

## **City of Coral Gables City Commission Meeting**

**Agenda Item D-1 and H-4 are related**

**February 24, 2009**

**City Commission Chambers**

**405 Biltmore Way, Coral Gables, FL**

### **City Commission**

**Mayor Donald D. Slesnick, II**

**Vice Mayor William H. Kerdyk, Jr.**

**Commissioner Maria Anderson**

**Commissioner Rafael "Ralph" Cabrera, Jr.**

**Commissioner Wayne "Chip" Withers**

### **City Staff**

**Interim City Manager, Maria Alberro Jimenez**

**City Attorney, Elizabeth Hernandez**

**City Clerk, Walter J. Foeman**

**City Clerk Staff, Billy Urquia**

**Public Works Director, Alberto Delgado**

### **Public Speaker(s)**

**Willy A. Bermello, President of BAP Development**

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D-1 and H-4 are related [Start: 9:53:38 a.m.]

Willy A. Bermello, President of BAP Development, to discuss the development of the parking garage located at 245 Andalucia Avenue.

Mayor Slesnick: We see Mr. Bermello has joined us, thank you Willy we welcome you. Madam City Manager, D-1.

Interim City Manager Jimenez: Willy Bermello, President of BAP Development to discuss the development of the parking garage located at 245 Andalucia Avenue, Mr. Bermello.

Mr. Bermello: Madam City Manager, Mr. Mayor, members of the Commission...

Commissioner Withers: Can you pull that a little closer Willy?

Mr. Bermello: Willy Bermello with address at 2601 South Bayshore Drive, business address. I'm happy to be before you again today for a brief update on where we are with respect to the proposed mixed use parking facility at 245 Andalucia Avenue. In terms of a quick background overview, I appeared before you last year in May, and at that time we presented the project in concept, pretty similar to what you are seeing and will be seeing today briefly, with some minor modifications. Following that meeting in May, we worked and have met with your staff to make a number of refinements. One of them is that we reduced the office component; we took two levels out of the office component, approximately fifteen thousand square feet (15,000 sq. ft.) and converted that office space for additional public parking, basically an addition of around

fifty (50) parking spaces. As presented, the parking garage will have a total of six hundred and sixty eight (668) parking spaces. To put it in context Museum Parking Garage has six hundred and eight (608) parking spaces. Now, what does this new parking garage mean? In terms of an existing facility that has approximately two hundred and eighty-two parking spaces and a structure that's over forty years and is not A.D.A. compliant, we would not only be replacing the existing two hundred eighty-two parking spaces, but we would be adding a net gain of an additional two hundred forty-seven (247) public parking spaces for public use for a total of five hundred twenty-nine (529) parking spaces versus what is there today. In addition there will be a hundred and thirty-nine parking spaces for the office component, which as we all know on Saturdays and Sunday's most offices are closed, so that one hundred and thirty-nine for all practical purposes during weekends will also be in public use. There are a number of, what I would call, public benefits that I think are worth mentioning. In a letter that I submitted to you and just for the public record, I would like to just quickly read in. "The existing parking garage is not A.D.A. compliant, a new parking structure would not only add parking spaces, but will make the facility available to our elderly and to those that are physically disabled. Number two: this project more than any other parking garage, not that we are doing anything special, but we are blessed in that there are two existing breezeways that will provide excellent connectivity between Miracle Mile and this parking facility, and those two breezeways are being designed or have been designed into the parking garage so that the vertical circulation elements, the stairs and elevators, will connect right there, so that way-finding is – so basically we have a user-friendly parking facility. Like I said before, there are two hundred eighty-two (282) parking spaces there today, and those will be replaced by a six hundred and sixty-eight (668) parking garage. The frontage along Andalucia will feature an arcade pretty similar to the one at Museum Parking Garage on Aragon; there will be approximately some seventeen thousand feet (17,000 sq. ft.) of retail space that will animate that street frontage. I think what we are seeing along Andalucia that for a long time I think has been somewhat a service corridor; I think that street is starting to come alive with the new chocolate bakery and the outdoor café, the Por Fin restaurant, the Ralph Sanchez office building, that street is really starting to become animated and from a streetscape standpoint become beautiful; and I think that this facility should add to the beauty of the City Beautiful along that street. The parking facility will also include a speed lane that will allow persons that have monthly parking permits or that utilize prepaid parking to be able to exit quickly out of the facility. I have a PowerPoint presentation that I can show you, I rather, unless you'd like to see it, I'd rather leave you a hard back booklet for your leisure, and not take up your valuable time. I want to take this opportunity to really thank your Parking Director and all of your City staff, Cathy Swanson and your Manager for the support that they have given us. I think where we are today is that we are looking to you to basically give us a thumbs up in terms of whether this is a good concept, is this a vision that is good for the City of Coral Gables? – should we replace this parking garage with a new one that has retail? – that has the paseos connections to Miracle Mile? – that provides A.D.A. compliance? – and to do it in a way that doesn't create a burden on the taxpayers? – particularly, in the times that we are all going through. We are ready to move forward and work with your staff as soon as you give us your blessings, and I'm here to answer any questions. I will say this, we did look at one item that I know is dear to the heart of Commissioner Cabrera, and that was the issue of on-street parking, and I asked our Architect, Eddy Lamos, to see what we could do in terms of facilitating and saving as many places as we can; unfortunately, we are really hampered by the geometrics or limitations of what is really a very narrow series of lots that we have to deal with; and right now we are basically

