

**City of Coral Gables City Commission Meeting**  
**Agenda Item F-9**  
**December 10, 2019**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Raul Valdes-Fauli**  
**Vice Mayor Vince Lago**  
**Commissioner Pat Keon**  
**Commissioner Michael Mena**  
**Commissioner Jorge Fors**

**City Staff**

**City Manager, Peter Iglesias**  
**City Attorney, Miriam Ramos**  
**City Clerk, Billy Urquia**  
**Deputy Development Services Director, Devin Cejas**  
**Parking Director, Kevin Kinney**

**Public Speaker(s)**

**Dean Warhaft**  
**Jackson “Rip” Holmes**  
**Bernardo Fort-Brescia**

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Agenda Item F-9 [9:58 a.m.]

An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, by amending Article 5, “Development Standards,” Division 14 “Parking, Loading, and Driveway Requirements” to provide regulations, restrictions, and procedures for the use of remote parking for new construction; providing for a repealer provision, severability clause, codification, and providing for an effective date.

Mayor Valdes-Fauli: And I would like to take up the parking issue, the remote parking issue.  
Madam City Attorney.

City Attorney Ramos: That's being presented by Mr. Cejas. It's a Zoning Code text amendment.

Commissioner Keon: What item is it?

City Attorney Ramos: And I'm going to read it into the record in one second, as soon as I find it. An ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 5, "Development Standards," Division 14 "Parking, Loading and Driveway Requirements" to provide regulations, restrictions and procedures for the use of remote parking for new construction; providing for a repealer provision, severability clause, codification, and providing for an effective date. This is on first reading, and it is a public hearing item.

Deputy Development Services Director Cejas: Mayor and Commissioners, City Manager, Devin Cejas, Deputy Director to Development Services. Before you, we have a legislation per the direction of the Commission in the last meeting to present the possibility of new development, new buildings to remote park their required parking. What we have -- what staff has come up with is a direction that would allow these new buildings to remote park via a conditional use process, as well as providing for an incentive to use the existing parking in lieu program as delineated in the City Code, as well as taking into the concerns and the direction of our zoning consultant that is currently working on the enhancements to our Zoning Ordinance that will limit or prohibit, better said, the parking pedestals along Miracle Mile. And I remain available for any questions you may have.

Mayor Valdes-Fauli: Thank you. Any member from the public that wishes to speak? Okay.

Commissioner Keon: You have a card?

Mayor Valdes-Fauli: Yes, there is a member from the public that wishes to speak.

City Attorney Ramos: So, while he comes up, Mr. Mayor, I just want to address one concern that was voiced to me by stakeholders last night. I've looked into it and I agree. If we look at the first section 5-1409, at this point, the way that it's drafted, it disallows -- so, it does not allow for parking pedestals on Miracle Mile, and then it requires the payment of 25 percent. So, if we're going to disallow it, it would be difficult to defend the requirement of the payment. Alternatively, we could allow it as an option and then require the payment of the 25 percent.

Mayor Valdes-Fauli: Alright.

Commissioner Mena: Miriam.

Commissioner Keon: What if...

Mayor Valdes-Fauli: Yes, sir.

Commissioner Mena: Sorry.

Commissioner Keon: What's that again?

Commissioner Mena: Can you walk....

Commissioner Keon: Could you say that...

Commissioner Mena: Can you walk us through that again? It wasn't clear...

City Attorney Ramos: Yes.

Commissioner Mena: To me.

City Attorney Ramos: If you go to the actual ordinance, as drafted...

Commissioner Mena: Yeah.

City Attorney Ramos: 1504, as drafted right now, was added and it dis -- completely disallows -- it prohibits parking pedestals on Miracle Mile.

Commissioner Mena: Did you say 1504?

City Attorney Ramos: Fifteen -- within the ordinance.

Commissioner Mena: Right, right, right. I'm looking for it. What page is that on?

City Attorney Ramos: It's page two of the ordinance. It starts at the bottom and then it goes into page three. The provision I'm referring to is on page three, at the very top.

