

City of Coral Gables City Commission Meeting
Agenda Item E-2 and E-3 are related
April 8, 2008
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Slesnick Donald D. Slesnick, II
Vice Mayor William H. Kerdyk, Jr.
Commissioner Maria Anderson
Commissioner Rafael “Ralph” Cabrera, Jr.
Commissioner Wayne “Chip” Withers

City Staff

City Manager, David Brown
City Attorney, Elizabeth Hernandez
City Clerk, Walter J. Foeman
City Clerk Staff, Billy Urquia
Scot Bolyard, Planning Department
Javier Betancourt, Planning Department
Eric Riel, Planning Department Director
Martha Salazar Blanco, Building and Zoning Administrator

Public Speaker(s)

Mario Garcia-Serra, Greenberg Traurig
Robert Behar, Coral Gables Developer

E-2 and E-3 are related [Start: 10:07:53 a.m.]

An Ordinance of the City of Coral Gables, Florida repealing Ordinance No. 1515, relocating a dedicated easement for public use from Lot 10 to 9, Block 17, Industrial Section (Gables Gateway); providing for a repealer provision, a savings clause, a severability clause, providing for codification; and providing for an effective date. (PZB Vote: 5-0)

E-3 (For Discussion Purpose Only) A Resolution of the City Commission of Coral Gables approving an amendment to a mixed-use site plan, for the proposed mixed-use project referred to as “Gables Gateway”, located on property legally described as Lots 1-23 and Lots 76-88, Block 17, Industrial Section (intersection of LeJeune Road, Granello Avenue and Ponce de Leon Boulevard), Coral Gables, Florida; and including required conditions; and providing for an effective date. (Adoption of Resolution will occur at which time Second Reading occurs.)

Mr. Bolyard: Good morning Mr. Mayor, Vice Mayor, and Commissioners, for the record Scot Bolyard, Planning Department, we have for you this morning amendments to a previously approved mixed use project referred to as Gables Gateway. The applicant is requesting the following to repeal previously approved Ordinance 1515 and approve a mixed use site plan,

amending previously approved Resolution 2006-146. In order to relocate that easement the applicant is requesting to repeal Ordinance 1515, which was approved by the Commission in 1965. This vacated a portion of the alley created an easement for public access on Lot 10; this property is under private ownership. The applicant desires to relocate the easement for public access to Lot 9 in lieu of Lot 10; this will be enforced via a restrictive covenant. The City staff supports this proposal. Previously approved Gables Gateway project included amendments to the Comprehensive Land Use Plan Text Map as well as the Zoning Code Text Map, this was to provide for the expansion of the MXD boundary. The mixed use Site Plan review was for a ten story, one hundred foot tall building, commercial and office uses on the ground floor, and two hundred and thirty condominium residential units. The proposed project is located on the property commonly known as the “Deel Ford” site, this is two blocks south of the Village of Merrick Park, and is going to replace a one story building previously used for auto sales and repairs and a used car parking lot. The site is 2.3 acres in size and has the appropriate commercial and industrial land use and zoning designations, for the proposed mixed use project. The proposed project is 10 stories, ninety-nine (99ft.) feet in height, has ground floor commercial uses which include 794 sq.ft. for office, 29,055 sq.ft. for retail, and 8,000 sq.ft. for restaurant. There will be two hundred and thirty (230) rental residential units; six hundred and fifty-three (653) on-site parking spaces, which is four above the code requirements, and that will provide thirty-five affordable housing rental units. Conditions – the Planning Department recommends approval with the following conditions....

Mayor Slesnick: Why don't you stop there Scot, could you stress...one of the biggest things about this application is the last point you made, and I think it needs to be stressed as to....

Mr. Bolyard: It's coming up in the slides.

Mayor Slesnick: Oh, OK.

Mr. Bolyard: The Planning Department recommends approval to the following conditions: they provide on-site pedestrian amenities subject to City review and approval; that they provide and install landscaping and streetscape improvements on LeJeune, Granello, and a portion of Ponce that's adjacent to the project site, and they will also improve the intersection of Granello and Greco Avenues. There is some previously proffered traffic improvements, which include the installation of a northeast bound left turn lane on Ponce at the project alleyway; extending the southwest right turn lane on Ponce at LeJeune Road; install a westbound left turn lane on Granello at LeJeune Road; reconfigure the intersection at Granello and Greco Avenues; reconfigure the intersection at Biltmore and Riviera Drives; install a roundabout at Blue Road and Riviera Drive. Attainable affordable housing conditions – the City must work to address attainable affordable housing needs, per State statutes, regional priorities, and the City Comprehensive Land Use Plan (CLUP); the City's affordable housing goal is four hundred and thirty-seven units over ten years; this comes to an average of forty-four units per year. City staff has previously proposed and continues to work towards various attainable/affordable housing strategies; in advance of a formal citywide program, the City is requiring major residential developments to dedicate portion of units to attainable/affordable housing as part of the conditional site plan and review approval process. The applicant has requested modification of

original affordable housing condition in order that they better define their affordable housing application...

