

**City of Coral Gables City Commission Meeting**  
**Agenda Items E-4 and E-5 are related**  
**October 24, 2023**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Vince Lago**  
**Vice Mayor Rhonda Anderson**  
**Commissioner Melissa Castro**  
**Commissioner Ariel Fernandez**  
**Commissioner Kirk Menendez**

**City Staff**

**City Attorney, Cristina Suárez**  
**City Manager, Peter Iglesias**  
**City Clerk, Billy Urquia**  
**Assistant City Attorney, Stephanie Throckmorton**  
**City Planner, Jennifer Garcia**

**Public Speaker(s)**

**Jorge Navarro**  
**Ray Fort**  
**James Dockerty**

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Agenda Items E-4 and E-5 are related

A Resolution of the City Commission approving receipt of Transfer of Development Rights (TDRs) pursuant to Zoning Code Article 14, "Process," Section 14-204.6, "Review and approval of use of TDRs on receiver sites," for the receipt and use of TDRs for a mixed-use project referred to as "4241 Aurora" on the property legally described as Lots 12 through 22, Block 6, Coral Gables Industrial Section (4241 Aurora St), Coral Gables, Florida; including required

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City Commission Meeting  
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Agenda Items E-4 and E-5 are related - Resolutions of the City Commission approving receipts of Transfer of Development Rights for the receipt and use of TDRs for a mixed-use project referred to as 4241 Aurora and approving Mixed-Use Site Plan and Conditional Use review for a proposed mixed-use project referred to as 4241 Aurora.

conditions; providing for a repealer provision, severability clause, and an effective date. (09 21 23 PZB Meeting - Board recommended approval, Vote: 7-0)

Lobbyist: Jorge Navarro

Lobbyist: Devon Vickers

A Resolution of the City Commission approving Mixed-Use Site Plan and Conditional Use review pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for a proposed mixed-use project referred to as "4241 Aurora" on the property legally described as Lots 12 through 22, Block 6, Coral Gables Industrial Section (4241 Aurora St), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (09 21 23 PZB Meeting - Board recommended approval with conditions, Vote: 7-0)

Lobbyist: Jorge Navarro

Lobbyist: Devon Vickers

Mayor Lago: Moving on to E-4.

City Attorney Suárez: Mayor, E-4 and E-5 are related. I'll read them together so we can consolidate the public hearing. E-4 is a resolution of the City Commission approving receipt of Transfer of Development Rights pursuant to Zoning Code Article 14, "Process," Section 14-204.6, "Review and approval of use of TDRs on receiver sites," for the receipt and use of TDRs for a mixed-use project referred to as "4241 Aurora" on the property legally described as Lots 12 through 22, Block 6, Coral Gables Industrial Section, Coral Gables, Florida, including required conditions; providing for a repealer provision, severability clause, and an effective date. E-5 is a resolution of the City Commission approving Mixed-Use Site Plan and Conditional Use review pursuant to Zoning Code Article 14, "Process," Section 14-203, "Conditional Uses," for a proposed mixed-use project referred to as "4241 Aurora" on the property legally described as Lots 12 through 22, Block 6, Coral Gables Industrial Section, Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. These are quasi-judicial items, so please disclose any ex-parte communications.

Jorge Navarro: Good morning, Mr. Mayor, Commissioners.

Mayor Lago: Excuse me one second.

Mr. Navarro: Of course.

Mayor Lago: One second.

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City Commission Meeting

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Agenda Items E-4 and E-5 are related - Resolutions of the City Commission approving receipts of Transfer of Development Rights for the receipt and use of TDRs for a mixed-use project referred to as 4241 Aurora and approving Mixed-Use Site Plan and Conditional Use review for a proposed mixed-use project referred to as 4241 Aurora.

Commissioner Fernandez: I did have conversations.

Mayor Lago: One second. Mr. Clerk.

City Clerk Urquia: Mr. Mayor.

Mayor Lago: One second. We -- for anybody who's had ex-parte communications on the Commission, I've had conversations with the applicant, and I've had conversations with residents. And I imagine you can pull my public records and my emails and I've probably received a litany of different emails in regards to this application both -- on both sides of the issue. Madam Vice Mayor.

Vice Mayor Anderson: Same here. I've had plenty of conversations. You've heard me make comments on some of the height issues as well as the green space issues. We've talked about many other issues regarding this project, both with the applicants, their attorneys, residents, been to the Sunshine meetings, very well vetted out.

Mayor Lago: Thank you. Anyone else?

Commissioner Menendez: I have...

Commissioner Castro: I've had communications as well. We've met (INAUDIBLE) and everybody else, spoke to residents about this project as well.

Chair King: Same here.

Commissioner Fernandez: And as did I.

Mayor Lago: Mr. Applicant. Yes, sir.