Commissioner Mena: You mean 1409?

City Attorney Ramos: Yes, 1409. What did I say?

Commissioner Mena: 1504.

Commissioner Keon: 1504.

Commissioner Mena: So, amount of required parking. Okay, and sorry, what am I looking for?

City Attorney Ramos: So, it says it shall not be located onsite. So, we are -- in this provision, we are prohibiting parking pedestals on US -- on Miracle Mile. We're not disincentivizing them; we're actually prohibiting them. So, other parking trusts...

Commissioner Mena: Yeah.

City Attorney Ramos: Like Miami, which is the one we're looking at as an example, make it an option and then you pay into the parking trust either because you can't build it because physically you can't or because you choose not to. Here we're disallowing it. So, my recommendation is to strike this provision, continue to incentivize the not building of them, but not prohibit them so that we can charge the 25 percent.

Commissioner Mena: Understood.

Vice Chair Lago: But you -- when you say charge the 25 percent...

City Attorney Ramos: Or whatever percent the Commission decides.

Vice Chair Lago: That's a minimum. That's the minimum I think that we discussed.

Commissioner Mena: Yeah, whatever the percentage.

City Attorney Ramos: Whatever percentage you decide.

Vice Chair Lago: Yeah, I just want to make sure we're clear on that on the record.

City Attorney Ramos: Agreed.

Mayor Valdes-Fauli: Yeah, whatever we decide.

City Manager Iglesias: It's a minimum, Vice Mayor, and they're not limited to that minimum. Also, they could go more on that 25 percent.

Mayor Valdes-Fauli: Okay, we have...

City Manager Iglesias: We put that as the minimum for discussion.

Mayor Valdes-Fauli: We have -- Mr. Holmes wishes to speak, a member of the public.

Jackson "Rip" Holmes: Thank you, Mayor. Thank you all for allowing me to speak. I have property on Miracle Mile. And I'm really somewhat horrified that this is coming before you because of the implications here. I haven't studied it. I didn't realize it was on the agenda until the agenda was published. But this could possibly have the effect of gutting our parking ordinances. I think it's -- I urge you to vote against it.

Mayor Valdes-Fauli: Thank you, sir. Alright, do I hear a motion?

Vice Chair Lago: Wait, hold on one second.

Commissioner Keon: I think there is some discussion here.

Mayor Valdes-Fauli: Okay, let's discuss. Discuss, discuss, discuss.

Commissioner Keon: Where would you like to start?

Mayor Valdes-Fauli: Please go ahead.

Commissioner Keon: You know, I know that we do -- in this ordinance, it does prohibit parking structures on Miracle Mile. And I think that that is -- is Ramon Trias here? I think that that is -- that is an item that has been discussed at length as part of the overlay. And it was a big part of why the -- and maybe Mr. Kenny can talk to it also -- why it was -- there was support from staff for the garage and is -- and the garages are obsolete. And so, yes, the garages need to be replaced that are along Andalusia, at least Garage 1, that's behind the Miracle Theater. That's one, right? I get them mixed up. That garage does need to be replaced. And there was a number that you had come to of 750 spaces in that garage because you contemplated the buildout of spaces along the Mile if 200 feet would be assembled. And the -- according to the comp plan and our Code, you're allowed to build to 70 feet and then they're still eligible for some bonuses so you can go a little higher. But we really didn't want to see garages or garage pedestals on the Mile because we wanted to see all of the spaces on the Mile to be activated spaces and to put as many people on the Mile as possible so that we could populate -- continue to populate the Mile as a retail, restaurant, entertainment area. And so, you didn't want dead spaces; what you wanted were -- you wanted activated spaces. You want people, you want rooms, you want lights. You want it to function in that way. So, I'm -- you know, I do understand the concern that we -- by not permitting parking garages on the Mile as part of the redevelopment, you know, within the Code that we also have a parking in lieu. But I think that issue of the parking in lieu also is a policy issue where with the 25 percent really comes down to the pricing on that remote parking and the availability of it in such close proximity to the Mile through our garages. And it is another policy issue. But I don't have a problem with the ordinance as it is stated because I don't think that there should be parking garages on the Mile. I think -- I mean, I think going to 70 feet is -- you know, whether -- that was determined long ago. It is in the Code. The property owners on the Mile have that vested right that we, you know -- maybe you can encourage them not to go that high, but they are entitled to and have the right to go that high regardless of how anyone may feel about it. To deny them that opportunity is -- you know, if they build, in compliance with our building code, they are entitled - - and for -- I'd asked the City Attorney to not allow them to build to that height within the Code and in compliance with all of the other provisions in the Code, we can't do. Can we?