Mayor Slesnick: Scot, couple of things; just want to make the points clear. Who requires us, is it like we require ourselves to provide affordable housing, I want the citizens...

Mr. Bolyard: The state's going to require...

Mayor Slesnick: I just want the citizens to understand who is requiring us and at the same time answer we said that we projected that we need forty-four units a year and I guess what I'd like you to say, because its true, I believe, is that our chances of getting forty-four units a year are probably slim to none, and yet it is required, and so this is a big deal. I'm trying to get this point across so you all....I mean, if I'm wrong say so.

Mr. Betancourt: No, you are absolutely right. For the record Javier Betancourt with the City's Planning Department. We've been dealing with this issue now for a number of years. The State and the Regional Planning Council both felt consider affordable housing a key goal, and as part of our Comprehensive Plan process, where we have in the past brought amendments to the Regional Planning Council and to the State, this has been identified as a deficiency at the City. So we have been working for a number of years to address that deficiency. In 2006 we completed an affordable housing study that identified the need that was read earlier of four hundred and thirty-seven (437) units over ten years, comes out to roughly forty-four units per year. So that is our goal over these ten years to try and bring that many units to the City of Coral Gables. One of the ways that we are trying to accomplish that is by requiring that projects that come through the conditional use review process, dedicate a portion of their units to affordable housing. We are working on citywide standards to do more of the same and possibly explore some other strategies to meet that goal. It is a very difficult goal to meet as you stated particularly given the down turn in the market. So if we can get thirty-five with this project that's certainly a plus.

Mr. Bolyard: The Planning and Zoning Board at their March 12th meeting recommended approval; the Planning Department's recommendation including the condition on attainable housing with incentives as determined by City staff and/or the City Commission. The City staff including the Building and Zoning Department, City Manager's Office, and Planning Department held meetings with the applicant to discuss the incentives. City staff and the applicant have agreed to expedited permitting is the appropriate incentive in exchange for providing affordable housing units. The proposed requirements and incentives are provided in the City Commission memo. Request City Commission action – the First Reading requires approval of repealing Ordinance 1515 and discussion of the Site Plan, and the Second Reading will require approval of repealing Ordinance 1515, at that time we will approve the Site Plan be a resolution. Next we have a quick thirty second 3-D model, and then I'll turn it over to the applicant.

[3-D Video Model Shown]

Mayor Slesnick: Can we go back to that – Scot can you come back and show that again and maybe stop. I just need you to explain if there is a way to....now explain to the people what we

are looking at; across south of this, across U.S.-1 or east of this across U.S.-1 what are those gigantic buildings?- they don't exist do they?

Mr. Bolyard: No, it doesn't exist yet, that project right here doesn't exist yet.

Mayor Slesnick: That's just on the other side of the Metrorail?

Mr. Bolyard: Right.

Mayor Slesnick: That is what could be built there, that's not what is there.

Mr. Riel: I apologize....

Commissioner Withers: Grab the microphone Eric.

Mr. Riel: Obviously, this is the Metrorail, U.S.-1; this is a project that is a by right review, I believe the property is known as the Berkowitz property, its essentially a retail commercial with parking internal, this is the project that's before you today for discussion purposes only; this is LeJeune Road, Village of Merrick Park...

Vice Mayor Kerdyk: You have that in the wrong location, don't you?- the Berkowitz property. Shouldn't the Berkowitz property be west – east of the....where's the subject property?- show me the subject property, and show me Ponce, where's Ponce?

Mr. Riel: Ponce is right there.

Vice Mayor Kerdyk: Ponce is right....is that correct how he has it?

Mr. Riel: That's correct.

Mayor Slesnick: You can't see U.S.-1.

Vice Mayor Kerdyk: Where's U.S.-1?

Mr. Riel: U.S.-1 is right here, in front.

Vice Mayor Kerdyk: Oh, alright, now I see what you are talking...alright.

