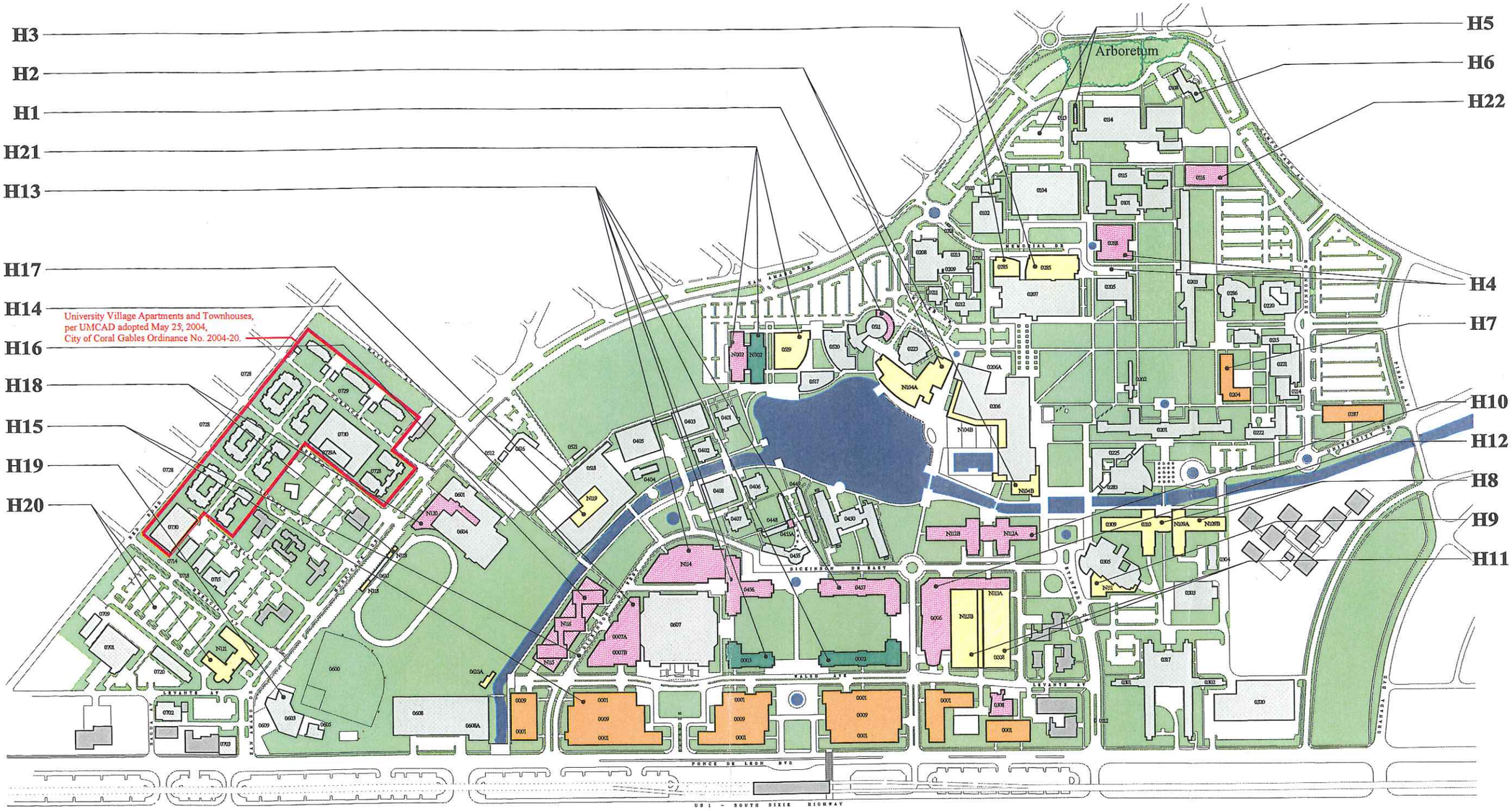

EXHIBIT D / MASTER PLAN 2006

BUILDINGS TO REMAIN

No.	Name	Area (GSF)
0008	* Pavia Parking Garage	169,980
0101	J. Neville McArthur Engineering Building	97,108
0102	Arthur A.Ungar Computer Center	58,345
0103	* Utility Building No. 1	6,299
0104	James M.Cox Science Building	190,944
0108	Art Building 1 (portion to remain)	12,500
0112	* Stanford Drive Gate House	78
0114	James L. Knight Physics Building	73,000
0115	J. Neville McArthur Engineering Addition	20,000
0201	Solomon G. Merrick Building	123,954
0202	Antonio Ferre Building	10,748
0203	Oscar E. Dooly Memorial Classroom Building	77,311
0205	Ashe Memorial Administration Building	75,862
0206	Norman A. Whitten University Center	203,550
0206a	* Utility Plant No. 4	6,299
0207	Otto G. Richter Library	211,800
0208	Meyer Law Library	87,290
0209	Law Administration	10,540
0210	Law Classroom	10,832
0211	Law Tax Wing	12,294
0212	New Law Building	34,550
0213	New Law Library	37,986
0215	Frances L. Wolfson Building, School of Communication	45,496
0216	Student Center at School of Communication	25,240
0220	Dean Robert Allen Hall Building	21,780
0221	Centrex Building	5,902
0222	Mary B. Merritt Panhellenic Bldg.	27,752
0223	Maurice Gusman Concert Hall	36,558
0225	School of Business	120,859
0283	David Epstein and Bernie Kosar Faculty Building	15,684
0286	M. Christine Schwarz Center for Nursing Education	53,414
0301	Daniel J. Mahoney Residence Hall	167,166
0302	Pearson Hall	167,166
0303	Mahoney / Pearson Dining Hall	20,673
0304	* Utility Building No. 3	4,360
0305	Lowe Art Museum	37,555
0317	Mahoney / Pearson Commons	18,652
0318	* Memorial Drive Gate House	25
0320	* Mahoney / Pearson Parking Garage	172,572
0401	Walsh Tower	85,097
0402	Rosborough Tower	85,097
0403	Stanford Residential Commons	13,459
0404	* Utility Building No. 2	4,517
0405	Stanford / Hecht Dining Hall	22,579
0406	McDonald Tower	85,097
0407	Pentland Tower	85,097
0408	Hecht Residential Commons	29,810
0448	Architecture N	15,750
0449	Architecture S	15,750
0450	Eaton Hall	105,796
0455A	The Jorge M. Perez Architecture Center	8,208
0511	Jerry Herman Theatre Complex	14,589
0512	Schiff Tennis Building	2,254
0516	Neil Schiff Tennis Center	11,464
0517	L. Austin Weeks Center for Recording and Performance	14,000
0518	Wellness Center	115,225
0520	Martha and Austin Weeks Music Library and Technology Center	28,433
0521	Yaron Field House Storage	1,025
0600	Mark Light Field	0
0601	Hecht Athletic Center	61,902
0603	Baseball Stadium	21,097
0604	James L. Knight Sports Center	28,500
0605	Ron Fraser Baseball Building	5,237
0607	Bank United Convocation Center	205,000
0608	* Ponce Parking Garage	334,865
0608A	Fred and Helen D. Flipse Building	69,252
0609	Alex Rodriguez Park at Mark Light Stadium	11,000
0610	Cobb Stadium	0
0701	Facilities Administration	45,726
0702	Rainbow Building	17,532
0703	Evelyn F. and William L. McKnight Advancement Building	10,500
0709	New Maintenance Building	5,000
0714	Albert Pick Hall	11,537
0715	Casa Bacardi - ICCAS	11,706
0718	School of Education Research at Brescia	5,537
0720	Max Orovitz building	37,023
0728	University Village Student Apartments	362,136
0729	Townhouses	28,708
0729	* Townhouse Garages	4,732
0730	* University Village Student Apartment Parking Garages	327,550
0729a	University Village Student Support Center	5,996