City Attorney Ramos: We can, but we may subject ourselves to liability under a Bert Harris...

Commissioner Keon: Okay, so...

City Attorney Ramos: Claim, which is what...

Commissioner Keon: I'll ask you differently.

City Attorney Ramos: Happened in 2007.

Commissioner Keon: If we deny them that, what is -- are we liable?

City Attorney Ramos: We could be under a Bert Harris claim yes, for a taking.

Commissioner Keon: And we have seen in this city before where, because people object to a particular height or some dimension of a building, that the public or a neighbor may be opposed to and as a Commission are reacting to that and either denying a permit or rescinding a permit that we have been sued and we have paid multimillion dollars to developers and also then lose whatever ability we have to negotiate the aesthetics of a building. So, I don't -- I like this the way that it's written. I mean, if the majority of you choose to change it, that's -- you know, that's a vote and that's fine. But I would like to see it stay as it is.

City Attorney Ramos: My only comment would be if we are going to prohibit them as written, then we would not require the 25 percent payment.

Commissioner Keon: Well, you know, we could require the 25 percent minimum, but it's how it's priced is what will make the difference.

City Attorney Ramos: No. The concern is when you're not letting them build and...



Commissioner Keon: Right.

City Attorney Ramos: Charging them, then we may also have some liability. That's the concern.

Commissioner Keon: Well, how do you allow -- not allow them to build and you provide 25 percent of the parking someplace else? I...

City Attorney Ramos: No. They would be allowed to provide a hundred percent some someplace else.

Commissioner Keon: Right.

City Attorney Ramos: It's remote parking. It's the payment into the trust fund that's problematic if we prohibit.

Commissioner Keon: Okay, well then...

Unidentified Speaker: The mandatory payment.

Commissioner Keon: Remove it.

City Attorney Ramos: Correct.

Commissioner Keon: Then I would remove it, but I don't want to see -- for the long-term benefit of this city and for the long-term planning and aesthetics of the Mile, I don't want to see a parking garage on Miracle Mile.

Parking Director Kinney: If I may ask the City Attorney one question. Would it be also problematic if the remote parking agreement were with the City because we would be receiving a benefit in that situation?

City Attorney Ramos: No. The issue is demanding -- having them -- requiring them to go out and get a lease and pay for parking, not allowing them to build their own parking and pay us 25 percent on top of that. If we take out the required 25 or 30 or 40 percent, whatever the requirement is...

Parking Director Kinney: Okay.

City Attorney Ramos: But they end up having a parking lease agreement with us because that's where they can find parking, that's fine.

Parking Director Kinney: So, the payment in lieu program would be valid except for where we are not allowing them to develop parking.

Commissioner Keon: Where we have prohibited parking.

City Attorney Ramos: Where we are prohibiting the ability of them to build their own parking if they wanted to.

Planning and Zoning Director Trias: Mayor, keep in mind that this is only the parking regulation. The consultant is also going to propose zoning regulations for the Mile, which may be a better way to address those conflicts. So, that -- I expect that that's coming and I expect that you will have a chance to make a policy decision on that too. And that way I think the overall development standards and parking will work much better.