Mr. Navarro: Great. Thank you, Mr. Mayor, Commissioners. For the record, Jorge Navarro, office at 333 Southeast 2nd Avenue, here on behalf of the applicant. I know it was a lot of discussion about the trade-off for height and open space. As was mentioned, similar discussion occurred at the Planning and Zoning Board. We hope to be able to show you the benefits of what this legislation does by comparing what we had originally proposed from what is currently proposed. This applicant and our team has done an extensive outreach program, started over a year and a half ago. We've had three workshops. I know there's been some Sunshine meetings. Overall, this project's been very well received. Obviously, some people have questions that we've worked to answer, but overall what we've done -- and I'll have Ray Fort from Arquitectonica walk you through this -- is -- if you go to the slide three for me, Ray. So, this is the site directly across from Nordstrom on San Lorenzo. It was previously approved for the Merrick Park Hotel, and this

was a 135-unit hotel with event space, meeting areas, ballrooms, restaurants, and ground floor retail. And at the time -- if you go to slide four, Ray, for me -- this project was built as all the other projects in Merrick Park are built. It's built property line to property line, and we line that property line with a covered arcade. There is limited to zero green space on this plan. This plan was actually done under the prior code before the City Commission, which I thought was a very, very good decision, was to require the ground open space at the ground level because this project was satisfying it at the upper levels. We had come in to design a typical residential project that you'll see in one of our renderings that we had designed. But as part of this outreach process, we saw that there was a demand to have more open space. While Merrick Park is very walkable, it's a very mixed-use community where people work, they play, they shop, they dine. It has very limited green space, almost none. The only green space is the private areas within the mall that are mostly paved or have outdoor dining. So, we went in and redesigned this project in order to find a way to maximize the ground-level open space without increasing the FAR and without increasing the density. And as Ray will show you, we've been able to reduce our density from what we originally proposed by over 50 percent. We have gone from approximately 180 units down to only 80 units. And we're looking at ways to further reduce that density as well, still actively. And we've also been able to redesign our ground level open space -- we talk about a very urban area where there's not very large pieces of property, this property is less than half an acre, to accommodate a 5,000 square foot public park with lighting, walking paths, shade trees, and we want to participate in the Art in Public Places program that the City has to actually provide art on this park. So, with that, just to highlight, this project was reviewed by your Planning and Zoning Board last month. They recommended 7-0 in support of this project. We also have submitted 40 petitions into the record from business owners, property owners, residents of this area between Bird and US-1, between Ponce and Le Jeune, in support of this project. And I think after Ray finishes his presentation, hopefully, you'll be able to see visually why there's support behind the changes that we've made. So, with that, I'll introduce Ray, and he'll walk you through the project.

Ray Fort: Good afternoon, my name is Ray Fort, with Arquitectonica, located at 2900 Oak Avenue. I think I'd like to start here with discussing some of the context because the placement of the open space is not really an arbitrary one and that we always have to think about the location of these open spaces with context to where we are. And so, the site is located off of the corner of San Lorenzo and Aurora with Altara to the north side. And there's a little alley that is actually splitting the block where there are commercial buildings that front Ponce de Leon. And San Lorenzo is a street that actually runs through Merrick Park, as we all know. So, it really becomes a connector street to get into the mall. And Salzedo to the north side actually dead ends in the -- sorry, it goes through the park as well, but we have this condition where we're uniquely positioned off this corner that creates this entry experience into the mall itself and is a natural point to actually pull the building away and create additional green space. And I will just say just generally in the context of green space and being somebody who generally likes to study urban and urbanizing areas in development that parks are a very important part of it. When you think about the cities of the world that are mostly built out, take New York for example, that has about 1,700 parks, but that's a lot of people in that city. You look at London and it has 3,000 parks, more than 3,000

parks. And you could actually see a pretty drastic difference in when you go visit these places, how green they are. New York is quite, you know, concrete and urbanized and paved over. You go to London and almost every corner you get a park, a little park here, a little park there. And the park size almost doesn't even matter because you feel that the quantity of parks being provided, you're sort of meandering through this park-like city. And so, I think that whenever a project looks to create green space or open space, collectively, once you have that mentality within a region or a city or an area, it goes a very long way because it adds up project to project to project. So, I think that when we think about adding even 5,000 square feet of green space in a project like this, it goes a very long way collectively through that way of thinking. And as you can see with the previously approved project, there was no green space whatsoever. So, when you look at the context, it's an unimproved parcel of land. And actually, when you walk out of Merrick Park at this junction here and you're looking eastbound, you're looking at the back of house of the shops that are fronting Ponce de Leon. So, it'll create also a more completed -- a complete street, as we call it, in this area by having a park and a building, and you're building out your frontages. These are just some aerial images just to show you some of the context, but the size of the building, the height of the building when placed in that context is really consistent with what we see in the area. And in fact, by making the building a bit shorter, we're kind of opening up the light and air around it to the surrounding buildings. But you can see -- I'm just going to toggle back and forth where the site in yellow is and the proposed massing. This is just a massing model, it's not a rendering. It's consistent with what we see contextually. And really, it's the ground floor, I think as we were discussing earlier, that you experience the biggest change when allowing this to happen. So, the green space is located off of the south end of the property, on the corner of San Lorenzo and Aurora. The hatched area is where the proposed building would go. We're proposing retail at the ground floor to activate those frontages, and it's mostly oriented towards the south and west sides of the property with the residential lobby off the north corner, which is where we see other residential buildings and more of a residential street, so matching entrances with entrances, commercial with commercial. And there still is a covered arcade space that links to the park and essentially provides that connector from where the retail is to the corner of San Lorenzo and Aurora. Additionally, as we move up in the building, we didn't want the garage to simply just be fronting that park space. We felt it was actually a better solution to have a liner, and specifically, a liner of office on this -- on that side of the garage so that there's activated space even on the first couple of floors above that green space. And you can imagine that for an office user that being on a park is a very nice amenity. If we look at some examples, even right here in Miami, that you may be familiar with, there's -- on the -- in Coconut Grove, for example, there's the 2840 Tigertail office building, and there's a couple of restaurants there, I think Sadelle's and KOKO. I'm not sure if everyone's familiar with that zone, but there's a little pocket park there. It's actually about this size. And by creating a couple of mixed uses that front an open space, you actually create a very lively environment. And that plaza has been completely transformed, and previously it was a parking lot, a completely open parking lot, and people would use it to walk their dogs and whatever, but it wasn't really a proper public space. And the result of creating a designed public space off of that corner has completely transformed that intersection. It's gone from being the back of Coconut Grove to actually a front entrance to Coconut Grove. So, as we move up in the