Unknown: You want to look at this map.

Commissioner Withers: The black line is the Metrorail.

Vice Mayor Kerdyk: I got you. Where is that project by the way, the Berkowitz property.

Mr. Riel: You are going to have to ask Building and Zoning that question, it didn't come through our office.

Vice Mayor Kerdyk: Alright, alright.

Mr. Riel: Can you go ahead and show the remainder of the video.

Vice Mayor Kerdyk: Not to digress here, but can you tell me where the Gables station is?

Ms. Salazar-Blanco: They pretty much have deferred it; they've gone to the Board of Architects several times and they've been deferred so they haven't been able to approve it; they have gone to the DRC, however, it's been on hold, so they haven't come back since last year.

Vice Mayor Kerdyk: Alright, so it's basically been on hold – that's a project that would or would not be in front of the City Commission at some point?

Ms. Salazar-Blanco: No, they would not come – I don't think they need to come.

Vice Mayor Kerdyk: They would not come because they are not asking for any bonuses, so that could be built as of right, is what you are saying.

Ms. Salazar-Blanco: That's correct.

Vice Mayor Kerdyk: Alright. I'd like at some point for you to just put a memo in our box of exactly where that stands so that we are updated on the project. Thank you. I'm sorry gentlemen.

Mr. Garcia-Serra: Good afternoon Mr. Mayor, Commissioners; Mario Garcia-Serra with offices at 1221 Brickell Avenue.

Mayor Slesnick: Mario, if you would we are going to have to ask you to swear in.

Mr. Garcia-Serra: Sure, anybody that is testifying.

Mayor Slesnick: Are you testifying, or are you just introducing?

Mr. Garcia-Serra: Well, I'll introduce the team and then we'll have all of them be sworn in.

Mayor Slesnick: But why don't we do it all at the same time.

Mr. Garcia-Serra: Yes.

Mayor Slesnick: Mr. Clerk, if you'll swear in all the witnesses.

City Clerk Foeman: Do you solemnly swear and affirm that the statements that you are about to make here today would be the truth and nothing but the truth?

Mr. Garcia-Serra: I do.

Mayor Slesnick: And Mr. Clerk, I really do want a clarification, Ms. Madam City Attorney, as to whether or not, I know what you've told me we need to swear attorneys in that are actually making attorney's presentations before the...they are not witnesses to my knowledge.

City Attorney Hernandez: We do not need to swear in attorneys, they are advocates for their clients, its not testimony with their proffer.

Mayor Slesnick: Unless they tell us they are going to testify about something.

Mr. Garcia-Serra: Exactly. We have a higher standards of course being attorneys.

[LAUGHTER]

Mr. Garcia-Serra: Hold that thought. For the record again, Mario Garcia-Serra with offices at 1221 Brickell Avenue, representing LG Coral Gables, LLC, which is a subsidiary of Gables Residential, which is a nationwide developer of rental communities, and the owner of the property located at 4585 Ponce de Leon Boulevard, which is indicated in that aerial photograph there, we could put it up on an easel so you can see it better, outlined in yellow basically on the corner of LeJeune Road and Ponce de Leon Boulevard, also known as the former site of the Deel Ford automobile dealership showroom. As all of you will remember about two years ago, I came before the Commission with another project for the same site which was approved, and what's happened in the meantime of course has been the decline of the condo market in South Florida. That former client, the Gardola Properties sold the property to my current client Gables Residential, which I mentioned previously is a rental community developer, and indeed what they are proposing to do now on this site is to develop the same size building, same height, same FAR, same density, but as a rental project. So being a rental project and being a different developer and having some different taste and aesthetics and so forth, what we are proposing today is an amendment to the previously approved site plan. What we have then is a building that's the same height, ten stories, ninety-nine feet (99 ft.), same FAR 3.5, and the same unit count, the two hundred and thirty (230) units, but with some changes so as to better accommodate its intended use as a rental project. The major changes are an increase in one bedroom units, and a decrease in a number of two bedroom units, but with the total unit count as I said still standing at two hundred and thirty (230). Change of some building aesthetic to suit the preferences of the current owner, and the incorporation of green building standards so as to help with long term maintenance cost. Since we have a developer here who is going to be the owner of the property for considerable amount of time and not selling to condo unit owners there is of course more of an interest in keeping long term maintenance costs low, so there are many green building standards that have been incorporated, and we expect to at least have a lead silver certification for this project. Right now what I'll do is defer to Robert Behar so that he can go through the project visuals and show you exactly what's being proposed.