Commissioner Keon: Yeah. I mean, I know this is only first reading. It will still go to the Planning and Zoning Board, and it will come back to us on second reading. So, if that is an item that can

be further discussed and with the consultants also at the Planning and Zoning Board, which is the public hearing, and then come back to us on second reading with a -- whatever changes or amendments or whatever may be necessary, then I would -- I'm comfortable to leave it as it is and let it go forward. But I'd like the record to reflect my strong feeling for not allowing parking garages on Miracle Mile.

Mayor Valdes-Fauli: I think that parking garages on Miracle Mile will destroy Miracle Mile.

Commissioner Keon: I do too. So, I would like us to...

Mayor Valdes-Fauli: Like they have destroyed Andalusia and the 2 and 300 block.

Commissioner Keon: Yeah, I agree.

Mayor Valdes-Fauli: Yeah,

Commissioner Keon: And you know, I've lived here -- I know yesterday when we were talking and discussing -- the Mayor can probably agree. Due to our age, we remember when the Mile was a real retail destination and have seen the changes over the years. And it's really a pleasure to share this dais with a variety -- with people of many different ages and younger that have a very different retail experience than I did and can add that experience to the discussion when we go forward and make a decision as to what the policies we'll have are, so I'm fine with it as it stands. And I've expressed what I think and it's okay.

Mayor Valdes-Fauli: Commissioner Fors.

Commissioner Fors: Yeah. You know, I've said several times that I'm in favor of remote parking, especially on Miracle Mile. This particular proposed amendment does leave a lot of questions open for me. One big one was whether, after consulting the City Attorney, we're going to take the

approach of banning the pedestals and making a payment in lieu voluntary or sticking with the mandatory payment in lieu and not banning parking pedestals. In other words, the question of whether we want to -- we -- I think we all agree that we don't want parking pedestals on Miracle Mile. The question is are we going to disincentivize them or prohibit them? That question and the best way to go about it is still open for me. What is the right pricing? Right, because I know that the percentage of the payment in lieu is -- sort of operates on a sliding scale with what pricing we decide upon. I know that's something we can sort of reverse engineer to make the 25 percent work, if necessary, and do it differently in different areas. You know, treatment of the industrial districts and Miracle Mile in the same amendment is also something I'm still not quite sure about. Not quite sure if the 25 percent minimum is too high or too low. And I guess whether we make it required or not informs that question as well. And I certainly look forward to what Planning and Zoning has to say about it. I think it's -- the spirit of the statute and the policy of the statute is good and it's definitely going in the right direction. I'm just not ready to determine -- to make the determination with sufficient degree of confidence that this particular amendment is going to achieve what we want it to achieve. And I think the interesting part is that everybody up here wants to achieve the same thing. Just for me, I haven't decided if what we've written to date is the way that -- the best way to achieve it and the most efficient way to achieve it. I don't want to write a amendment that's going to result in people not taking advantage of it or not accomplish what we're trying to accomplish in terms of disincentivizing the parking pedestals and gaining some sort of public benefit. I don't find it objectionable to pass it on after first reading and handle some of these issues in the process and hear from Planning and Zoning in the process. For me, I prefer not to take that approach in this particular situation, and I'd like to come back with more finely-tuned legislation on first reading. Again, I'd like to consider sending it to Planning and Zoning first, although that's not a deal breaker for me as long as they see it between first and second reading. So, for that reason, I will be -- I'll be voting no on this particular amendment as written on first reading, although, again, I don't find it objectionable to pass it on the first reading and work on those details in the meantime.

Mayor Valdes-Fauli: Thank you. Commissioner Mena.