overhanging partially, just like in the Museum Parking Garage over the alleyway, and doing the arcade, so that we can fit a parking garage in these very narrow, narrow lots; and unfortunately there are ten on-street parking spaces that are currently on the north side that with this parking garage will be lost. There are fifteen on-street parking spaces on the south side that will not. Our idea is to try to make the streetscape as amenable and as attractive as possible, and hopefully with the way-finding, the signage, the connectivity of Miracle Mile, those ten on-street parking spaces that we would lose along Andalucia, will be more than made up by the two hundred and forty-seven net gain parking spaces that we gain inside the parking garage. With that, I conclude my presentation, although I am armed with this PowerPoint, if you'd like me to go through it, I'm more than happy to present it to you this morning.

Commissioner Cabrera: Can I respond to Mr. Bermello's comments? First of all, I want to thank you for how sensitive you've been to this entire project, and how fundamentally and conceptually I support it. If you look back at the Museum Parking Garage we lost twenty-six parking spaces; we lost approximately thirteen on one side, thirteen on both sides thereabouts.

Mr. Bermello: On each side – thirteen?

Commissioner Cabrera: Well that's what I counted, you know, if you walk out there you can literally count the number of parking spaces that have been lost because of the encroachment by the garage unto the public right-of-way. What I think I was trying to avoid was the loss of as many as possible, if right now you are telling me we are going to lose ten, and the net effect is a positive effect, then I can live with it, but what I wanted to share with my colleagues is looking back on the old Museum Parking Garage, and this is no offence to you, to your fine firm, and to Mr. Lamas as an exceptional architect, but if I look at the Museum Parking Garage today from the west side of that street, you see it clearly project onto the public right-of-way. Now as five elected officials, I don't think we have ever approved a development with that kind of encroachment onto the public right-of-way, I say a development, a private development; this is a public development because it was our development and so we took it upon ourselves to be able to do that. I want us to remain sensitive to that; I don't know if we want to at the end of this exercise, want to have a carbon copy of the Museum Parking Garage on Andalucia, and do we want it to project out like it did on...what is the back street where the Museum Parking Garage?...

Vice Mayor Kerdyk: Aragon.

Commissioner Cabrera: Aragon – forgive me, I drew a blank, if we want it to look like that, but I am going to continue to be sensitive to how much it projects out onto the public right-of-way, and Mr. Bermello you're losing – us losing ten parking spaces to me is not a deal breaker, but it's still a concern. I know you want to have an arcade, I know you want to have a locia, because that's a good thing, it protects people from the elements, but at the same time I am just not completely comfortable with a carbon copy of the Museum Parking Garage, and the parking issue is one but it's not going to, as I said before, if we continue on this process, and I hope we do, I'm not going to stop the project because, or I'm not going to vote against the project because of a loss of ten parking spaces, as long as that's what is, ten.

Mr. Bermello: That's what I....

Commissioner Cabrera: The second comment that I have since I already have the floor is the City is going to have to do a really good job of ensuring that the arcades that connect between the Museum Parking Garage and Miracle Mile will continue to be available, because those are private arcades, they don't belong to the City of Coral Gables, so I think we need to build some sort of assurances that ingress and egress and those pass throughs will continue; and last but not least and probably the most important variable in all of this are the financial terms of this deal; I really need to get my arms around that, and so I look forward how this private partner – private-public partnership is going to work. So those are the three major concerns that I have, and I have one last one that has nothing to do with you. Madam City Manager have we given any thought at all at the idea of turning Andalucia into a two-way instead of a one-way?

Interim City Manager Jimenez: I know that that has been raised in the past...

Commissioner Cabrera: Well, Ms. Anderson has brought it up.

Commissioner Anderson: It was raised when the Palace issue came by.

Interim City Manager Jimenez: Right – and I believe our Public Works Departments had one of our engineering consultants address that. Can you address that Albert?

Commissioner Anderson: And also Valencia, we had talked about since they are both twin streets that were not two-way.