TO BE DEMOLISHED

No.	Name	Area (GSF)
0106	Arts Annex Building 3	6,702
0108	Art Building 1 (partial demolition)	14,223
0109	L-1 Building	12,290
0113	* Botany Greenhouse (for relocation)	1,022
0204	Whitten Learning Center	45,054
0224	Charles E. Gauthier Hall	8,501
0306	Student Health Center	13,901
0307	Writing Center	8,375
0313	Behavioral Med. Research Institute	11,230
0410	Sculpture Studio	7,603
0421	Guidance Center - Building 21	23,474
0422	Apartment Building 22 - Bronstetter	23,474
0423	Apartment Building 23 - Grosvenor	23,474
0434B	Apartment Building 34b - Pentland	13,044
0435	La Gorce - Bldg 35	21,593
0436	Apartment Building 36 - Foster	23,758
0437	Rhodes House - Bldg 37	23,758
0441	Apartment Bldg 41 - Bailey	17,322
0442	Apartment Bldg 42 - Smith	17,322
0443	Apartment Bldg 43 - Allen	17,322
0504	Rehearsal Center	20,236
0505	Arnold Volpe Music Building	11,892
0507	Albert Pick Music Library	3,739
0508	Bertha Foster Memorial Music Bldg.	22,761
0509	Handleman	2,464
0510	Percussion Building	339
0602	Baseball Media Building	576
0606	Keanna Sports Hall of Fame	2,902
0704	Alumni House	3,324
0705	Marion and Ed Lau Founder's Club	6,570
0713	Dance Studio	7,808

PROPOSED

No.	Name	Area (GSF)
0001	NSCDZ	1,012,907
0002	Museum	50,000
0003	University Hall	30,000
0006	Theater	50,000
0007A	* Bank United Convocation Parking Garage	227,500
0007B	Basketball Practice Facility	14,000
0009	* NSCDZ Parking	274,948
0116	Interactive Science Center and Engineering Research PH I	54,000
0204	Whitten Learning Center Replacement	45,054
0285	Otto G. Richter Library Addition & Law School Expansion	140,000
0287	School of Education	60,000
0288	Interactive Science Center and Engineering Research PH II	96,000
0308	Islamic Center	15,000
0309	M. B. Fernandez Family Entrepreneurial Bldg. PH I (Resid)	152,542
0310	M. B. Fernandez Family Entrepreneurial Bldg. PH I (Acad)	42,000
0455B	Architecture ADA Addition	4,000
0456	Art & Architecture College (Academics)	74,550
0457	Art and Architecture Residential College	42,248
0519	Center for Music Learning and Leadership	70,000
0610A	Athletics Maintenance Facility	2,093
N002	School of Music Academic Facilities Replacement	94,000
N103	Jerry Herman Ring Theatre Lobby Renovation	0
N104A	Student Activity Center	108,000
N104B	Whitten University Center Expansion	31,000
N109A*	M. B. Fernandez Family Entrepreneurial Bldg. PH II (Res)	110,664
N109B	M. B. Fernandez Family Entrepreneurial Bldg. PH II (Acad)	43,672
N111	Lowe Art Museum Addition	10,000
N112A	Lakeview Housing I	160,000
N112B	Lakeview Housing II	160,000
N113A*	Pavia Parking Garage Addition	84,970
N113B*	Merrick Parking Garage	298,150
N114	* Convocation / Student Parking Garage	150,000
N115	* Dickinson Residential Parking Garage	280,000
N116	Dickinson Student Housing	160,000
N118	Cobb Track and Field Facility	1,000
N119	Wellness Center Addition	18,000
N120	Hecht Center Addition	50,000
N121	Robert and Judi Piskop Newman Alumni Center	70,000

AREA SUMMARY

		GSF
(a)	Existing buildings in FAR	4,209,661
(b)	Existing infrastructure not in FAR	1,000,050
(c)	Total existing buildings and infrastructure (FAR + non-FAR)	5,209,711
(d)	Buildings in FAR to be demolished	815,031
(e)	Existing buildings in FAR to remain	3,794,630
(f)	Future buildings in FAR	3,000,730
(g)	Future infrastructure not in FAR	1,315,568
(h)	Total development, which includes FAR and non-FAR	9,110,978
(i)	Total development in FAR, complete program	6,795,360
(j)	Total development allowed per FAR = 0.6	6,795,360
(k)	Development yet to be programmed	0

LEGEND

- EXISTING BUILDINGS
- ** PRESENT TO 2010
- ** 2010 TO 2015
- ** 2015 TO 2020
- ** 2020 TO 2025

* Indicates buildings exempted from FAR calculations (Garages and Utility buildings).