Mr. Behar: Good morning, Robert Behar, 4533 Ponce de Leon Boulevard. First let me start by commanding staff for doing an outstanding job on working with us throughout this whole process. This project as you are aware is on the end section of LeJeune and Ponce; to us it's a very prominent location and we have treated this project as such. What we've done is on the main corner of this project we have put an emphasis of creating an open space – a plaza per say,

which is almost an entrance to the central Gables from U.S.-1 coming from the south. Furthermore, we have done articulated and designed a covered walkway through the entire street frontage. Behind that we have the retail component on the ground floor, the entrances to the two towers; there is one tower over this western portion and another tower over the eastern portion. What we have done is taken the alley that is behind the building, and Mario will address that later, but we created a pass-through, pedestrian vehicle pass-through from Ponce – connecting Ponce to Granello, and we have designed that and articulated in a more of a court, something a little bit more attractive; all the services are internalized so you don't see any service on the street, everything again is internalized, you just have entrances for the garage on Granello to there, one here and one here. The project, as you go up, you have three levels of parking all covered. When you get up to the fourth level is when you have the residential units starting, and what we've done is created on LeJeune, we down-size this area in the middle to allow for the pool deck, opens up to the LeJeune and made a "U" shape tower on there creating a beautiful amenity level, and the rest of the units on the eastern portion. As a result you get a building that has been addressed, in our opinion, all the street front issues, and this is the part of the back result where you have on the corner a plaza area, the retail component on all the streets, the pool deck opens up onto this area and you have the tower behind it, with a focal element on the corner of Ponce and LeJeune Road. As Mario stated there's two hundred and thirty residential rental units, six hundred and fifty-three (653) parking spaces, it is mixed use so you have in essence more spaces at night-time for the residential and more for the commercial in the day-time.

Vice Mayor Kerdyk: How much commercial do you have in that project, and how much did you have on your other proposal?- what's the....

Mr. Behar: We have approximately thirty thousand (30,000 sq.ft.) of retail and that's what we have; on the previous project we were not the architect for the previous project, but it was about the same.

Mr. Garcia-Serra: And Robert, if you could also talk about the change in height how it gradually goes higher the further you get from LeJeune.

Mr. Behar: Yes Mario, and you are right, Patty, let me see the elevation please. What we've done is because this on Ponce and the intersection on LeJeune Road, we kept that to seventy-seven, actually seventy-two (72ft.) and let the....the elevation to Ponce this is a little lower and then step back once you get further into the property, and on Granello also it goes south to ten stories. But this portion is seven stories; the portion on the pedestal that also fronts LeJeune Road is only four stories high. So try to keep this corner a little bit lower, and then put the higher density towards the back.

Mr. Garcia-Serra: Exactly, we start at forty-five (45ft.) feet on LeJeune and the further you go back you go to seventy-seven (77) when you see the architectural sort of feature the tower, and then we reach the maximum height of ninety-nine (99ft.) feet when you are fronting Granello already on towards the backside of the property. And one other thing Robert, if we could talk about the public realm improvements, when we are doing the plaza and so forth, the sidewalks.

Commissioner Anderson: If you could also talk about sidewalks if they are wider or not, that's important, especially on LeJeune.

Mr. Behar: You're right; when we talk about LeJeune Road, we stepped the building back, we set it back an additional fifteen feet (15ft.) to create a wider pedestrian walkway, sidewalk along LeJeune Road. We could have come up to the property line and provided an arcade, but intentionally we set it back fifteen feet (15ft.), in addition to that we have the arcade, so it got a little more width. The public right-of-way throughout all the entire street edges, street frontages, all have arcades, so you have a comfortable pedestrian walkway, covered walkway, and we are landscaping as per your Public Service requirement the whole parameter of our project.

Mr. Garcia-Serra: So on LeJeune we are going from a five foot wide sidewalk, Robert, now to an open space.

Mr. Behar: Approximately about twenty feet before the building starts, so you have from the back of the curve to the building structures about twenty feet.

Mr. Garcia-Serra: And I think one of the best public realm features is that plaza there is on the corner, because it is something of an entryway to the City of Coral Gables there and that would be with landscaping and a fountain, so as to make a sort of entrance feature.

Vice Mayor Kerdyk: Are you taking any on-street parking away?