building, you can see that the units are mostly larger units. I don't know if you can see it on the scale that you're seeing it, but these units range from one-bedroom units all the way up to three bedroom plus, then units to over 2,000 square feet. And as George mentioned, the density is much lower than what's permitted on the site itself. The rooftop is an amenity floor, so it has a pool deck, some interior amenities, excuse me, some outdoor amenities. And this would provide some also spectacular views of the surrounding areas. I'm going to jump to the elevations. And this is the current proposed elevation, but I think it's more helpful to see it in context of what we could do today, which is the elevation at the top of the page, and what we are proposing. And the hatched red zone here is the amount of open space gained not just at the ground level, but at the upper levels as well. This is a full volumetric shave that we're doing and displacing it at the top of the building. I think that the comparison between the two is quite similar. The podium doesn't change in height. The building is still broken up into two massings. In fact, there're smaller massings than what you would have as a single volume. And generally, providing more light and air on the south side, I think, is a benefit on all fronts. So, looking at a rendering as you are exiting Merrick Park, looking down Aurora and San Lorenzo to the right, you have this green space in the foreground that is effectively covering the podium with the canopies of the trees. This is a view looking into Merrick Park, and you have the proposed open space in the foreground of the image that is opening that up, and you can see the office entrance on the right side and the shops and the arcade that are on the ground floor. And then, this is a view, just a slight aerial view, so you can kind of look into the park and see what's going on. But what we are proposing is to keep it very much like a park-like setting. It would include art, you know, grassy areas, elevated grassy areas that almost function like a bench. I think that providing these type of informal spaces where someone can, you know, walk up into it and not necessarily be a patron of a store, but just be a resident in the area and use this space that -- and use this knee-high wall to contain some more dirt and have some larger trees is quite a feature. And mixing it with some outdoor seating associated with some of the -- maybe the shops or restaurants that might be there, kind of gives it that liveliness that we like to see in these types of spaces.

Commissioner Menendez: Forgive me for asking. So, that green space, open space, will be facing what direction of the property? Just to get my bearings.

Mr. Fort: In this view?

Commissioner Menendez: Yeah.

Mr. Fort: In this particular view, you're looking -- this archway in the background is the entrance to the North Park...

Commissioner Menendez: The Nordstrom?

Mr. Fort: That you're looking -- Nordstrom is on the left side of the page.



Commissioner Menendez: Okay, got it.

Mr. Fort: So, you're looking east -- westbound in this image.

Commissioner Menendez: Westbound, okay, thank you.

Mr. Fort: Excuse me, I kind of lost the part of this screen here. Close window. Check that out. Okay, great. And then when we look at the north side of the building, this becomes the residential lobby entrance. We've separated the podium from the upper floors intentionally to create that street wall condition that makes it very apparent that you're completing the street, establishing a base, a middle, and a top of the building, the classical order that we like to see in Coral Gables. The amenity floor is highlighted with an additional volume that highlights and crowns the project. And lastly, I'll just end on a landscape plan that shows that there will be street trees along all the frontages, the arcade, and then the green space that is designed as a way to mimic -- excuse me -- the natural flows of people, how we envision them using this park. So, creating this diagonal path off the corner, establishing a large zone of green with that stepped planter that I showed in the rendering, and then a separate island for a sculpture that is just off the corner, but still visible from the corner to essentially highlight and mark that intersection. So, with that said, I'd be glad to answer any questions you may have.

Vice Mayor Anderson: I do have a question for you. The park itself, was that presented to the Planning and Zoning Board, or is that an aspect that's going to be designed at a later point in time?

Mr. Fort: The park was presented in plan, but at the time some of our images did not match. We had a slightly different planter detail for the shape of it. So, since then, we took their comments in and we lowered the planter wall to create more accessible green space directly from the sidewalk.

Vice Mayor Anderson: Okay.

Mr. Navarro: And Madam Vice Mayor, one of the things we did as well, there was some comments from some of the board members for us to work at trying to reduce the amount of pavers that we had over green space. So, this updated plan that we have, we've worked on since Planning Board in order to change paver for green space, you know, actual green space. So, this is the updated plan and it incorporates those comments. And I think it's more consistent with the requirements and the legislation that was considered and adopted about the percentages of green area to paver material.

Vice Mayor Anderson: Yeah, I know, because people want places to walk their pets and stuff. You know, when the Villa Valencia was designed, there was a community meeting and there was more input on desires for the park design. So, you know...

Mr. Navarro: Yeah, and this is all conceptual. During the actual permitting process, we'll work with your City Open Space Department as well, but this is our proposed design. We think based on the meetings we've had, the workshops we've had, we understand that people want a place to sit and gather that's green as well, and that's also activated. So, it's consistent with what's there, and I think what Ray and his team have proposed with this elevated planter where it's still usable but also a sitting space...

Vice Mayor Anderson: Right.

Mr. Navarro: I think it's something that's very cool.