** Actual building footprints and locations may change depending on final designs.

DATE 27FEB07

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0' 500'

University of Miami

A GLOBAL UNIVERSITY

CORAL GABLES CAMPUS

CFN 2007R0972015
OR Bk 25968 Pgs 4593 - 4609; (17pgs)
RECORDED 10/03/2007 14:25:00
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

DECLARATION OF RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, University of Miami, a Florida non-profit corporation (hereinafter the "University") hereby makes, declares, and imposes on the land herein described, the covenants running with the title to the land, which shall be binding on the University, its heirs, successors, and assigns, personal representatives, mortgagees, lessees, and against all persons claiming by, through or under it;

WHEREAS, University holds the fee simple title to the lands in the City of Coral Gables, Florida, described below, (hereinafter called the **"PROPERTY"**):

All those lots, pieces or parcels of land situate, lying and being in Sections 19 and 30, Township 54 South, Range 41 East, City of Coral Gables, Miami-Dade County, Florida owned by the University of Miami, a Florida Corporation, Not for Profit, lying within the area being generally described by metes and bounds as follows, *viz.:*

BEGIN at the Point of Intersection of the Northwesterly Right of Way line of Ponce de Leon Boulevard (University Concourse/Ron Fraser Way) with the Easterly Right of Way Line of Red Road (S.W. 57th Avenue); thence Northerly along said Easterly Right of Way line of Red Road to a Point of Intersection with the Southerly Right of Way Line of Avenue Mataro; thence Easterly along said Southerly Right of Way line of Avenue Mataro and its Easterly extension thereof to a Point of Intersection with the Easterly Right of Way line of San Amaro Drive (Hurricane Drive); thence Northerly, Northeasterly, Northerly and Northeasterly along said Easterly Right of Way line of San Amaro Drive to a Point of Intersection with the Southerly Right of Way line of Avenue Campo Sano; thence Southeasterly, Easterly and Northeasterly along said Southerly Right of Way of Avenue Campo Sano to a Point of Intersection with the Northeasterly line of the "Avenue Pisano Extension" as described in that certain Easement Deed as recorded in Official Records Book 9798 at Page 199 of the Public Records of Dade County (now Miami-Dade County), Florida; thence Southeasterly along said Northeasterly line of the "Avenue Pisano Extension" to a Point of Intersection with the Northwesterly Right of Way line of University Drive; thence Southwesterly along said Northwesterly Right of Way line of University Drive to a Point of Intersection with the Southwesterly Right of Way line of Avenue Pisano (as platted); thence Southeasterly along said Southwesterly Right of Way line of Avenue Pisano to a Point of Intersection with the Southwesterly Right of Way line of Granada Boulevard; thence Southeasterly along said Southwesterly Right of Way line of Granada Boulevard to a Point of Intersection with said Northwesterly Right of Way line of Ponce de Leon Boulevard; thence Southwesterly along said Northwesterly Right of Way line of Ponce de Leon Boulevard to the Point of Intersection with said Easterly Right of Way line of Red Road (S.W. 57th Avenue) and the POINT OF BEGINNING.

With all of the real properties as contained within the above described UMCAD District having such location, size, shape, bearings, distances, buttings and boundings as reference to the underlying plats, deeds and other instruments of record filed with the Clerk of the Circuit Court in the Public Records of Miami-Dade County, Florida will at large more fully appear.

WHEREAS, pursuant to Ordinance No. 2007-16, passed and adopted by the Coral Gables City Commission on March 27, 2007, the City of Coral Gables (hereinafter, the "City") approved the following amendments to the University of Miami Campus Master Plan:

H1. Retain the Jerry Herman Theatre Complex.
H2. Renovation and Expansion of the Norman A. Whitten University Center, Demolition of Charles A. Gauthier Hall "Rathskeller", and a new Student Activity Center.

H3. Combined Otto G. Richter Library and Law School Addition and Decrease in Combined Total Building Area.
H4. Modification of Ashe Enrollment Addition, and Increase of Building Area and renaming of the project Interactive Science Center and Engineering Research Phase II.
H5. Botany Greenhouse Relocation and Change to Non FAR and New Surface Parking.
H6. Art Building I Partial Restoration/Replication.
H7. Demolition and Replacement of Whitten Learning Center.
H8. Increased Building Area of Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration, Residential and Academic Site Phase I; Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration, Residential and Academic Site Phase II and Demolition of Behavioral Medicine Research Institute.
H9. Lowe Art Museum Addition Site.
H10. Lakeview Student Housing I and II Sites.
H11. Pavia Parking Garage Addition; Merrick Parking Garage Site; and Relocation of Portion of North South Center Development Zone Project; and Demolition of the Writing Center.
H12. Theater Site Change and Increase in Building Area.
H13. Art & Architecture College Academics Facility; and Art and Architecture Residential College, and Convocation/Student Parking Garage New Sites; and Museum and University Hall Site Changes and Decreases in Building Area.
H14. Bank United Convocation Center Parking Garage Site Relocation; and Basketball Practice Facility.
H15. Serpentine Parking Lot Interim Expansion; and Dickinson Drive Realignment.
H16. Dickinson Student Housing Site and Dickinson Residential Parking Garage Site.
H17. Wellness Center Addition Site.
H18. Hecht Center Addition Site and Demolition of Kearns Sports Hall of Fame; and Expansion of Cobb Track and Field Facility.
H19. Alex Rodriguez Park at Mark Light Field Reduced from Adopted Master Plan; and Demolition of Baseball Media Building.
H20. Robert and Judi Prokop Newman Alumni Center Site; Brescia Surface Parking Lot; and Demolition of Dance Studio/Theater Arts Building, the Alumni House and the Marion and Ed Lau Founder's Club Building.
H21. Center of Music Learning and Leadership at the Frost School of Music; New Academic Facility Replacement; and Demolition of Arnold Volpe Music Building, Bertha Foster Memorial Music Building and Rehearsal Center; and Deletion of Students Services Facility from the adopted location.
H22. Interactive Science Center and College of Engineering Research Phase I modification of footprint and increase of Building Area.

WHEREAS, said approvals are subject to the following conditions, that the University hereby declares and agrees to abide by:

A. General Conditions applicable to all UMCAD 2006 Amendments H1 through H22 unless noted otherwise herein:

1. Application/supporting documentation. The completion and/or construction of each amendment within the UMCAD 2006 application shall be in conformance with all of the following:
   a. 2006 UMCAD Amendments and Annual Report, Campus Area Development District (UMCAD) Final Submittal, February 27, 2007 prepared by University of Miami Campus Planning and Development, received, stamped "FINAL" and date stamped by the Planning Department on March 15, 2007 (on file in the Planning Department).
   b. Methodology Letter of Understanding (MLOU), Study Methodology Traffic Updates for the University of Miami Campus Area Development District (UMCAD), Coral Gables Campus, dated February 5, 2007, revised February 14, 2007 and March 5, 2007, prepared by Keith and Schnars, P.A. received by the Planning Department on March 7, 2007 (on file in the Planning Department).
   c. Legal descriptions of properties within the main campus, City of Coral Gables, Miami-Dade County, Florida (referenced as University of Miami file name "UM Legal Descriptions August 8, 2004" (on file in the Planning Department).