Mr. Garcia-Serra: Yes, I think there is probably a net loss of how many?- there is about twelve spaces, I think; there is a net loss of twelve spaces in between what was being required for our entryways, but then also many spaces were being lost as a result of the landscaping that's required in the right-of-way, and so forth.

Mr. Behar: To address a little further – there are some spaces right at the edge of the corner, which is really not safe, so you automatically you cannot count those. In addition, we loose some because of the requirement of the landscape, so the net loss as a result of our drives is perhaps four to six max. So we are not loosing all the spaces as a result of our project, because obviously when you come in with a new project you have to improve as per your requirement.

Commissioner Cabrera: Mr. Manager, oh I'm sorry Mr. Kerdyk.

Vice Mayor Kerdyk: Well, I was just going to ask them since he has his office close to this space here, I wanted to ask you the question as far as parking on-street, do you find it difficult in that area there when you put a building of that magnitude in that location what do you think is going to be the parking issues that we face in that location, because a lot of times, let me just preface my statement, a lot of times we focus on the downtown business core, but this is another area of interest that the Commission needs to keep their eyes on.

Mr. Behar: We don't find to have a difficult parking, I myself park on the street because we have...we buy the decals, the monthly decals.

Vice Mayor Kerdyk: Yes, you are allowed decals, yes.

Mr. Behar: Used to be bad when the driver's license did not make the appointments and there was chaos, but now a-days it's really not a problem, not an issue at all finding parking spaces.

Commissioner Cabrera: Mr. Manager.

City Manager Brown: Yes sir.

Commissioner Cabrera: Can we have the Parking Division look at this project from the standpoint of loosing on-street parking due the streetscape-landscape initiatives or requirements or whatever it is they are going to have to do, because once again I think that there is a compromise that can be reached Mr. Behar. I really believe that we check in common sense on some of these projects because we think they are so beautiful and the landscape is going to do so much for the area, and it is, I completely concur, but then the loss of on-street parking becomes a concern for many people. So can we somehow – because every time we go through this exercise and somebody calls time-out, and looks at it especially in the Parking Division working with Public Works, we all of a sudden compromise and instead of loosing six or eight spaces, we end up loosing four to five.

City Manager Brown: We can certainly re-look at that, and we can do that between First and Second Reading.

Commissioner Cabrera: And this is not to cause the project not to go forward, so don't misunderstand my concerns.

Mr. Behar: I understand, we have time for that, and by the time we get to that portion of the project, we got some time to deal with it.

Commissioner Cabrera: And plus you've got some areas where on-street parking is not an issue. On LeJeune Road obviously on-street parking would not be something that you would even be considering given the fact that none exist there now. The Deel Ford property, a good portion of it does not provide on-street parking; the on-street parking if my memory serves me correctly really begins after the Deel Ford property.

Mr. Behar: On Granello, because there is no parking on this portion of Ponce.

Commissioner Cabrera: That's the portion that I'm referring to.

Mr. Behar: On this portion of Ponce there is no parking today.

Commissioner Cabrera: Yes, so in essence what you are doing is beautifying the area with the landscaping and the streetscape, I don't have a problem; where I guess the problem lies for me is, what's the street?- Mandello?

Mr. Behar: Granello, Granello.

Commissioner Cabrera: Granello, Granello that would be the area I would be concerned about, Granello.

Vice Mayor Kerdyk: Remember also, Commissioner that we are talking about taking a parking lot out of play on the next block over where there is on-street parking.

Commissioner Cabrera: Contemplation to do that.

Vice Mayor Kerdyk: Contemplating that....

Commissioner Cabrera: Off-street parking, but it looks very much like on-street because you pull right into, it's a surface lot. So there you go, that's a great point, that's a great point.

Vice Mayor Kerdyk: So that's something we need to take into consideration.

Commissioner Cabrera: See, today what happens in that area is many, many of the tenants will park their vehicles in the alleyway, am I not correct to...?

Mr. Behar: There's actual parking, we have parking in the back, our building has parking in the back, and there are all these tenants, you know, property owners parked behind it. You don't really park, and the meter maids are pretty good at making sure that there is no parking on the alley per say.

Commissioner Cabrera: But that parking that I'm referring to comes at a premium, it's a very sought after parking. Again, Mr. Behar...

Mr. Behar: I understand, believe me I pay for my employees parking...

Commissioner Cabrera: I'm sure you do, I'm not trying to criticize your project in any way shape or form, I'm just trying to get staff to be sensitive to the possibilities to develop a compromise with the streetscape/landscape requirements, or your own application and our own on-street parking needs, that's all I want to do.