Commissioner Mena: I don't want to belabor the same points, but I had a lot of the, you know, same reactions. My biggest concern right now is with what that percentage should be and how the underlying price, if you will, would be calculated. I absolutely want it to go to Planning and Zoning before it comes back to us. I think that's important. It's important that we get their feedback. Listening to our City Attorney and Commissioner Keon, I understand your point in it, but if I'm hearing our City Attorney correctly, we can't have our cake and eat it too. It can't be left like this because we can't preclude remote parking and require the payment into the parking trust, so something has to give there. I like the idea of the parking trust. I think it's a good idea. I know Vice Mayor Lago brought it up two or three meetings ago. We had a healthy discussion on it yesterday and I think we still need to flesh out some of the details on that before final approval of any ordinance. However, on first reading, I would be okay with approving it subject to the revision that the City Attorney indicated and waiting for input from Planning and Zoning before we proceed on second reading.

Commissioner Keon: I would like us possibly to have, after Planning and Zoning, before it comes back to us, that we would meet again.

Mayor Valdes-Fauli: Yeah.

Commissioner Mena: Sure.

Commissioner Keon: Like a workshop.

Mayor Valdes-Fauli: Vice Mayor.

Vice Chair Lago: Thank you, Mayor. I agree with many of my colleagues' comments and I'm going to be very brief because I think we've discussed this a litany of occasions and I think we're pretty far along in the process. I would defer this today on multiple fronts. The most important

one, I think that this should go to Planning and Zoning before we make any decisions today, even on a first reading. I continue to believe that we're moving too quickly on this issue. I think that we should allow DPZ to finish their Code rewrite. I think it's important and see where the chips fall, see what the outcome is. I think this is an important part of that rewrite and there's a lot of moving parts that are going to be affected on this, the scale of projects, height, parking, how do projects look. Do I think that we should have a parking pedestal on Miracle Mile? I think it would be detrimental to the future of the city, so I'm not in favor of that. But what I am not in favor of, and let me be clear, is doing what we did in the North Gables area, which I voted no on. I just want to put that on the record, where we voted to increase the density from 50 units to a hundred per acre without requiring any public benefit. I think that was a failure on this Commission's part. I think that we could have done a better job, and I think that that was -- only served the developers. It did not serve the community. And what I think we need to do here is be very careful that we are able to provide a public benefit for allowing developers to reach their maximum heights and not build parking, and that's a pretty significant request. What I mean maximum height -- and I want to clarify that. You know, there are certain projects that are being considered on the Mile and there's certain products that are being considered in the industrial area that are -- that would require remote parking. I think those are two different discussions. And the reason why they're two different discussions is because, in reference to the industrial area, we have projects that are going to be downsizing significantly that are currently approved for ten stories, in one case, and we brought down to around 40 feet if you remove the parking. To redesign, they could build up to -- nine stories, excuse me. It was nine stories, and they were bringing down the project to around 40 feet and they would use remote parking and park in Merrick Park. That is the benefit of remote parking in my opinion. You are reducing the scale of projects. And the other project that's being discussed is in front of Neiman Marcus. It's a project that is -- correct me if I'm wrong -- been approved already for nine stories and will be reduced to around five stories if you remove the parking. And I think that's important because Coral Gables is known for its scale. It's known for having buildings that are not of a certain magnitude, and I think that is beneficial for the overall look and aesthetic appeal of the City of Coral Gables. So, those are examples why I think in the industrial area it makes a lot of sense and I think we need to tweak this ordinance and it can't be

such -- just such a broad-brush stroke across the entire city. In reference to Miracle Mile, when you talk about the issue of building it, I requested from staff -- I think it was a week ago today. I know it was a little short notice and I apologize. I wasn't able to do it myself. I had planned to do it, but I just didn't have the time. I want to do an analysis of the footprints and how this would affect the City in reference to Miracle Mile. Because I think Miracle Mile -- when you look at other cities in Florida or throughout this country, their main street, you know, their main world-class street is more of a low-rise feel, and I think that's something beneficial to the City.

Mayor Valdes-Fauli: Let's focus on this.