d. All representations, PowerPoint Presentations, conditions of approval, items entered in the public record and items proffered by the applicant and/or applicants representatives provided during public hearing review and consideration including:
   i. Planning and Zoning Board public hearing of January 10, 2007.
   ii. City Commission public hearing of February 27, 2007.
   iii. City Commission public hearing of March 27, 2007.

e. The applicants revised submissions of Year 2006 UMCAD Amendments and Annual Reports Campus Area Development District (UMCAD) applications submitted throughout the public hearing review process except as superseded by the Final 2006 UMCAD Amendments and Annual Report referenced in above item (1)(a). The revised applications are as follows:
   i. Year 2006 UMCAD Amendments and Annual Report, Campus Area Development District (UMCAD), Final Submittal, January 2, 2007, prepared by the University of Miami Campus Planning and Development, Volume I, Year 2006 UMCAD Amendments Letter of Transmittal received and date stamped by the Planning Department on January 2, 2007 (on file within the Planning Department).
   ii. Year 2006 UMCAD Amendments and Annual Report, Campus Area Development District (UMCAD), Additional Information Requested by the City of Coral Gables Planning Department, January 2, 2007, prepared by the University of Miami Campus Planning and Development received and date stamped by the Planning Department on January 2, 2007 (on file within the Planning Department).
   iii. Year 2006 UMCAD Amendments and Annual Report, Campus Area Development District (UMCAD), Final Submittal, November 21, 2006, prepared by the University of Miami Campus Planning and Development, Volume II, 2006 UMCAD Traffic Study Update & Concurrency analysis, prepared by Keith and Schnars, P.A., received and date stamped by the Planning Department on November 22, 2006 (on file within the Planning Department).
   iv. Revised 2006 UMCAD Amendments and Annual Report, Campus Area Development District (UMCAD) Final Submittal, February 27, 2007 prepared by University of Miami Campus Planning and Development, received and date stamped by the Planning Department on February 20, 2007 (on file within the Planning Department).

f. San Amaro Drive/ Trillo Avenue Pedestrian Signal and San Amaro Drive/ Memorial Drive Pedestrian Signal recommended actions outlined in the March 28, 2007 letter from Keith and Schnar, P.A. submitted on behalf of the University of Miami

2. Verification of revisions to plans, elevations and all supporting documents. Modification to all applicable documents pursuant to City Commission public hearing review and approval of the application shall be submitted to the Planning Department within 30 days of final approval for verification that all conditions of approval are satisfied. If applicable, the Planning Department shall advise of changes as provide as a part of the proceedings shall be provided to the applicant in 30 days and the applicant shall submit revised documents within 30 days.

3. Changes to approved plans.
   a. The applicant, successors or assigns shall advise of any changes to the plans and drawings referenced above as a part of building permit review process. Changes shall require Building and Zoning Department review and approval to determine the extent of changes and may require reconsideration by the Planning and Zoning Board and City Commission.
   b. The applicant will facilitate all reviews and approvals provided herein through the City Manager's Office.

4. Restrictive Covenant. Within 30 days of rendition of the adoption of the ordinance, the applicant shall submit for City Attorney review and approval of a Restrictive Covenant outlining all conditions of approval required by the City Commission. Failure to submit the draft Restrictive Covenant within the specified time frame shall render all approvals voidable.

5. Total amount of development. The provisions of this approval are intended to apply to the 2006 UMCAD Amendments on a stand alone basis. Nothing within this approval shall be deemed to waive, abandon,

abrogate, increase or limit, ratify or otherwise confirm the development rights previously granted to the University by ordinance or otherwise accruing. This approval shall not serve as an act or omission by the City for purposes of a claim of waiver or estoppel - by City or by applicant - with respect to development rights previously granted. Nothing within this approval shall authorize a total amount of development which exceeds the applicable intensity of use limitations set forth within the City's comprehensive plan and zoning code, and as amended from time to time.

6. Mitigation and impact fees.
   a. Prior to the issuance of a building permit pursuant to a 2006 UMCAD Amendment, the Applicant and the City shall agree on an appropriate mitigation program to mitigate the impacts of each specific project, if any, with regard to police, fire, general services, and parks and recreation. Appropriate mitigation shall be based on the application of a dual rational nexus standard to the specific project and its impact, if any, on the City. Mitigation shall be appropriate only for measurable impacts resulting from net new development not otherwise mitigated. The required mitigation shall be directly proportional to the specific project's impact on the City and shall take into account any facilities or services with regard police, fire, general services, and parks and recreation which are provided by the Applicant. Any required mitigation shall have a direct and verifiable relationship to the net new impacts caused by the University on such public facilities. The Applicant acknowledges that the City is in the process of legislatively considering ordinances which provide for fees specifically related to workforce housing and art-in-public places. Should consideration of these ordinances proceed, the Commission will determine the terms, scope, conditions and application or non-application of these ordinances to the Applicant through the public hearing process.
   b. The Applicant shall provide the City with all required information to determine the appropriate mitigation for each specific project at or before the time of submittal of a project to the Board of Architects for preliminary review. The City shall have fifteen (15) business days thereafter to determine whether or not the information provided is sufficient for purposes of its review or, alternatively, to request any and all additional information necessary for purposes of determining the appropriate mitigation obligation in accordance with the methodologies set forth above. If the City does not request further information, the submittal materials shall be deemed sufficient and complete.
   c. The City administration shall meet and confer with the applicant to arrive at an initial determination with respect to appropriate mitigation within thirty (30) days of the day it receives the initial submittal materials or within thirty (30) days of its receipt of supplemental materials as applicable, whichever occurs later. If the applicant and the City Manager cannot agree on appropriate mitigation within said thirty (30) day period, the applicant shall be entitled to receive a building permit, provided that the applicant acknowledges in writing its obligation to comply with whatever mitigation program is ultimately determined to govern prior to the issuance of a certificate of occupancy, unless otherwise provided for in the approved mitigation program.
   d. In the event that the City Manager and the Applicant cannot agree within the thirty (30) day period described above, the City Manager shall, within ten (10) days, place the matter on the agenda of the City Commission for a final determination of appropriate mitigation. The City Commission shall make a final determination within thirty (30) days from the date the matter is placed on the City Commission agenda.
   e. In the event that the City enacts any codes or ordinances imposing an impact fee or other development exaction for any one or all of subjects for which appropriate mitigation is required which are applicable to the Applicant, payment of such impact fees or exactions shall be deemed to satisfy the Applicant's mitigation obligation for an UMCAD Amendment on a project by project basis, where appropriate. In the event that the City enacts any codes or ordinance imposing an impact fee or other development exaction, and the University's obligation under such legislation is less than that paid above, the University shall be entitled to a credit in the amount of the excess payment which may be applied to future impact fees and exactions. The enactment of an impact fee ordinance shall be through the public hearing process, at which time the Commission will determine the terms, scope, conditions and application or non application of this ordinance to the Applicant through the public hearing process.