Vice Mayor Anderson: Yeah. I just -- I hadn't heard the input from the neighbors, so to speak, yet about the park design. And I know that when we did Villa Valencia, the park itself was brought back at a separate point in time. So, that's really what I'm driving at right now. So, before we put the final bow on it, I'd like to hear more from the neighbors regarding the park design itself, not the building, okay.

Commissioner Fernandez: To your point, I think even looking at it from this angle, I would agree with the Planning and Zoning Board. I think there's a lot of pavers. There may be some tweaks that can be made, but I think I agree with the Vice Mayor, getting the community's input on what the best use would be and the best design would be a good idea. What's the square footage of the park?

Mr. Fort: It's approximately 5,000. I think it's a few feet short. It's like 4,900.

Vice Mayor Anderson: And the pavers are going to extend into the alleyway, which is not counted as part of the park space.

Mr. Fort: Correct. Yeah, that's not in the square footage of the...

Vice Mayor Anderson: Of the park space. So -- but it sort of visually gives that appearance because you have pavers going all the way across.

Mr. Fort: That's correct.

Commissioner Fernandez: What, you're saying the sidewalk?

Mayor Lago: Can you --? Just give me one second. Can you blow up that -- the park, please?

Mr. Fort: Yes.

Vice Mayor Anderson: Just the park. Drag it over.



Commissioner Menendez: There we go, a better view.

Mayor Lago: And those -- and those chairs right there.

Mr. Navarro: These?

Mayor Lago: Yeah.

Mr. Navarro: Yeah, we -- so the original proposal at 25 percent of the park, we've reduced it down to 10 percent. So, I know that...

Mayor Lago: You and I...

Mr. Navarro: Mr. Mayor, you asked us to...

Mayor Lago: You and I had many, many conversations.

Mr. Navarro: And we've gone down from 25 to 10 percent, so we've drastically...

Mayor Lago: And the park is not your amenity.

Mr. Navarro: Correct. This is just...

Mayor Lago: And I like you and it's very nice. I understand that, but at the end of day, it's not your amenity. Sorry, I'm being so front about this, okay. To me, get rid of all the pavers, just like I did with Publix. When Publix comes here, I will show you the four years of iterations. We started at 10,000. We ended up at 20,000 square feet. I know my City Attorney's having a heart attack, but that's good. It's good we have these conversations up here, okay? We're going to have them in the Sunshine. So, my point is I need you to remove the pavers. I need you to remove the chairs. If you want to have seating, it's fine. You and I had talked about it. It's against the building. Against the building, you can put maybe two chairs, you know, a table with two chairs is perfectly fine. This has to be something that is calling people to use it and it doesn't look like it's landscaping for the City.

Mr. Navarro: So, just on that point because...

Mayor Lago: And I'll give you an example. Let me just give you an example.

Mr. Navarro: Of course.

Mayor Lago: Give you an example. This is not the first time we do this. You're not being held to a higher standard. You're not. Villa Valencia, it's the same thing we did there. They have all green space, beautifully landscaped. They have huge oak trees there. They don't have small oak trees. They have huge oak trees that they brought, and it's something that it's just well done. It's well done. Look at that example. It's something that we worked on. So, I'm just asking, please.

Mr. Navarro: So, we totally understand those concerns. This area -- this particular retail that we want to have along the park is a usable retail. We want to have so people can get shakes, can go get food, sit down. This will be a seating area that will actually be used by the public. It just happens to be operated by a restaurant next door. The reason this is important is not only are we building and constructing the open space, but we've committed to maintain this open space over time. And in order to provide for the costs that's needed in order to maintain this open space at a very high level, in a very focal level, we need to place those costs on the commercial units. We don't want to make the residential...

Mayor Lago: I understand.

Mr. Navarro: Residents pay for the park. We're putting it on the commercial. We have a very small amount of commercial space.

Mayor Lago: Let me make it easy for you.

Mr. Navarro: So, we would...

Mayor Lago: Let me make it easy for you.

Mr. Navarro: That would be critical for us to try to...

Mayor Lago: Jorge, let me...

Mr. Navarro: Reduce this (INAUDIBLE).

Mayor Lago: Let me make it easy for you. This is easy. Give me the park. The City will own the park. We will maintain the park. You don't have to maintain it. I take that cost away from you. I want the park. I'm going to name it -- I'm going to name it after our City Manager. Here, give me the park. I'll take the park off your hands. I will -- I will -- I will take the park, and we can have it, and we'll take that burden. We'll take that burden off you, and we'll be in good shape, okay? So, that's one less thing that you have to worry about. One less thing you have to worry about.

Mr. Navarro: Okay. That would...

Mayor Lago: Good?

Mr. Navarro: That would...

Mayor Lago: Okay, now let's do this. Let's -- you know, it's not the first time I tell you this. Let's get rid of the pavers. Get rid of the pavers and do something nice that is well done. If you want to have seating, I don't have a problem with seating. It's got to be hugging the wall and it's not in the middle of the park almost, okay?

Mr. Navarro: Okay.

Mayor Lago: So, please, let's do that.

Mr. Navarro: (INAUDIBLE) because I think in this area, outdoor dining, even though most of the year...

Mayor Lago: I get it.

Mr. Navarro: It's not nice...

Mayor Lago: I'm with you.

Mr. Navarro: It's not nice. This time of year is nice.

Mayor Lago: I'm with you, but this is not an amenity for your building. This is a park.

Mr. Navarro: Correct.