Mr. Delgado: Sure – we met with David Plummer and Associates which is the traffic engineer for the Palace and we looked at all of it, we explored all the options, you know; including we went to the City of Miami to see if we could improve the other side of Andalucia...

Commissioner Cabrera: I was in that meeting, I was in that meeting.

Mr. Delgado: That's right, I remember and then we had a second meeting of that street over there, they are looking to make that two-way; the problem is the intersection in Douglas and Andalucia is working on a level of service "F"...

Commissioner Cabrera: Which means that it is failing.

Mr. Delgado: Is failing, that's right; the other one in Miracle Mile and Douglas is also in a level of service "F", so those intersections are failing right now; people take more than two light changing to go through the intersection, sometimes three, that means the intersection is failing; and making it two-way will even exaggerate the problem even further, that's why they are looking into....not only, if they can convince City of Miami to make it like a through street that will be...

Commissioner Cabrera: Well, why don't we continue that task, I mean, I had staff from Commissioner Regalado's office here to meet with us, I did not know that you had a subsequent

meeting; is that something that Mr. Bermello, that you all can study also from the standpoint of the design of the garage and look at the advantages and/or disadvantages of making it two-way?

Mr. Bermello: The interesting thing Commissioner Cabrera, is a way that the garage is designed right now it can work...

Commissioner Cabrera: It wouldn't work?

Mr. Bermello:...a two-way street; the existing garage wouldn't work, it's a one-way flow and really works with the one-way street configuration; the proposed would work with either...

Commissioner Cabrera: OK, so it module.

Mr. Bermello:...the existing or if you one day reverse to two-way, it will work just as well.

Commissioner Cabrera: Thank you.

Mayor Slesnick: I have to tell you I really prefer two-way streets than one-way streets for the businesses on the street and for the speed...

Commissioner Anderson: It's more of a friendlier approach.

Mayor Slesnick: On the other hand, I think we all have to admit on this particular street on one thing as we go forward with that thinking is that it carries an awful lot of eastbound traffic in the morning, it is in fact a thoroughfare. Now, being a thoroughfare doesn't help the retailers on the street, and it doesn't really help the speed issue because as we know if you watch people going through the red lights, they are rushing to work downtown. I just will have to address, how do we handle the volume going east if we make it a two-way street, and of course one of the things Ms. Anderson already said or Mr. Cabrera, that we need to address maybe Valencia two-way, and if that was two-way then that would of course handle some of the overflow eastbound traffic. So that's just some thoughts, and I have to say that I am going to go out and try to perceive exactly what it is that bothers Mr. Cabrera about the extrusion of the garage onto the public right-of-way, but I just think that our Museum Garage for whatever, is one of the greatest buildings we've put up and one of the nicest buildings we've put up, and your firm did an excellent engineering and architectural job, and I think this Commission, you know, we've talked about what has this Commission done since its been sitting here, of course just keeping the City going is a major project, but I think the Museum Garage is one of our biggest accomplishments for downtown, and I hope that we go forward with rapidity on this, and of course its been brought up that we have to get all the details, we have to make sure the deal is right, but I certainly hope that the Commission moves forward to authorize the City Manager to take those steps which is necessary to come back to us with more detail and a proposal.

Commissioner Withers: Can I ask Mr. Bermello a couple questions? Willy, I know you are not going over the property line on the alley, and if we have an issue with Ralph, can you push the building back so that you overstep the alley and not overstep the front public right-of-way?

Mr. Bermello: There is a slight overhang over the alley right now as proposed, which is about four feet; pretty similar, if you go to the one at Aragon and you look up you are going to see a four foot overhang there also on the second level up. Unfortunately, these properties are one foot wide or narrow, and to create a two-way not in one-way flow parking garage, you need the extra. On the back it's basically kind of leave it; on the front we create an arcade that provides cover during times of inclement weather. This parking garage when completed, you basically can go from your parking space to Miracle Mile really without getting wet, and a lot of the shops along Miracle Mile have awnings and the like, so it's a real plus.

Commissioner Withers: Couple things – number one, as far as the height, we had at one time had a ninety-five foot height, and then I think the Commission went to a hundred and two foot, and then you submitted a proposal and this Commission then said go back to ninety-five feet; this is a hundred and fifteen feet?

Mr. Bermello: The majority of this project is no taller than Museum Parking. What we did, we followed the “Kiss Principle”, keep it simple, so the majority of the Parking Garage, and maybe I will show the PowerPoint section that shows the graphic...

Commissioner Withers: But the other reason I think its important is...

Mr. Bermello: It's a hundred and two feet throughout and there are about three sections where you have stair towers and the like, where you have roof areas that extend up to a hundred and sixteen feet, again which is the same condition as Museum Parking Garage, no difference.