7. Previously granted development order approvals. The applicant shall complete previously granted development order requirements, and/or ordinances including but not limited to traffic and roadway improvements pursuant to previously granted development order traffic and roadway improvements and/or the schedule as provided in the City approved MLOU. The traffic and roadway improvements are not subject to proportionate fair share. The applicant shall be responsible for all costs associated with the design, permitting and construction of all improvements. Construction of all improvements must begin with six (6) months of issuance of permits from permit agencies (i.e. City, County, and Florida Department of Transportation as applicable). If the applicant does not comply with the schedule of improvements, no further building permits shall be issued to the applicant for any improvements to the campus. One extension of six (6) months may be granted by the City Manager based upon delays in permitting as a result of other applicable agencies.

8. Building signage.
   a. All buildings on the University of Miami campus within 1000 feet of "SFR", Single-Family Residential property shall be prohibited from erecting building signage above thirty-five (35) feet facing SFR zoned property.
   b. Signage necessary to satisfy applicable emergency, building code, and life/safety requirements shall be exempt from the above prohibitions.

9. Private property/rights-of-way improvements of Ponce de Leon Boulevard, San Amaro Drive, Campo Sano Drive, Red Road and Granada Boulevard pursuant to the Zoning Code, Article 5, Division 11, Landscaping. Prior to the City of Coral Gables issued certificate of occupancy of buildings and/or certificates of completion provided for the UMCAD 2006 application amendments on/or before December 31, 2010, whichever occurs first, the applicant shall provide for the installation of all improvements as identified in the Zoning Code, Article 5, Division 11 Landscaping.

10. Construction staging plan. Prior to the issuance of a building permits for UMCAD 2006 amendments H3, H4, H6, H7, H21 and H22, the applicant shall submit a construction parking and traffic management plan for above listed amendments for the Building and Zoning Department review and approval.

11. Internal roadway (north and south). Prior to the issuance of a building permit for any 2006 UMCAD amendments located North of the Lake Osceola, titled "Proposed Internal Circulation Plan, Parking and Projects North of the Lake (on file in the Planning Department), the applicant shall submit construction plans for the internal roadway (north and south segments) to the City on before December 31, 2010 whichever occurs first. The applicant shall complete the construction of internal roadway (north and south segments) and secure City approval/acceptance prior to December 31, 2012. No certificate of occupancy/certificate of use shall be granted for any UMCAD 2006 amendments located North of the Lake Osceola as referenced herein if the roadway is not completed as defined herein. The parties recognize that the construction of the internal roadway improvement plan shall not cause or result in a permanent net loss of surface parking in those areas impacted by the road. The University shall possess the right to recapture any surface parking spaces displaced or affected by the roadway and replace that surface parking as close to the affected area as possible. The parties additionally agree that there shall be no reduction in the number of surface parking spaces north of Lake Osceola.

12. Access closure/relocation/consolidation plan. As a part of the submission of the construction plans for the internal roadway (north and south segments), the applicant shall provide an access closure/relocation/consolidation plan. The intent of this plan is to close/relocate/consolidate access points along San Amaro Drive north of Miller Road and on Campo Sano Drive. The applicant shall submit construction plans ("construction plans" shall mean thirty percent (30%) plans as generally understood and accepted within the transportation industry) to the City for the closure/relocation/consolidation of access drives on Campo Sano Drive and closure of Miller Road by December 31, 2008. The applicant shall complete the construction of the closure/relocation/consolidation of access drives and Miller Road by and secure City approval/acceptance prior to December 31, 2010.

13. Service deliveries. As a part of the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007, the applicant shall provide a traffic circulation plan that provides for limitations of service deliveries by trucks or other similar service vehicles on San Amaro Drive, Campo Sano Drive and surrounding residential properties. The intent is to provide limitations for deliveries and provide for primary service delivery and truck access via Ponce de Leon Boulevard. The Plan shall include further limitations as a result of the construction and opening of the internal roadway. The Public Works and Planning Department shall review the plan and provide conditions of approval in association with the approved UMCAD Regional Traffic Study (UMRTS).

14. University of Miami shuttle service. Upon completion the internal roadway plan pursuant to the established time frames provided in condition 11 and UMCAD amendment H4, the applicant shall provide a revised shuttle service circulation plan, titled "University of Miami Coral Gables Campus Shuttle Routes (on file in the Planning Department) in association with the completion of the internal roadway. The intent of this plan is to eliminate the use of San Amaro Drive and Campo Sano Drive where the internal circulation allows the shuttle service to remain internal to the campus. City review and approval of this plan shall be completed by the Planning Department and Public Works Department.

15. Use agreement for public rights-of-way. Prior to the issuance of any 2006 UMCAD building permits, the applicant shall provide the City Attorney a use agreement for review and approval of all applicable City right-of-ways utilized by the applicant.

16. Street closures. If applicable, prior to the issuance of a building permit, the applicant shall provide a minimum of 72 hour written notice to those residents impacted by any proposed partial closures of any surrounding streets as a result of the projects construction activity. Full closure of streets shall be prohibited.

17. Right-of-way encroachments. If applicable, prior to the issuance of a building permit, the applicant shall secure City Commission review and approval of all proposed encroachments into public rights-of-way.

18. Concurrency. Prior to the issuance of a building permit for any construction project contained within the UMCAD 2006 amendments, the applicant shall apply for a Concurrency Impact Statement (CIS), and any deficiency in available infrastructure identified by the CIS and the applicant shall be satisfactorily resolved and approved by the City prior to issuance of certificate of occupancy/certificate of use.