Mayor Lago: This is meant to be a park. So, I know that I'm being very forward and people are probably, man, he's being really tough, but I've asked this many, many times. And when other projects come up in the near future, you will see that I'm holding everybody to the same standard. I'm asking this to be a park because we already made a mistake once on a project. We're not going to make it again. But we allowed the developer to own the piece of property, and then now it's not, you know, being held to the standard. If you look at Codina's project, that's our land. If you look at what's forthcoming with Publix on Andalusia, that's going to be our land. When you look at everything we're trying to move forward with projects, we're going to do it in a way that the City -- it's a City-owned park. If we come to an agreement where you maintain it, which would be spectacular if you want to maintain it, but if not, I still want control of the park because I still want to make sure that it's always, in perpetuity, part of the City's trust, and it's up to our standards, okay? So, in regards to this, I don't have a problem moving forward today. I know staff has to give their presentation. We still have public comment, I got it. But I'm just asking for the next time we have to come around here to discuss this -- one time? Okay, fine, no problem. But I want

it changed, and I want -- I'm going to -- I will vote -- I will vote no. I will vote no if I do not get what I think is important, okay?

Mr. Navarro: And that's consistent with our commitment because our commitment is even though we would like to have a small piece to have outdoor dining, our intent is that this is a public park.

Mayor Lago: I told you.

Mr. Navarro: It's not going to be a private amenity for us or anything. We do want, like I said, a portion for outdoor dining, but the intent is for it to be public. So, I think...

Mayor Lago: I just don't want...

Mr. Navarro: My client has no objections with...

Mayor Lago: Mr. Navarro, I just don't want...

Mr. Navarro: Dedicating this to the City.

Mayor Lago: I don't want there to be a situation where there's outdoor dining and then you have somebody sitting there. And then they say, well, you can't sit here because you're not eating or you're not doing something. This is an amenity. You want to put seats, put them against the wall. You can do a little sidewalk that is, you know...

Mr. Navarro: And we can work with the City as well...

Mayor Lago: Runs parallel -- runs parallel to the building.

Mr. Navarro: To accommodate it around the frontage.

Mayor Lago: And you could have a little area where diners can sit down. Then you can have staff, maybe another two feet over, you know, they can walk in that area. They can deliver food. They can deliver drinks. It's fine. But I don't want it to encroach onto the property because this is going to be a real park. It's going to be a real park, okay?

Mr. Navarro: We understand.

Mayor Lago: Yep.

Vice Mayor Anderson: Mayor, I mean, that's consistent with my concerns because the outdoor seating was not a piece that was addressed with the residents in the area. They're looking for green space. I think the first meeting we also had a little area where they would be fenced off, perhaps

for small little dogs or something of that nature because there just is not anything in the area. So, I do think that that piece needs to be separately discussed with the neighborhood as far as what they would like to see in the park. We can all dream our dream. We don't live there, though. And I would like to hear what those folks would like in their neighborhood. And you know, that was part of the evolution of Villa Valencia. People in the neighborhood wanted a dog park. They did get a dog park, not as big as they wanted. I think the input should have happened earlier on that one to develop the proper plan. You know, the folks that were in the City at that time, you know, put in a structure into the park, which kind of used up a lot of greenery park space. We need more community input on the park, period.

Mr. Navarro: Yeah, you know, we're totally open to that. We've had a great relationship with the residents. We've met with them many times. And if you look at the first iteration of the park, I think going to the Mayor's comments, it looked more of like a private outdoor dining area.

Mayor Lago: A plaza.

Mr. Navarro: Like you would see, like a plaza. But over time, I mean, you've seen our commitment to work with the residents. I mean, this plan is substantially different from there, and I'm sure it's going to get better as we continue to get resident input on it.

Mayor Lago: Could we have staff come up and please provide their presentation? Thank you very much.

Mr. Fort: Thank you.

City Planner Garcia: Good afternoon.

Mayor Lago: How are you?

City Planner Garcia: Jennifer Garcia, City Planner. Can I have the PowerPoint, please? Thank you. So, the location, as we all know, is on Aurora between Altara and San Lorenzo on the west side of that Block 6. Looking at an aerial, the lot right now is all vacant. The land use is industrial use and the zoning is MX2. Existing conditions, of course, is the vacant land right across the street from the Shops at Merrick Park. So, they had two requests. They're requesting the transfer of development rights or TDRs to be able to receive development rights into that property and also the mixed-use land use -- sorry, the mixed-use site plan review, which is required for any property 20,000 square feet or more. So, the TDRs, they're requesting 25,812 square feet of TDRs to be received on that property. And the mixed-use site plan is, as we know, a park, 4,922 square feet of a park. They have ground floor retail facing the park as well as to the west on Aurora. They have a residential lobby and residential spaces on the ground floor of the corner, and they have all their vehicular back-of-house stuff next to the alley. So, the building site is 29,500 square feet, or a little more than one -- sorry, a little more than a half an acre. They're proposing 26 percent of