Commissioner Withers: I understand; I just don't want to *déjà vu* this, like we did before because I really think the Commission has to give you a clear signal today or tomorrow or maybe we have a special meeting on it, to tell you that you can go to a hundred and two feet, because right now its ninety-five feet. So I think we need to say, because this is what happened the last time, Ralph was against it, Bill was against it, Maria was against it, and Don was against it, so I really think before you proceed forward and you spend money and whatever...

Mayor Slesnick: Wait, wait, wait, OK...It's a good point, but I have to tell you, I think there was a thematic approach to my opposition as to what was going to be there, how it was going to be utilized, how it was going to break through certain barriers?- and now this is the height of the Museum Garage, which we have been pleased with...

Commissioner Cabrera: And listen, I never, I can count on this hand how many times I've changed my mind on issues, if I tell him now conceptually and fundamentally behind it, I'm not going to let the parking issue be a deal breaker for me. So I don't want to waste his time, and I certainly don't want to waste our time and the City's time.

Commissioner Withers: OK. So if we are all in agreement that...

Mayor Slesnick: I'm willing to go to one hundred and two feet or whatever it is, if it's a mirror image of the height...we can live with it on that side, we can live with it on this side.

Commissioner Withers: Perfect.

Mayor Slesnick: And I do have to tell you, that's a good point. I will say this, the lights on top of the garage do bother me still, it looks like a landing area for some airport; they are very tall, they are very bright, I mean, I wish we could find a new way to bring them down because Chip's bringing up a good point, we did discuss height and at night the height of the building goes up thirty feet because of the lights.

Mr. Bermello: Point well taken.

Commissioner Withers: Last but not least, I just want to make sure legally we're, and Liz you can help me with this, is this the continuation of the original RFP's that we allowed three years ago, four years ago, or is this something new do we have to go out to RFP again, number one; and number two, I remember that Willy and Ralph were partners and we allowed both of them the bite of the apple, so if Willy is not involved with Ralph anymore do we need to get some kind of hold harmless or release from Ralph so that he doesn't come back to say, why didn't you give me the opportunity.

City Attorney Hernandez: Commissioner, we are happy to look at all those issues; the original resolution of the City Commission was that if we ever decided to go out for an RFP, they would be deemed pre-qualified. If the company has changed, and again I would have to pull the file and look at it, I have received no information on the corporate structure, is it the same name, has someone been bought out, I would need all that information in order to provide you with a legal opinion on that. So I can't give you an off the cuff on that.

Commissioner Withers: But are we here today going out to RFP?

Mayor Slesnick: No. We gave them the absolute right of first refusal on a project that that site, the same company, or the lineage of the same company, we said this from the very outset of this discussion, and from the very outset of receiving Willy Bermello's letter and so forth, that we were moving forward with this company.

Commissioner Withers: Listen, I think the world of Willy, I think the world of his firm, I was very supportive of the project before, but that's different from what Liz just said; she said he has the right of being prequalified.

Mayor Slesnick: And I'm shocked at that, because that's not what we talked about at all. I certainly will give the City Attorney enough time to research the issue and inform us completely, but that is different to what we have spoken about since the first time we entered into these discussions with Mr. Bermello.

Commissioner Withers: OK. So what do we need to do today?

Mayor Slesnick: The proposal was to....

Commissioner Anderson: Authorize the City Manager, right?

Mayor Slesnick: Send it to the City Manager with our blessing and giving her the authority to move forward in negotiations with Mr. Bermello on bringing back to us a full package.

Commissioner Withers: I'm in favor of supporting that.

Mayor Slesnick: You move it?

**Commissioner Withers: I'll move it.**

**Commissioner Anderson: I'll second it.**

**Mayor Slesnick: It's been moved by Mr. Withers seconded by Ms. Anderson that we send the City Manager with authority to negotiate with Mr. Bermello's firm to come back with a full and complete proposal on a private-public partnership on a parking garage, office building, retail space on Andalucia, behind the 200 Block of Miracle Mile and on the 200 Block of Andalucia; any further discussion?**

Commissioner Anderson: Let me just ask, there will be obviously the involvement of our Parking Advisory Board?

Interim City Manager Jimenez: Absolutely.

Commissioner Anderson: Thank you.

**Mayor Slesnick: Mr. Clerk**

**Commissioner Cabrera: (Absent)**

**Mayor Slesnick: He's not here.**

**Commissioner Withers: Yes**

**Commissioner Anderson: Yes**

**Mayor Slesnick: Yes**

**(Vote: 3-0)**

**Vice Mayor Kerdyk: (Absent)**

Mr. Bermello: Thank you Mr. Mayor and Commissioners, thank you very much.

Commissioner Withers: But I do think we need to get that legal hurdle out of the way.

City Attorney Hernandez: Will do.

Commissioner Anderson: Good idea.

[End: 10:16:10 a.m.]