Mr. Behar: I understand.

Mr. Garcia-Serra: And its of interest to us, Commissioner, from another perspective in that with every on-street parking space that we loose regardless if we loose it because of our entryway requirements, or because of landscaping requirements that are required by the Public Service Department, we have to pay a fee of, I believe, twenty-five hundred dollars a year in perpetuity for the loss of that on-site parking space. So of course from a developer's standpoint we are saying, hey, the City is requiring us to do this, and we are doing it and it beautifies the City, but then we are also having to pay for the loss of the parking. So as part of that project we already started discussions with Parking Department to see if there is maybe a better way of balancing all interests here, and getting what – making it a win/win for both the developer and the City.

Commissioner Cabrera: Since we are talking about transportation, here's a loaded question; does your project have any concessions or space for bicycle storage?

Mr. Behar: Yes it does.

Commissioner Cabrera: How about bicycle racks?

Mr. Behar: We do have the racks as well.

Commissioner Cabrera: So you'll have bicycle racks and bicycle storage in the project?

Mr. Behar: Yes.

Commissioner Cabrera: Great. Can you show those to us in Second Reading, not now, Second Reading? Great, thank you.

Commissioner Anderson: I have a question; it's about the improvements to the intersection at Granello and Greco, do you have any drawings, I know you have it in the packet, do you have anything there that shows what...

Mr. Garcia-Serra: We have our traffic engineer here, he could perhaps...

Commissioner Anderson: Just a drawing just to get a visual on it on camera; that's a dangerous intersection, it doesn't have any shape, way, or form and its very confusing, so I'm glad that's being taken care of.

Mr. Behar: This in this location, correct.

Commissioner Anderson: Right, that's correct.

Mr. Garcia-Serra: Juan, if I remember correctly we are doing, if you could come up please, I think we are doing a right turn there, we don't have a drawing right now.

Commissioner Anderson: You don't have a drawing, OK, maybe on Second Reading if you can bring that, that would be fine, that's not a problem.

Mr. Garcia-Serra: But correct me if I'm wrong, the improvement is a right turn lane off of Greco onto LeJeune, correct? OK, and also the extension of the median along LeJeune Road also.

Commissioner Anderson: That would be great, when you come back.

Mr. Garcia-Serra: We will. And we have three requests before you today; what we've talked about already...

Mayor Slesnick: You are bringing the median down?

Mr. Garcia-Serra: The median – yes; the median is being extended further south with landscaping as far as...will permit, there is sort of back and forth with...as far as how far that median will go.

Mayor Slesnick: At the developer's expense?

Mr. Garcia-Serra: Correct. We have three requests...

Mr. Behar: ...the developer's expense.

Mr. Garcia-Serra: We have three requests before you, the amendment to the previously approved site plan, which we discussed already, then the second request has to do with the alley that abuts the property, and the third request has to do with affordable housing which we discussed already. I have one graphic here which talks about the alley, which will help clarify what we are doing there. As you can see the subject property again outlined in yellow, and what we have here shaded in brown is what formally was a public alley. Now this alley was vacated by Ordinance No. 1515 in December of 1965, and with the requirement that it be kept open for public access, but could be closed at the discretion of the property owner on the condition that the property owner were to convey or grant public access over Lot No. 10 here. They were essentially mimicking what was done earlier that year with the other end of the alley, this was done at about July of '65 when vacated and enclosed this section, in exchange for the granting of access over this lot so you could have a sort of, you know, horse shoe effect here so that these property owners would still have alley access and access to it from Granello. What we are asking you today basically to do is modify Ordinance 1515 so that instead of Lot 10 access being granted over Lot 10, it's going to be granted over Lot 9. We'll still have access to the alley from both ends and have that sort of horse shoe effect type of alley, but the reason we are asking for Lot 9 instead of Lot 10 would be to have direct access then from Ponce. Our drive in the project would connect both Granello and Ponce. So when you are entering Granello you have access either to the alley or you could shoot straight to Ponce, and this is something that was deemed desirable both by the developer as well as the Public Works Department as far as traffic circulation in the area. So that's basically what you have before you on First Reading today, which is the modification to Ordinance No. 1515 dealing with alley access so we grant access over Lot 9 as opposed to Lot 10.

Commissioner Withers: Mario, may I ask you a question about affordable housing, are you finished with your presentation?