19. Advancement of traffic related improvements. To insure advancement of traffic related improvements provided herein, the applicant shall provide to the City Manager for City Commission public hearing review and consideration the following information within the following time frames:
    a. December 1, 2007. Status report for the advancement/completion (as applicable) of all of the following:
        i. Traffic and roadway improvements pursuant to previously granted development order traffic and roadway improvements and/or the schedule as provided in the City approved MLOU.
        ii. UMCAD Regional Traffic Study (UMRTS) submitted to the City on or before August 1, 2007.
        iii. Internal roadway (north and south).
        iv. Closure/relocation/consolidation of access drives on Campo Sano Drive and closure of Miller Road.
        v. Traffic circulation plan that provides for limitations of service deliveries by trucks or other similar service vehicles on San Amaro Drive, Campo Sano Drive and surrounding residential properties.
        vi. If the applicant has submitted a local traffic impact and access study for the development authorized by the approval of any 2006 UMCAD "H" Amendment the findings and conclusions of the study.
    b. December 1, 2008. Project Development and Environmental Study (PDE) for the closure/relocation/consolidation of access drives on Campo Sano Drive and closure of Miller Road.
    c. June 1 Annually. Status report for the advancement/completion (as applicable) of all of the following until completion:

i. Traffic and roadway improvements pursuant to previously granted development order traffic and roadway improvements and/or the schedule as provided in the City approved MLOU.
ii. Improvements related to the UMCAD Regional Traffic Study (UMRTS).
iii. Internal roadway (north and south).
iv. Closure/relocation/consolidation of access drives on Campo Sano Drive and closure of Miller Drive.
v. Traffic circulation plan that provides for limitations of service deliveries by trucks or other similar service vehicles on San Amaro Drive, Campo Sano Drive and surrounding residential properties.
vi. If the applicant has submitted a local traffic impact and access study for the development authorized by the approval of any 2006 UMCAD "H" Amendment the findings and conclusions of the study.

Failure to adhere to the above timeframes shall result in no further issuance of any UMCAD 2006 building permits or issuance of UMCAD 2006 Certificate of Occupancies.

B. Specific UMCAD 2006 amendments conditions of approval for each UMCAD 2006 "H" amendment is referenced below and (as applicable) conditions of approval are provided for each amendment. The amendments are as follows:

1. *H1 - Retain the Jerry Herman Theatre Complex.*
   a. UMCAD 2006 amendment H1 is approved subject to a maximum building height of one (1) floor.

2. *H2 - Renovation and Expansion of the Norman A. Whitten University Center; Demolition of Charles A. Gauthier Hall "Rathskeller"; and a New Student Activity Center.*
   a. The approval of the 2006 UMCAD Amendment H2 shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide applicant with a written statement describing with specificity the manner in which the Assessment is insufficient within sixty (60) days after submission of the Assessment. UM shall submit the additional information required to make the UMRTS sufficient within thirty (30) days. The City will have 30 days for final review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the University proportionate share for development pursuant to the approved UMCAD. In the event that applicant does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that the applicant shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any residential streets will be designed, permitted, and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.
   b. The Student Activity Center shall be entitled to building permits and certificates of occupancy provided that the University satisfies its obligation with respect to the realignment of Miller Road. The Miller Road realignment as agreed by the parties shall extend from Miller Road to the south side of the arboretum. This new condition shall prevail over the prior generalized language describing amendments "North of the Lake Osceola." The balance of the "North of the Lake" amendments shall remain linked to the obligations with respect to the internal road.

3. *H3 - Combined Otto G. Richter Library and Law School Addition; and Decrease in Combined Total Building Area*
   a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H3 the applicant shall satisfy

the following:

i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H3 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager , together with a mitigation plan for any traffic or access impacts identified in the study; and,

ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.

b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H3 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

c. The maximum building height shall be limited to seven (7) floors.

4. *H4 - Modification of Ashe Enrollment Addition, and Increase of Building Area for Interactive Science Center and Engineering Research Phase II.*

a. UMCAD 2006 Amendment H4, modification of the Ashe Enrollment Addition is approved with no conditions.

b. UMCAD 2006 Amendment H4, Increase of Building Area for Interactive Science Center and Engineering Research Phase II shall be subject to the following conditions:

i. The approval of the 2006 UMCAD H4 amendment shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide the applicant with a written statement describing with specificity the manner in which the Assessment is insufficient within sixty (60) days after submission of the Assessment. The applicant shall submit the additional information required to make the UMRTS sufficient within thirty (30) days. The City will have 30 days for final review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the applicant's proportionate share for development pursuant to the approved UMCAD. In the event that UM does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that the applicant shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any residential streets will be designed, permitted, and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.

ii. No building permit shall be issued for 2006 UMCAD Amendment H4 until construction plans for the internal roadway (north and south segments) have been submitted to and approved/accepted by the City or December 31, 2010 whichever occurs first.

iii. The applicant shall complete the construction of internal roadway (north and south segments) and secure City approval/acceptance prior to certificate of occupancy for 2006 UMCAD Amendment H4 or by the year December 31, 2012, whichever occurs first.

iv. The applicant shall construct the complete internal roadway in substantial compliance with the "Proposed Internal Circulation, Parking and Projects North of Lake" on file in the Planning

Department. The parties recognize that the construction of the internal roadway improvement plan shall not cause or result in a permanent net loss of surface parking in those areas impacted by the road. The University shall possess the right to recapture any surface parking spaces displaced or affected by the roadway and replace that surface parking as close to the affected area as possible. The parties additionally agree that there shall be no reduction in the number of surface parking spaces north of Lake Osceola.

5. *H5 - Botany Greenhouse Relocation and Change to Non FAR; and New Surface Parking.*
   a. UMCAD 2006 Amendment H5, Botanical Greenhouse and the elimination of 1,022 square feet of floor area from total FAR calculations is approved with no conditions.
   b. UMCAD 2006 Amendment H5, New Surface (115 space) surface parking lot is approved subject to the following conditions:
      i. The approval of the 2006 UMCAD H5 amendment shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide the applicant with a written statement describing with specificity the manner in which the Assessment is insufficient within sixty (60) days after submission of the Assessment. The applicant shall submit the additional information required to make the UMRTS sufficient within thirty (30) days. The City will have 30 days for final review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the University proportionate share for development pursuant to the approved UMCAD. In the event that UM does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that the applicant shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any residential streets will be designed, permitted, and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.

6. *H6 - Art Building 1 Partial Restoration.*
   a. The applicant shall submit within 120 days of approval of these UMCAD 2006 amendments, an application to the Historic Resources Department for Historic Preservation Board determination as to whether the Arts buildings should be designated as a local historic landmark; and if the buildings are so designated, the University shall apply for a special certificate of appropriateness for the proposed partial demolition/restoration of the buildings and to comply with the terms and conditions of the certificate.

7. *H7 - Demolition and Replacement of Whitten Learning Center.*
   a. UMCAD 2006 Amendment H7 in approved with no conditions.