the property to be open space. I believe 60 to 70 percent of it is the actual park itself and the remaining 10 percent is found in arcade areas and on the right-of-way. They're proposing right now 80 units total. FAR, they're maxing out at 4.375 if they're able to receive those TDRs. And the maximum building height that they're proposing is 300 -- sorry, 137.5 feet. Their parking is all located on site. They'll be parking 136 spaces on site. It was reviewed by DRC back in September of last year. It was reviewed by Board of Architects several times that they had a neighborhood meeting back in June. The Planning and Zoning Board recommended approval, 7-0, back in September, last month, and here we are (INAUDIBLE) for City Commission. There were letters mailed out to property owners within a thousand feet of the property and within 500 feet within the City of Miami. That was mailed out three times, neighborhood meeting, PZB, and for today's meeting. The property was posted three times as well. The website was posted four times and there's newspaper advertisement twice. Staff determined that this is consistent with the Comp Plan and it complies with the Zoning Code as well and recommends approval based on conditions of approval. Those conditions are outlined in your exhibit for the resolution. But in summary, there's restrictions on the park that needs to be open between dawn and dusk. Construction staging needs to be off of the sidewalks so you can be able to have that sidewalk open for pedestrian flow. Underground utility lines throughout the entire alleyway. Landscape requirements would go beyond the requirements of the Zoning Code. Streetscape improvements on San Lorenzo, Aurora, and Altara, as well as pedestrian crosswalk on Ponce and Altara. And let's see. And the final design, as you can see, we're still kind of finalizing what the design should be. If the Commission feels it's more appropriate to have the design have more public input, we can also add that in as a condition of approval. And there -- to modify the alley as well. The traffic impact study showed that with the egress of the parking garage being so close to the alley that they recommended that the alley be modified to be one way. And that's it.

Mayor Lago: Okay, I was just speaking with my City Attorney -- with our City Attorney. In regards to the legislation that we approved, it says that the developer will own the prop -- will own the project. I request, you know, I know the sponsor was the Vice Mayor, but as we move forward, I would like to see -- and the developer was amicable to this -- that the City own the property and that it become a City asset. And that's an ask that I make. In regards to the seating, I know that it's 10 percent. As per the legislation that we approved, I ask for us to please at least push the seating a little further away from the park so that it's not encroaching into the park.

City Planner Garcia: Yes, absolutely. So, this is a site plan approval, so any more restriction the Commission feels is adequate, we can write that as a condition that they would have to abide by that.

Mayor Lago: So, I ask that the Vice Mayor -- you know, I know it was your legislation, just to please consider that because...

Vice Mayor Anderson: What I'm trying to do here is find where we need to tweak the language.



City Attorney Suárez: So, the language in the legislation that you all just approved is what you're looking to tweak? So, you're thinking of a...

Mayor Lago: Well, I think we passed that moment. I think we have to take advantage of it now because I don't want to miss the opportunity of taking -- of enjoying a beautiful piece of property that the City I think would benefit from.

City Attorney Suárez: But procedurally, if you all wanted to, you know, make a motion for reconsideration of that vote you could, and then you could amend the approval to change the legislation. It's up to you.

Mayor Lago: It depends on the Vice Mayor at this point.

Vice Mayor Anderson: Well, I mean, first I want to determine if we're all in agreement that the City should own the park, and if so, I'll ask the City Attorney to adjust the language accordingly and we can consider that.

Mayor Lago: Mr. Navarro.

Mr. Navarro: I just wanted to confirm -- I know that -- which I think is a great idea, especially with how open we've been with the community on this -- that we're going to have more collaboration with regarding the park design. I would just ask for the Commission to make that a condition of our CO to have the park.

Mayor Lago: Deeded over to the City?

Mr. Navarro: Correct.

Mayor Lago: Yeah, I don't have a problem with that.

Mr. Navarro: Yeah, so that we have at least for our residential building, while we work on that, get the plans and do the work...

Mayor Lago: That's not a problem.

Mr. Navarro: That it wouldn't hold us up from getting a TCO.

Mayor Lago: Well, I mean, again, you probably want to use that area as a staging area, correct?

Mr. Navarro: Correct, yes.

Mayor Lago: It just makes sense.

Mr. Navarro: So, that would be my only request.

Mayor Lago: I'm not -- listen, we're -- again, we understand the process and you have a long road ahead of you and we want to make it easier on you. We don't want to make it harder on you.

Mr. Navarro: Yeah.

Mayor Lago: I just hate to say it, but I think it's a great piece of property and the City should -- it should be part of one of our assets and we continue to build on the parks. That's been something that I've been working out for 10 years, and I think that that is hopefully, you know, with this piece of property, add to our Parks Master Plan.

Vice Mayor Anderson: So, I'm in agreement on that. So, City Attorney, tell us how to proceed.

City Attorney Suárez: There's different ways. There could be a motion for consideration -- reconsideration of the prior vote and you all can then discuss the item again and any amendments. Or I think since we're making it a condition for CO, it could be approved, you know, if you all -- if the will of the Commission is to approve this site plan today, and then we can bring the legislation back next meeting. It would require two readings to amend the legislation that was just approved.

Vice Mayor Anderson: Okay, so...

City Attorney Suárez: Two options.

Mr. Navarro: We are in favor of you approving us with a condition and coming back to modify.

Vice Mayor Anderson: So...

Mr. Navarro: We have no issues with the request for this park to be dedicated to the City. For us, it -- we would support that.

City Attorney Suárez: And just one practical question. So, City -- the park would be conveyed to the City and who maintains is another question. I don't know if the Manager has...

Commissioner Menendez: Well, don't complicate things.

Vice Mayor Anderson: If we own the land, I think we have better control over it and being able to determine what goes in there. So, I don't have a problem with the City maintaining it at that point. Many of the requests that I hear from -- during these park discussions as we're talking about the development of particular park spaces is, you know, more benches, more things of that nature,

which is going to be determined by, you know, who lives there. So, I don't have an issue with the City taking care of the park. I think it would prevent some additional problems.

City Manager Iglesias: Are we talking about the...

Commissioner Fernandez: And on accountability...

City Manager Iglesias: The developer actually constructing the park and we maintain it. Is that what we're talking about?