Mr. Garcia-Serra: Almost – I'm going to talk about affordable housing now. If you remember when the old Gables Gateway project came before you for approval back in 2006, a condition of that approval was for that project to comply with whatever affordable housing requirements were adopted by the City within a year of issuance of building permit. In the meantime there have no affordable housing requirements adopted, but we do expect for them to be adopted, let's say within the next year's timeframe. My client had a desire to get something that was not so open ended, to get a more definite and firm commitment as to what his obligation was, but at the same time help address the issue because we know its an issue the City is facing. So we worked with staff and the agreement that we've come to with staff is that we will provide fifteen percent (15%) of our units, thirty-five units, as was considered an attainable or affordable housing rent,

monthly rental amount, which is basically based on the median income of Coral Gables. So for those fifteen percent of those units, for those thirty-five units, there will be a rent based on thirty percent of a hundred percent of the City's median income, and I've got another graphic here to help illustrate that. As you can see here we have the City of Coral Gables median income for 2006, which is the last year for which we have numbers, and it was seventy-nine thousand and thirty-three dollars for a four person family. We divide that to the proper ratios to the one and two bedroom units, which is what we are going to have in our project, and that's a household of either one point five persons for a one bedroom, or three persons for a two bedroom, and we get these median family incomes of fifty-nine thousand two hundred and seventy-five (\$59,275), and seventy-one thousand one hundred and thirty (\$71,130). We then take thirty percent of those yearly incomes to determine how much should be paid for housing and it comes out to seventeen thousand seven hundred and eighty-two (\$17,782), and twenty-one thousand three hundred and thirty-nine (\$21,339). We then divide those by twelve to get the monthly amounts, and it comes out to rents of, in today's dollars one thousand four hundred and eighty-two (\$1,482) for a one bedroom, and one thousand seven hundred and seventy-eight (\$1,778) for a two bedroom. The next line you'll see indicates what's our market rate, what we will be renting out those units to the general public for, which are not – do not have this attainable housing regulation on them, and its anywhere depending on the size of the unit from one thousand nine hundred and sixty (\$1,960) to two thousand three hundred (\$2,300) for the one bedroom; and twenty-four hundred (\$2,400) to twenty-seven hundred (\$2,700) for the two bedroom depending on the size. So the savings that there will be for those thirty-five units is four hundred and seventy-eight dollars (\$478) approximately for a one bedroom, and six hundred and twenty-two dollars (\$622) for a two bedroom. And we then tried to figure out what's going to be the impact of this requirement on us as a developer, and we think our best estimate on the net present value on the loss rental income over that fifteen year period comes out to approximately two million dollars (\$2M). Now of course this is isn't an easy financial impact for anyone to take, and we got into discussions with the City as to how we could possibly mitigate this impact, and the product of those discussions was an agreed upon condition of approval whereby essentially our building plans would be expedited in the permitting, and what that condition would permit us to do would be to either use a private provider as is permitted by State Statute, or do what's called parallel permitting which means that all the disciplines – spread up your plans and all the disciplines review your plans at the same time so you don't have to go in sequential order from electrical to structural to zoning or whatever it is; and also put timeframes in there by which we have to receive comments from City staff, and then also timeframes by which we have to respond to those comments, so as to try to stay on a somewhat expedited schedule. That we considered to be an appropriate incentive considering the fact that we are putting forward this affordable attainable housing units on the market without there necessarily being the requirement right now in the Code.

Mayor Slesnick: And David, does the City Administration have a problem with these requests?

City Manager Brown: We do not. We've met extensively on it; we believe we can fulfill those requirements.

Mayor Slesnick: Is there a way that we can do legally, and I'm not suggesting you may know the answer right now, but I'm not, maybe you do legally and practically to give priority to renters and the affordable units to public employees, teachers, Police Officers, Fire Fighters.

Mr. Garcia-Serra: We've looked at Gables Residential does extensive affordable housing project across the country, or not necessarily its always the same, its always a percentage of one of their projects has attainable affordable component, and it is permissible to have preferences in there for public sector employees, let's say that sort of preference built into the program, which we could make a condition of this approval.

Mr. Betancourt: As a matter of fact in the condition it does read that attainable housing requirement 2(a), priority shall be given to the City of Coral Gables senior citizen residents and public sector work force.

Mayor Slesnick: Commissioners.