8. *H8 - Increased Building Area for Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration, Residential and Academic Site Phase I; Miguel B. Fernandez Family Entrepreneurship Building at the School of Business Administration, Residential and Academic Site Phase II; and Demolition of Behavioral Medicine Research Institute.*
   a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H3 the applicant shall satisfy the following:
      i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H8 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager, together with a mitigation plan for any traffic or access impacts identified in the study; and,

ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.

b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H8 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

9. *H9 - Lowe Art Museum Addition.*
   a. The development authorized by the approval of 2006 UMCAD Amendment H9 shall be subject to any impact fee or other exactions adopted by the City of Coral which becomes effective prior to the issuance of any building permit for the authorized development, or any portion thereof. Refer to general condition number 6, "Mitigation and impact fees".
   b. Notwithstanding the approval of the 2006 UMCAD Amendment H9, the total amount of development authorized pursuant to the UMCAD as thereby amended, shall not exceed the applicable intensity of use limitations set out in the Comprehensive Land Use Plan of the City of Coral Gables, as amended from time to time, calculated on the basis of a sealed survey and legal description of the University of Miami campus actual land area under ownership of the University of Miami. Refer to general condition number 5, "Total amount of development".

10. *H10 - Lakeview Student Housing I and II Sites.*
   a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H10 the applicant shall satisfy the following:
      i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H10 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager , together with a mitigation plan for any traffic or access impacts identified in the study; and,
      ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.
   b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H10 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

11. *H11 - Pavia Parking Garage Addition; Merrick Parking Garage Site; Relocation of Portion of North South Center Development Zone Project; and Demolition of the Writing Center*
   a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H11 the applicant shall satisfy the following:
      i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H11 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager, together with a mitigation plan for any traffic or access impacts identified in the study; and,
      ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines

that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.

b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H11 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

12. *H12 - Theater Site Change and Increase in Building Area*
    a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H12 the applicant shall satisfy the following:
        i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H12 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager , together with a mitigation plan for any traffic or access impacts identified in the study; and,
        ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.
    b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H12 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.
13. *H13 - Art & Architecture College Academics Facility; and Art and Architecture Residential College; and Convocation/Student Parking Garage New Site; and Museum and University Hall Site Changes and Decreases in Building Area.*
    a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H13 the applicant shall satisfy the following;
        i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H13 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager , together with a mitigation plan for any traffic or access impacts identified in the study; and,
        ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.
    b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H13 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

14. *H14 - Bank United Convocation Center Parking Garage Site Relocation; and Basketball Practice Facility.*
    a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H14 the applicant shall satisfy the following:

i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H14 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager, together with a mitigation plan for any traffic or access impacts identified in the study; and,

ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.

b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H14 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

15. *H15 - Serpentine Parking Lot Interim Expansion; and Dickinson Drive Realignment.*
    a. Prior to the issuance of a building permit for UMCAD 2006 Amendment H15, the applicant shall secure Planning Department, Public Works Department and Public Service Department review and approval of all of the following:
        i. Landscape plan shall be provided pursuant to Zoning Code Article 5, Division 11 requirements.
        ii. Lighting plan including lighting standards and illumination.

16. *H16 - Dickinson Student Housing Site and Dickinson Residential Parking Garage Site.*
    a. Prior to the issuance of a building permit for 2006 UMCAD Amendment H16 the applicant shall satisfy the following:
        i. Submission of a local traffic impact and access study of the development authorized by approval of 2006 UMCAD Amendment H3 in accordance with the local traffic impact and access study methodology set out in the MLOU to the City Manager , together with a mitigation plan for any traffic or access impacts identified in the study; and,
        ii. The City Manager has approved the local traffic impact and access study and has accepted the proposed mitigation plan submitted by applicant. In the event, that the City Manager determines that the local traffic impact and access study is insufficient or that the proposed mitigation plan is inadequate, the City Manager may request additional information and/or accept the proposed mitigation plan subject to specified modifications or conditions. In the event that applicant does not agree with the City Manager's decision with regard to the local traffic impact and access study set out in the MLOU or the proposed mitigation plan, the applicant shall have the right to appeal such determination to the City Commission.
    b. No certificate of occupancy shall be issued for the development authorized by the approval of 2006 UMCAD Amendment H16 until the approved mitigation plan as a result of the findings and recommendation of the local traffic impact and access study has been fully implemented by UM and approved/accepted by the City of Coral Gables.

17. *H17 - Wellness Center Addition Site.*
    a. UMCAD 2006 Amendment H17 is approved with no conditions.

18. *H18 - Hecht Center Addition Site and Demolition of Kearns Sports Hall of Fame; and Expansion of Cobb Track and Field Facility.*
    a. The approval of the 2006 UMCAD Amendment H18 shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide UM with a written statement describing with specificity the manner in which the Assessment is insufficient within sixty (60) days after submission of the Assessment. UM shall submit the additional information required to make the UMRTS sufficient within thirty (30) days. The City will have 30 days for final

review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the applicant's proportionate share for development pursuant to the approved UMCAD. In the event that the applicant does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that UM shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any residential streets will be designed, permitted, and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.

19. *H19 - Alex Rodriguez Park At Mark Light Field Reduced from Adopted Master Plan; and Demolition of Baseball Media Building*
    a. UMCAD 2006 Amendment H19 is approved with no conditions.

20. *H20 - Robert and Judi Prokop Newman Alumni Center Site; Brescia Surface Parking Lot; and Demolition of Dance Studio/Theater Arts Building, the Alumni House, and the Marion and Ed Lau Founder's Club Building*
    a. The approval of the 2006 UMCAD Amendment H20 shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide UM with a written statement describing with specificity the manner in which the Assessment is insufficient within sixty (60) days after submission of the Assessment. The applicant shall submit the additional information required to make the UMRTS sufficient within thirty (30) days. The City will have 30 days for final review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the applicant's proportionate share for development pursuant to the approved UMCAD. In the event that the applicant does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that the applicant shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any residential streets will be designed, permitted, and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate fair share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.

21. *H21 - Center for Music Learning and Leadership at the Frost School of Music; New Academic Facility Replacement; and Demolition of Arnold Volpe Music Building, Bertha Foster Memorial Music Building and Rehearsal Center, and Deletion of Student Services Facility from the adopted location*
    a. The approval of the 2006 UMCAD Amendment H21 shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide UM with a written statement describing with specificity the manner in which the Assessment is insufficient within sixty (60) days after submission of the Assessment. The applicant shall submit the additional information required to make the UMRTS sufficient within thirty (30) days. The City will have 30

days for final review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the applicant's proportionate share for development pursuant to the approved UMCAD. In the event that the applicant does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that the applicant shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any residential streets will be designed, permitted, and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate fair share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.

b. No building permit shall be issued for 2006 UMCAD Amendment H21 until construction plans for the relocation and improvement of Miller Road have been submitted to and approved/accepted by the City of Coral Gables or December 31, 2008 whichever occurs first.
c. The maximum building heights shall be limited to six (6) floors.
d. The applicant shall complete the construction of Miller Road and secure City approval/acceptance prior to certificate of occupancy for 2006 UMCAD Amendment H21 or December 31, 2010, whichever occurs first.
e. The applicant shall construct the Miller Road realignment, from Miller Drive to Memorial Drive in substantial compliance with the plan attached hereto as Exhibit D, titled Proposed Internal Circulation, Parking and Projects North of Lake.
f. No building permit shall be issued for 2006 UMCAD Amendment H21 until submission and approval is secured by the Planning Department and Public Works Department for a parking site plan for this amendment as referenced in the applicant's submitted programming information provided dated February 2, 2007.
g. The Center of Music Learning and Leadership at the Frost School of Music shall be entitled to building permits and certificates of occupancy provided that the University satisfies its obligation with respect to the realignment of Miller Road. The Miller Road realignment as agreed by the parties shall extend from Miller Road to the south side of the arboretum. This new condition shall prevail over the prior generalized language describing amendments "North of the Lake Osceola." The balance of the "North of the Lake" amendments shall remain linked to the obligations with respect to the internal road.