Vice Chair Lago: No, I am. I am focusing on this, and I think that has to do with when you talk about remote parking. By allowing remote parking, you're allowing a project or projects -- because I've already heard of other projects that are considering this -- on Miracle Mile to move forward and reach their maximum potential when, as per our City Attorney, they don't qualify currently for remote parking and that's a big, big issue that we need to make very clear as we discuss this. By making this change in the Code, you're allowing certain projects to reach their maximum height of seven or eight stories on Miracle Mile. And to me, I think that on our main street, we should keep a lower profile. So, with that being said, I'll wrap it up. We need to do everything in our power when we make these changes to the Code to ensure that these changes come with a public benefit, not like what happened in North Ponce when we doubled the density and received zero public benefit for the City, for its residents and the people who are interested. So, I'd like to see this deferred today. Go to Planning and Zoning. Have a thorough, robust discussion on Planning and Zoning, and then come back to this Commission for review. I think it's something which will benefit the City as a whole and every stakeholder that has an interest. And maybe we can get some more public input in regards to how potentially this ordinance would change the scale, magnitude and appearance of our downtown. Thank you.

Mayor Valdes-Fauli: Thank you. I just have a few comments. Vice Mayor, you keep talking about North Ponce. I think that what we did was excellent in changing the composition, the nature

of our city to bring in more young people, more seniors, more people that will benefit from living in Coral Gables. So, I very much disagree with you that it was a bad change. And I think that we -- we'll see the results or we are seeing the results in more and friendlier development. Regarding parking, I think we all agree that parking pedestals in Miracle Mile are terrible. I think that they would destroy the city, but I'm not opposed to postponing this. But I think that remote parking is good and I think that anything we do to attract more people and more traffic to Miracle Mile is also excellent. I remind the Commissioner to look -- I mean, the Commission to look at the Gables Grand, the project in front of Hibachi restaurant in Aragon and Salzedo, and that was the first apartment building in downtown Coral Gables -- within one or two blocks from downtown Coral Gables. And we used to have a bus terminal there without a bus system and it attracted foot traffic, and I think it was very, very beneficial for Miracle Mile. It does -- it sits on a pedestal, which I think is terrible, but I -- and I wouldn't want that in our commercial street. Maybe one or two blocks away, three blocks away is not bad, but not in our commercial street. If you want to continue more study and everything, that -- I'm not opposed to that.

Commissioner Keon: I would...

Mayor Valdes-Fauli: Okay. We have -- and I will -- Dean Warhaft wants to speak. Yes, sir.

Vice Chair Lago: Good morning, sir.

Mayor Valdes-Fauli: Good morning.

Dean Warhaft: Good morning. Good morning, Mayor. Good morning, Commissioners. Dean Warhaft, 1101 Brickell Avenue, and manager of multiple properties here in the Gables, including a TWJ Alhambra, 1505 Ponce and 44 Zamora, all hopefully future projects here in the Gables. Thank you for allowing me to speak. I know I'm here late. I apologize. It has to do with traffic. The issue of providing remote parking and other parking solutions, especially the remote parking by the city, to allow developers to create a situation where there's buildings that touch and concern



the ground and better development overall, we're all in favor of. And as many of you who've been on the dais a long time know that it's something that I've always been a proponent of personally. The biggest issue that's going to come into play for developers and buying into this -- excuse the pun -- is going to be understanding the costs and how that's going to work. And the reason is I just wanted to make sure that I got here today to give you some kind of a semblance of expenses and what developers think about. So, to build a structured parking garage, just standard structured parking garage, possibly retail on the ground floor based on the efficiencies that that has, the price range for a parking space is anywhere from as low as 13,000 to as high as around \$16,000. And there's all different kinds of variables that go into that, soil conditions and the like. But that's kind of the general framework. And when you talk about a parking garage that sits as a parking plinth, that's when the parking can be anywhere from 18,000 to -- it could be 24, \$25,000, just generally speaking. Obviously, subterranean parking is a whole 'nother discussion where the costs can go through the roof with having to waterproof and dealing with water. But those numbers become important in understanding what developers are going to look at in wanting to buy into the program so to speak. And you know, from our perspective as developers and in having these conversations with other developers, I think that if the number was somewhere in that 16 to \$18,000 range for the spaces, regardless of all the other impact fees and other things that we have to pay, it makes for both a more efficient and better building; at the same time, it provides for, I think, a better overall solution. So, somewhere in that range is probably where developers will be enticed to do something where they're not building a parking plinth as opposed to them adding that parking to their buildings themselves. And I just -- I wanted to make sure that you had an opportunity to hear that and also to know that developers are on board. They like the idea.