Vice Mayor Anderson: Correct, correct.

Commissioner Fernandez: And on accountability, it's easier to have accountability on ourselves on maintaining the park than having somebody else maintain a park that's ours. So, I think I agree with you on that.

Vice Mayor Anderson: Yes, yes. And I think our Parks Department does a fabulous job, and our Landscape Division, as far as designing something beautiful that's responsive to the City's needs. And tastes do change after time. Maybe people want more flowers there as opposed to grass in the future. I -- you know, we can be flexible there.

Mr. Navarro: One item. Since it will be City property and we will be dedicating it to the City, we had envisioned providing our art in public places on that property. If the City doesn't have an objection, we'd still like -- even though it would be City property -- for us to comply with art in public places by installing our work within the public park.

Mayor Lago: Of course. I think it'd be great.

Vice Mayor Anderson: Yeah.

Mr. Navarro: Okay.

Vice Mayor Anderson: It would be.

Unidentified Speaker: That's fine.

Vice Mayor Anderson: So, Attorney, we would revisit the prior in order to get this done?

City Attorney Suárez: I'm sorry. I can't hear you.

Vice Mayor Anderson: In order to have this as a condition of approval, do we need to reconsider?

City Attorney Suárez: So, we either need to reconsider it now or bring back legislation on two readings to amend the legislation -- to amend the ordinance, the text amendment.

Vice Mayor Anderson: Okay, so I'd like to reconsider it at this point.

City Attorney Suárez: So, you were on the prevailing side. You're making a motion for reconsideration of item...

Vice Mayor Anderson: Yes.

City Attorney Suárez: Let me just -- of Item E-3, which was the ordinance providing for text amendments to the City of Coral Gables Official Zoning Code pursuant to Zoning Code Article 14, "Process," Section 14-212, "Zoning Code Text and Map Amendments," to create an incentive program within the Design & Innovation District to allow a maximum building height of 137 feet and 6 inches by providing a park open to the public; providing for a repealer, severability clause, codification, and providing for an effective date. Okay, so that's a motion for reconsideration.

Vice Mayor Anderson: Yes.

City Attorney Suárez: We would need a second.

Vice Mayor Anderson: Do we have a second?

Commissioner Menendez: I'll second.

City Clerk Urquia: All in favor?

The Commission (Collectively): Aye.

Assistant City Attorney Throckmorton: I'm sorry, if I could just clarify when we are ready. Sorry, apologies. The current language of the code is that the construction and maintenance of the park shall be owned privately and reserved for perpetual public use with private outdoor dining permitted up to a maximum of 10 percent of the park area. I believe that's the subsection that you were looking at addressing.

Vice Mayor Anderson: Correct, correct.

City Attorney Suárez: That's subsection D1 of the legislation. And so, it sounds from the discussion that the construction would be by the property owner, the construction of the park, but it would be conveyed to the City and maintained by the City. And what about the outdoor dining? Then there's no allowance for the outdoor dining.

Vice Mayor Anderson: Correct.

City Attorney Suárez: Okay.

Assistant City Attorney Throckmorton: And one thing I just want you to note, we could provide an alternative. So, it could be this that remains, and it could be or constructed and conveyed and maintained by the City.

City Attorney Suárez: That's a very good suggestion. So, we could have either or, if that's something that the Commission prefers, or if you just always want it to be owned by the City.

Mayor Lago: I mean, I always want it to be owned by the City, always.

Commissioner Menendez: And with regards to dining, specifically dining, that's one issue, but if -- I think what the Mayor was alluding to earlier, have places where people can actually sit and have their lunch or a cup of coffee, I want to make sure that that's not precluded.

City Attorney Suárez: So, I think that would go into the park design and that'd be part of the park design.

Commissioner Menendez: Right, yeah.

City Attorney Suárez: That would, you know...

Commissioner Menendez: I don't want the idea of no dining mean that you can't have your lunch there.

Assistant City Attorney Throckmorton: I think you mean dining dedicated to a nearby commercial establishment.

Commissioner Menendez: Commercial, right.

City Attorney Suárez: Correct, what was previously allowed was private outdoor dining.

Commissioner Menendez: Yeah.

City Attorney Suárez: So, that's what is being eliminated.

Commissioner Menendez: Okay.

Commissioner Castro: So, what's happening with the 10 percent? Are we eliminating it?

City Attorney Suárez: I'm hearing from all of you that the intent is to eliminate the 10 percent outdoor dining.

Vice Mayor Anderson: Right, but this would not preclude someone to have benches out there. You can have your lunch.

Commissioner Menendez: Exactly.

Vice Mayor Anderson: Have a coffee. You can, you know, carry it with you just like our mini central park in the area.

Commissioner Fernandez: Is there a process that we go for designing a park and would this then have to go through that process?

Assistant City Attorney Throckmorton: So, I think we would have to note that it would be a collaborative design. And my -- it's my understanding that if the property...

City Attorney Suárez: Typically -- I don't know if the City Planner's here, but typically, the conditions will say -- the conditions of approval for the site plan approval typically says.

City Planner Garcia: So, in the past, there has been some specific language that required the applicant to go back to the community -- that's what we did for Villa Valencia -- to get their feedback and design with the community themselves. Other site plans do not require that extensive public engagement, so it's up to the Commission to decide.

Vice Mayor Anderson: I would like to see the engagement before a design. You know, you can have conceptual designs, have optional designs. I don't want something that's cooked and baked and delivered, you know, without an ability to change it where you're building a structure that people may not want.