22. *H22 - Interactive Science Center and Engineering Research Site Phase I.*
    a. The approval of the 2006 UMCAD Amendment H22 shall be subject to the submission of the UMCAD Regional Traffic Study (UMRTS) to the City of Coral Gables on or before August 1, 2007. If the City Manager determines that the UMRTS is insufficient, the City Manager shall provide the applicant with a written statement describing with specificity the manner in which the Assessment is insufficient within sixty (60) days after submission of the Assessment. UM shall submit the additional information required to make the UMRTS sufficient within thirty (30) days. The City will have 30 days for final review of the UMRTS. The City Manager shall use the results of the UMRTS to establish the University proportionate share for development pursuant to the approved UMCAD. In the event that the applicant does not agree with the City Manager's decision with regard to the proportionate share, the applicant shall have the right to appeal such determination to the City Commission. In the event that the applicant shall fail to submit the UMRTS on or before August 1, 2007, or in the event that the Assessment is timely submitted, but the City Manager determines that the submitted Assessment is insufficient, no further building permits shall be issued for UMCAD development until the UMRTS is submitted and determined to be sufficient by the City Manager. Proportionate share fee, as defined in the UMRTS is not applicable to any roadway mitigation within the UMCAD limits (referenced on Exhibit 2 of the UMRTS MLOU) or any of the residential streets included in the UMRTS. Any traffic mitigation required within the UMCAD limits or on any

residential streets will be designed, permitted, and constructed by the applicant at their cost. Proportionate share fee shall be assessed and/or paid by January 1st of the years 2010, 2015 and 2020 as provided for in the MLOU. Failure to provide proportionate share fee shall result in no further issuance of any UMCAD 2006 amendment building permits or certificate of occupancy/certificate's of use.

b. No building permit shall be issued for 2006 UMCAD Amendment H22 until construction plans for the internal roadway (north and south segments) have been submitted to and approved/accepted by the City or December 31, 2010, whichever occurs first.
c. The applicant shall complete the construction of internal roadway (north and south segments) and secure City approval/acceptance prior to certificate of occupancy for 2006 UMCAD Amendment H8 or by the year December 31, 2012, whichever occurs first.
d. The applicant shall construct the complete internal roadway (north and south segments) in substantial compliance with the plan attached hereto as Exhibit D, titled Proposed Internal Circulation, Parking and Projects North of Lake. The parties recognize that the construction of the internal roadway improvement plan shall not cause or result in a permanent net loss of parking in those areas impacted by the road. The University shall possess the right to recapture any parking spaces displaced or affected by the roadway and replace that parking as close to the affected area as possible. The parties additionally agree that there shall be no reduction in the number of parking spaces north of Lake Osceola.
e. The maximum building height shall be three (3) floors.

NOW THEREFORE, IN ORDER TO ASSURE the City that the representations made by the University in connection with the approvals by the City will be abided by, the University freely, voluntarily, and without duress, makes the following Declaration of Restrictions covering and running with the Property:

(1) The above recitations are true and correct and are incorporated herein in their entirety.
(2) As further part of this Declaration, it is hereby understood and agreed that any official inspector of the City of Coral Gables, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the premises to determine whether or not the requirements of the Building and Zoning regulations and the conditions herein agreed to are being complied with.
(3) This Declaration on the part of the University shall constitute a covenant running with the land and may be recorded, at the University's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the University, and its heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the public welfare.
(4) This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years, unless an instrument signed by the then owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by the City of Coral Gables.
(5) This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the City of Coral Gables. Should this Declaration of Restrictions be so modified, amended or released, the City shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.
(6) That enforcement shall be by action at law or in equity against any parties or person violating, or attempting to violate, any covenants, either to restrain violations or to recover damages. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of their attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity, or both;

(7) In the event the terms of this Declaration are not being complied with, in addition to other remedies available, the City is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as there is compliance with this Declaration;

(8) All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges;

(9) Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the City, and inspections made and approval of occupancy given by the City, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration;

(10) Invalidation of any of these covenants by judgment or Court shall not affect any of the other provisions, which shall remain in full force and effect.

(11) This Declaration shall be filed in the public records of Miami-Dade County, Florida, at the cost of the University.

NOW, THEREFORE, for good and valuable consideration, the undersigned does hereby declare that it will not convey or cause to be conveyed the title to the above referenced Property without requiring the successor in title to abide by all the terms and conditions set forth herein.

FURTHER, the undersigned declares that this covenant is intended and shall constitute a restrictive covenant concerning the use, enjoyment, and title to the Property and shall be binding upon the undersigned, its successors and assigns.

IN WITNESS WHEREOF, the undersigned has caused its seal to be affixed hereto on this 7th day of September 2007.

ATTEST:

Aileen M. Ugalde
Vice President, General Counsel
And Secretary

UNIVERSITY OF MIAMI

By: _____
Joseph T. Natoli
Senior Vice President, Business and Finance

STATE OF FLORIDA)
) ss.
COUNTY OF DADE)

On September 6, 2007 before me Joseph Natoli, a Notary Public in and for said State, personally appeared Joseph T. Natoli, as Senior Vice President, Business and Finance of the University of Miami, a Florida non-profit corporation, on behalf of the corporation. He is personally known to me and subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the entity upon behalf of which the person acted, executed the instrument.

Ruth Rubi
Notary Public, State of Florida

My Commission expires:

RUTH RUBI
Notary Public - State of Florida
My Commission Expires Apr 26, 2009
Commission # DD 391879
Bonded By National Notary Assn.

Approved as to form and content:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

PREPARED BY: ELIZABETH M. HERNANDEZ, CITY ATTORNEY
405 BILTMORE WAY, CORAL GABLES, FLORIDA 33134
(305) 460-5218