Commissioner Withers: Don, can I chime in on this? I guess, this is kind of new territory for us in the City, and I think it's a little easier managing rail units than it is condominiums as far as affordable housing, I think it would be, I don't know, as far as re-sales and who buys it and who owns it. But I really think that we should maybe look at David, I don't know if its our committee on property or something adjunct out of Liz' office, but I think we really need to come up with some criteria and some group that kind of works with you in overseeing this. I don't know if there is affordable housing commissions that are set up, is there a model out there that cities do our counties do, but if we've got another eight hundred and some to complete over the next eight or ten years, I just see a huge task out there managing the whole affordable housing effort. I'm sure there is a cost associated for the City to manage it. Is the onus on the developers?

City Manager Brown: You hit it on the head, and Eric will speak to it, but its not our intent to have the City to manage the workforce housing program, but the developer – each developer that puts in fifteen percent, or how many percent, of the workforce housing will be responsible for the County reporting requirements, and then we'll be a copy on that. Mr. Riel.

Mr. Riel: Further condition for approval, the management at all cost monitoring are going to be borne by the applicant, and an annual report is required to be submitted to the department, the Planning Department for review ensuring the income levels and what-not. We've already discussed that with the applicant, and actually they are going to retain someone to assist them.

Commissioner Withers: No, that's for their project, I understand that, but these are thirty-five units out of nine hundred...what was our requirement?

Mr. Riel: Four thirty-seven.

Commissioner Withers: I thought we had a total requirement of nine hundred.

Mr. Riel: Four thirty-seven, no, and with these thirty-five we are at about three ninety or three ninety-five.

Commissioner Withers: So conceivably there could be another ten or twelve, or fifteen projects to fully compensate what we need.

Mr. Riel: It's something we need to look at as we get more and as we develop our program, and we have to do it....

Commissioner Withers: And that's my whole point, as we develop the program, and that scares me a little bit, and that's why I really think I would like for you to come back to us with an already developed program as to where we would like to see it, and how we would like to see it, and if its one of our Boards that oversees it, or if it's a staff function that oversees it, if its Liz' office that oversees it, but I just see this, I guess I'm not real comfortable with us doing this as a City and managing affordable housing; I don't know if there are private groups out there that we can hire to manage affordable housing and have the developers pay into a super fund to pay that, that would be the model that I think would be probably a little more digestible, instead of you having to do it, you having to compile these ten or twelve reports, or ten or twelve developers each year, I'm sure there are firms out there that do that, and part of their money that they pay in their management fee, or whatever it is, to manage these funds maybe a certain portion of that is dedicated to that; I just think we need to get a handle on this as we move forward, if not I think its going to be...

Mr. Riel: I agree with you whole-heartedly, that's what we – when we developed the regulations, we will have a management administration portion of that, that comes with the regulations that will be part two, absolutely.

Commissioner Withers: Can we look at third partying it out?

Mr. Riel: Absolutely – in fact we are in that process right now.

City Manager Brown: That would be the better way.

Mayor Slesnick: Do we have a motion, Mr. Clerk.

Commissioner Anderson: I'll move that.

Mayor Slesnick: This is an ordinance on First Reading, this will come back Second Reading; again as a footnote to this discussion the citizens have heard various questions and issues raised by the Commission they would be responded to hopefully by Second Reading. Ms. Anderson has moved it, do I have a second?

Vice Mayor Kerdyk: I'll second it.

Mayor Slesnick: Seconded by Mr. Kerdyk, this is item E-2, any further discussion?

Mr. Clerk

Commissioner Anderson: Yes
Commissioner Cabrera: Yes
Vice Mayor Kerdyk: Yes
Commissioner Withers: Yes
Mayor Slesnick: Yes
(Vote 5-0)

Mayor Slesnick: And as to Item E-3 that will again be brought forward if we pass it on E-2, that resolution then will be passed concurrently with E-2 if we pass it.

Mr. Garcia-Serra: Exactly, at Second Reading in April.

Mayor Slesnick: But you said you had three issues, now I heard the three issues, but did you think there were three items on our agenda.

Vice Mayor Kerdyk: No, that was part of the site approval.

Mr. Garcia-Serra: Exactly, exactly, the modification of the previously approved site plan, its both for the modification of the site plan and the condition regarding affordable housing.

Mayor Slesnick: And those are incorporated in the two items we have.

Mr. Garcia-Serra: Correct.

Mayor Slesnick: OK – didn't want to miss something here.

Mr. Garcia-Serra: We are good for now. Thank you very much.

Mayor Slesnick: Now, the other thing is, can we give you all these packages, unless the Commission wants to keep them, I mean, kill a few less trees.

[End: 10:50:08 a.m.]