Vice Chair Lago: May I ask you a quick question?

Mr. Warhaft: Sure.

Vice Chair Lago: And you and I go way back so it's been a long time. So, as one of this community's most significant developers, both in reputation and in scale, if we remove the parking

plinth and you have a building that has zero parking, do you -- would you request that you remain at the same FAR or would you want to inject more FAR, intensity and density into a project to maximize -- to further maximize the building's size, as the developer?

Mr. Warhaft: I mean, as a developer, obviously, especially in the urban fabric, developers are always looking to increase density and intensity. I'm not going to sit here and tell you otherwise. It's the nature of what we do. And...

Vice Chair Lago: That's why -- and that's why I asked you because you always give me a straight answer and I value that straight answer. And the product that you put out there is first-class. So, when you mentioned that, you know, that's one of the issues about the parking, the parking -- you know, when you -- in certain areas, you're not able to maximize the building's capabilities because, obviously, parking is a restrict -- excuse me, it's a hinderance, better said, because it requires so many floors and then it minimizes how many habitable feet you have that you can actually put into a project and that becomes a problem.

Mr. Warhaft: So, just to respond specifically to that, I'm going to give you a good example of where it makes for better construction. So, let's say that you have an extra -- say -- call it 35 or 40 feet that you get and you're building a residential product. It means that on your ground floor, if it's mixed use, you're going to be able to provide the right kind of heights for commercial uses so that you've got your 18 to 23 feet clear, so you really have significant retail space at the ground floor. That's number one. Then the second thing is that your floor to floor heights on all of your units are now going to be able to go up. So, this is assuming -- you're not going to give -- the heights stay the same, but there's no more FAR, no more density, but the heights stay the same. The product itself is still going to be a better product. So, you're going to end up with a better building...

Vice Chair Lago: A more beautiful building.

Mr. Warhaft: That is -- right, aesthetically more pleasing to everyone in the public. Because one thing that -- to use somebody's name who's in another city -- Francisco Garcia once said to me in a meeting that has always resonated with me, is that he said the public for the most part only experiences the exterior façade of your building. So, 99 percent of the people that are out there, that's all they see; they never go inside. And so what he was saying to me was we, as a city -- and there's no difference here in Coral Gables because I think Coral Gables has done a great job of it through the years -- is we have to protect that aesthetic and we have to protect what the rest of the public gets to experience, which is the exterior of the building. So, I do think that no matter how you cut it, this is a good thing for everybody.

Vice Chair Lago: I just -- the reason why...

Mayor Valdes-Fauli: Thank you.

Vice Chair Lago: The reason why I brought that up is -- and this is my last comment and it plays into what I was saying before -- is when a developer comes to the Commission or comes to staff more likely, and they present a project, they obviously shoot for the stars to land on the moon. And they say, you know, the Code only allows a 2.5 FAR; I'd like a 3. So, when you have a height limitation compounded by required parking, there's only so much you could do. Now when you remove the height -- excuse me, when you remove the parking, what I don't want to see is now we're moving on even in a more aggressive fashion asking for more FAR, asking for more intense...

Mayor Valdes-Fauli: Yeah, but we have control over that.

Vice Chair Lago: No, no, but I -- I understand that, but I'm just...

Commissioner Keon: We could control that.

Mayor Valdes-Fauli: Huh?

Vice Chair Lago: Having a conversation.

Commissioner Keon: We can control that.

Vice Chair Lago: And I think...

Mayor Valdes-Fauli: Yeah we can control that.