Commissioner Fernandez: And I think this -- as I was talking before about improving on legislation, I think this really does because it leaves us as a City with an asset that we can control. A lot of the concern has always been, well, it's really an amenity that the building has. This is an amenity that the City's going to have going forward.

Vice Mayor Anderson: Right.

Commissioner Fernandez: So, be happy to second your motion.

Vice Mayor Anderson: Thank you. That's what good collaboration does.

Commissioner Fernandez: Exactly.



Vice Mayor Anderson: Be it brainstorming on the fly.

Commissioner Fernandez: And thank you for bringing it up.

Mayor Lago: Yes, ma'am.

Assistant City Attorney Throckmorton: That's it. So, I understand that that DI, that provision of the ordinance that is now being reconsidered would read that the construction, some version of this, that the property owner would be responsible for the construction, the following of a design process in conjunction with the City and the public. We could work on that. And that the property would then be conveyed prior to CO and then maintained by the City reserved for perpetual public use. And then we would eliminate the section on permitted outdoor dining, the 10 percent.

Mayor Lago: Perfect, okay.

Vice Mayor Anderson: Thank you.

Mayor Lago: We have a motion and a second.

Commissioner Fernandez: Yes.

Commissioner Menendez: Yes.

Vice Mayor Anderson: Yes.

Commissioner Castro: Yes.

Mayor Lago: Yes.

(Vote: 5-0)

Mayor Lago: Moving on now back to the business at hand. Mr. Navarro.

Mr. Navarro: Mr. Mayor.

Mayor Lago: So, what else do we have for the good of the order?

Mr. Navarro: I know there were some conditions that are being applied to this application. One condition, which may be something new, is that we would ask for the Commission to allow us to develop between a range of units. We actually are thinking of reducing the density further. So, right now, currently the condition is 80 residential units. We would like to be between 64 and 80. So, we're actually asking for the ability to in the future as we work on our floor plans actually further reduce the number of units.

Mayor Lago: What does the Code allow?

Mr. Navarro: 5 percent.

Mayor Lago: No, what I'm saying, what does the Code...

Mr. Navarro: (INAUDIBLE).

Mayor Lago: What does the Code allow in regards to this piece of property?

Mr. Navarro: It's unlimited density.

Mayor Lago: The density amount. Unlimited.

Mayor Lago: Unlimited density. Yeah, I mean, I think we did an analysis. Most of the unit -- most of the developments here are built between 220, 250 units per acre. We're at 117 units an acre right now.

Mayor Lago: Okay.

Mr. Navarro: So, we're almost 50 percent less or more than 50 percent less. But we would like the flexibility. Currently, your Code and the administrative modification process only allows for a 5 percent reduction or a 5 percent increase. We would be asking for a further than 5 percent reduction.

Mayor Lago: Madam Director, through the Manager, do you feel comfortable with this request?

City Planner Garcia: Yeah. I think as long as it specifies it's the density that might change more than five percent, you know, that's fine.

Mayor Lago: No, I mean, if they want to drop the intensity, that's their decision. I don't think they don't want to lose any square footage. I think they want to move forward, so they've been waiting a long time to get this project off the ground, and I think it's...

City Manager Iglesias: Mayor, we have no issue with this request.

Mayor Lago: Yeah, so okay.

Vice Mayor Anderson: Yeah, I don't know any resident would -- that would have any heartburn about you reducing density. So...

Mayor Lago: Okay.

Mr. Navarro: That's the first time I've asked for that request.

Vice Mayor Anderson: I will gladly move that forward.

Mayor Lago: So, do we have anything else that we need to discuss on this front?

Vice Mayor Anderson: It's a resolution. Need a second.

Commissioner Menendez: Second.

City Attorney Suárez: So, there's two items. E-4 is the item approving the receipt of TDRs.

Mayor Lago: Yep. Mr. Clerk, do we have any comments for E-4?

City Clerk Urquia: Yes, Mr. Mayor.

Mayor Lago: Okay, go ahead.

City Clerk Urquia: So, James Dockerty.

City Attorney Suárez: And remember, Mayor, we were consolidating the public hearings, so it would be E-4 and E-5.

Mayor Lago: E-4 and E-5.

James Dockerty: Hello again, Jim Dockerty, 1230 Catalonia. Thank you for supporting E-2 and E-3. It really, really is going to improve the Design & Innovation District, so I appreciate your support in that matter. And I wholeheartedly support the E-4 and E-5 items and I hope you pass them. Thank you.

Mayor Lago: Thank you.

City Clerk Urquia: Okay. For agenda Item E-5, Maria Cruz.

Mayor Lago: Alright.

City Clerk Urquia: That's it, Mr. Mayor.

Mayor Lago: Okay. Can I have a motion on E-4?

Vice Mayor Anderson: I already moved it.

Commissioner Menendez: I'll second.

Mayor Lago: Mr. Clerk.

Commissioner Menendez: Yes.

Vice Mayor Anderson: Yes.

Commissioner Castro: Yes.

Commissioner Fernandez: Yes.

Mayor Lago: Yes.

(Vote: 5-0)

Mayor Lago: Moving on to E-5.

Vice Mayor Anderson: I'll move it.

Commissioner Menendez: Second.

Vice Mayor Anderson: Yes.

Commissioner Castro: Yes.

Commissioner Fernandez: Yes.

Commissioner Menendez: Yes.

Mayor Lago: Yes.

(Vote: 5-0)

Mayor Lago: Thank you very much.