

City of Coral Gables City Commission Meeting
Agenda Item F-4
March 28, 2023
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Michael Mena

Commissioner Rhonda Anderson

Commissioner James Cason

Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez

City Manager, Peter Iglesias

City Clerk, Billy Urquia

City Planner, Jennifer Garcia

Public Speaker(s)

Maria Cruz

Agenda Item F-4 [2:05 p.m.]

An Ordinance of the City Commission providing for a Text Amendment to the City of Coral Gables Official Zoning Code by amending Article 10, “Parking and Access,” Section 10- 110, “Amount of Required Parking,” adding parking exemption for newly enclosed roof deck on existing office buildings built as of February 9, 2021, and providing for severability clause, repealer provision, codification, and providing for an effective date. (03 08 23 PZB recommended approval, Vote 4-0) (Sponsored by Commissioner Menendez)

Mayor Lago: Moving onto items on first reading, F-4.

City Attorney Suarez: F-4 is an Ordinance of the City Commission providing for a Text Amendment to the City of Coral Gables Official Zoning Code by amending Article 10, “Parking and Access,” Section 10- 110, “Amount of Required Parking,” adding parking exemption for newly enclosed roof deck on existing office buildings built as of February 9, 2021, and providing

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for severability clause, repealer provision, codification, and providing for an effective date. This is a public hearing item. Ms. City Planner.

City Planner Garcia: Good afternoon, Jennifer Garcia, City Planner. This is Commissioner Menendez item. This will exempt parking from enclosing an existing rooftop amenity for an office building. We are narrowing that part, so its before February 9, 2021, the adoption of the zoning code update went into effect.

Commissioner Menendez: This basically is what I call workforce friendly legislation. A lot of people coming back to the office and when you have already in use, say a lounge area for your employees to have lunch, if an existing building, office building, I think it's constructed before a certain date.

City Planner Garcia: Yes, February 9, 2021.

Commissioner Menendez: If you want to create some shade, some canopy, for your employees so they can be out there and not burn in the summer sun. Right now, they'd be a parking requirement, but since it's for their employees that are already there, it makes no sense to add additional parking. So, this is workforce friendly, and I think it's something that's needed, especially with the times that we live in.

Mayor Lago: Perfect. Make a motion?

Commissioner Menendez: I'll make a motion after she says.

Commissioner Anderson: A couple things. Talking about enclosed space and one of my colleagues and legal professional said to me, the devil is in the details sometimes, enforcement becomes a real problem; and without an ability to be able to go uninspected or right to enter and I'll just give you some examples. Someone pulls an import permit or has a warehouse, they allow for random inspection sometimes under the type of permit – SEC, the individuals that sign for those types of licenses also consent to different types of inspections. So, on this reading, I'm not in favor, but on second reading I'd like to work with staff and see if some language can be put in the ordinance that takes care of those details on inspection. Make sure that while it might be just right now being used for an enclosed space or one of these for an enclosed space, it doesn't turn into an additional rental, it doesn't trigger those parking needs that we're trying to avoid.

Commissioner Menendez: If I'm not mistaken, there's a covenant.

City Planner Garcia: That's required, yes.

Commissioner Menendez: That's required.

Commissioner Anderson: Yes, the covenant is...

City Planner Garcia: It's going to be used as an amenity to the office.

Commissioner Anderson: We don't have the covenant. The language is not in the ordinance, so on this reading my vote will be no.

Commissioner Menendez: I'm open to those – I watched the Planning and Zoning board, had a thorough discussion and any way that we can safeguard it from misuse, I'm open to it. The spirit and the theme, I think is needed, but obviously let's take care of things on the front end, so we don't have to worry about it on the back end.

Commissioner Anderson: No, I agree. I did look at the Planning and Zoning comments, but this enforcement issue which we have on other, from dog parks to everything else. I want to tighten up.

City Attorney Suarez: Our office can work with staff between first and second reading to build in some additional enforcement safeguards into the ordinance.

Commissioner Menendez: Wonderful. So, I'll make the motion.

Commissioner Cason: I'll second.

City Clerk Urquia: Mr. Mayor, we have a member of the public requesting to speak on the item, Maria Cruz.

Mayor Lago: Ms. Cruz, welcome back.

Commissioner Menendez: First reading, F-4, rooftop office.

Ms. Cruz: Believe it or not, I think it makes sense, as long, sorry, Mrs. Maria Cruz, 1447 Miller Road, Coral Gables, Florida. That item makes sense because what I understand is that people that are already using the building can now use the rooftop and not have extra parking. They are already there, why would they need extra parking. One of those things that we have that don't makes sense, so that makes sense. Now, are there people coming from the outside to use the rooftop, then we have a problem.

Vice Mayor Mena: The idea here is, if they try to change the use of that space, or if they were to try to, hypothetically open a restaurant or something, then they would have to have parking.

Ms. Cruz: Correct.

Vice Mayor Mena: But if they're just enclosing the space and using it for the same use, then they don't.

Ms. Cruz: And I don't have a problem with that.

Vice Mayor Mena: Thank you.

Mayor Lago: Mr. Clerk.

Commissioner Anderson: No

Commissioner Cason: Yes

Vice Mayor Mena: Yes

Commissioner Menendez: Yes

Mayor Lago: Yes

(Vote: 4-1)