



To: Zeke Guilford

From: Craig E. Leen, City Attorney for the City of Coral Gables

A handwritten signature in blue ink, appearing to be "C. Leen", is written over the "From:" line.

RE: Legal Opinion Regarding Site Plan and Restrictive Covenant-33 Alhambra

Date: January 18, 2017

Zeke, such a proffer attached to the land use is permissible under 3-1505(A) of the Zoning Code. Even if not proffered, however, my legal opinion is that no development can occur on the property except in compliance with the site plan and restrictive covenant that is approved (the restrictive covenant will be recorded and runs with the land). If the site plan expires, any development would require renewal or amendment of the site plan. Please note, this approach is consistent with the principle established in section 3-1505(B) of the Zoning Code.

From: [Leen, Craig](#)
To: [Paulk, Enga](#)
Subject: FW: 33 Alhambra
Date: Wednesday, January 18, 2017 2:23:25 PM
Attachments: [image002.png](#)
[image003.png](#)
Importance: High

Please publish.

Craig E. Leen, City Attorney

*Board Certified by the Florida Bar in
City, County and Local Government Law*
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com



Celebrating 90 years of a dream realized.

From: Leen, Craig
Sent: Wednesday, January 18, 2017 2:22 PM
To: Wu, Charles <cwu@coralgables.com>; 'zguilford@guilfordassoc.com'
<zguilford@guilfordassoc.com>
Cc: Trias, Ramon <rtrias@coralgables.com>; Suarez, Cristina <csuarez@coralgables.com>; Ramos, Miriam <mramos@coralgables.com>; Iglesias, Peter <piglesias@coralgables.com>
Subject: RE: 33 Alhambra
Importance: High

Zeke, such a proffer attached to the land use is permissible under 3-1505(A) of the Zoning Code. Even if not proffered, however, my legal opinion is that no development can occur on the property except in compliance with the site plan and restrictive covenant that is approved (the restrictive covenant will be recorded and runs with the land). If the site plan expires, any development would require renewal or amendment of the site plan. Please note, this approach is consistent with the principle established in section 3-1505(B) of the Zoning Code.

Craig E. Leen, City Attorney

*Board Certified by the Florida Bar in
City, County and Local Government Law*
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com



CORAL GABLES
THE CITY BEAUTIFUL

Celebrating 90 years of a dream realized.

From: Wu, Charles

Sent: Wednesday, January 18, 2017 8:18 AM

To: 'zguilford@guilfordassoc.com' <zguilford@guilfordassoc.com>

Cc: Trias, Ramon <rtrias@coralgables.com>; Leen, Craig <cleen@coralgables.com>; Suarez, Cristina <csuarez@coralgables.com>

Subject: 33 Alhambra

Hi Zeke.

Will your client proffer a restrictive covenant with the land use change that limits development on the parcel to what has been approved in the restrictive covenant? We need to address the concerns about future development of the project if the land use is changed to commercial but the site plan expires or changes to a commercial use.

Charles K. Wu, AICP CUD, CNU-A

Interim Development Services Director
405 Biltmore Way, 3rd Floor
Coral Gables, FL 33134
Tel: 305-460-5244
Fax: 305-476-7225

CORAL
GABLES
THE CITY BEAUTIFUL