Vice Chair Lago: But I also...

Mayor Valdes-Fauli: Yeah.

Vice Chair Lago: It's also something that we control with parking too, where the Code controls what can be built.

Mayor Valdes-Fauli: Except that the parking is not the right way to control it, I don't think. The parking -- having a parking pedestal in Miracle Mile to control density is not the right way to go about it. Anyway, I hear -- do I hear a motion?

Commissioner Keon: I would like to -- I would move it as it's stated, and ask that you would look at this provision, this 25 provision because if there is a conflict if you're going to require them to have the 25 percent and how that's going to be paid for, that issue, I'd like you to...

City Attorney Ramos: So, you would keep the prohibition and remove the required payment into the trust fund?

Commissioner Keon: Well, I would keep the provision 'cause I don't believe that parking pedestals belong on Miracle Mile. Now, this -- you need to...

City Manager Iglesias: Commissioner.

Commissioner Keon: Come up with this...

City Manager Iglesias: If I may.

Commissioner Keon: This 25 percent is another -- is an issue that I would like further flushed out in the Planning and Zoning Board, and we should have a workshop before it comes back to us. Now I understand that, as you said, you have -- you know, you have concerns. Commissioner Lago has concerns, you know, and different -- I -- we have been talking about this for so long that I -- we can control the pace at which a piece of legislation moves forward, but we have to start somewhere. So, rather than be -- keep having multiple false starts and leaving our feet kind of dead in the water, I would like us to pass it on first reading, recognize the concerns that have been raised here, allow it to go to Planning and Zoning. We will have a workshop with DPZ before it comes back for final reading to this Commission. It's not going to go to Planning and Zoning until January. It's not likely to come back to us until February, which gives us plenty of time to do this, but it allows the process to go forward. Sometimes it's -- we can't always just stand still. Sometimes we need to take that first step knowing that by the time we take the final step, we will be where we want to be and we will -- it will be a very good product. But you know, to just not move is -- I don't...

Mayor Valdes-Fauli: So what is your...

Commissioner Keon: I don't think that's good. I would like to move it and -- with the comments that we have all made and the concern over -- I mean, I would -- I don't want to see a pedestal Miracle Mile. I think that has always been a long-time issue, that we would not put pedestals on

Miracle Mile; we would deal with the parking remotely. Now, the -- you know, and if we take out the 25 or this particular issue and deal with this as a separate issue, we can certainly deal with this as a separate issue. And I think, you know, the Mile has -- there is an overlay on the Mile, so it already has site specifics that don't exist any place else in the city, just as the industrial areas have some sites specifics for them. So, if the parking item or the parking -- the remote parking issue is different or it's determined that it should be different in each of the site specific places, that can be dealt with in the site specifics. And by the time we get there, DPZ should be about ready to wrap up and we'll continue to have this conversation. If -- and everybody's comfortable with that, then that's -- you know, we'll wait for that. But I don't want us to -- I -- we have talked about this for so long. You need -- at some point you need to begin to move forward.

City Manager Iglesias: And Commissioner, I would...

Commissioner Keon: So I would like to move forward.

City Manager Iglesias: It would be good...

Mayor Valdes-Fauli: What?

City Manager Iglesias: To get a little flexibility. There are many ways to incentivize things...

Commissioner Keon: Yes.

City Manager Iglesias: In different areas, and I would like to have a little flexibility in that so we can look at this before it goes to the Planning and Zoning Board.

Commissioner Keon: Okay.

City Manager Iglesias: And incentivize it maybe in different ways.

Commissioner Keon: Okay.

City Attorney Ramos: So, the Manager's point is he would not prohibit it necessarily, but find other ways to incentivize people not building...

Commissioner Keon: Right.

City Attorney Ramos: The pedestals.

Commissioner Keon: But you can work with P and Z.

Commissioner Mena: Yeah, but...

Commissioner Keon: You can work with staff. You can work with everybody before it comes back.

Commissioner Mena: My concern...

City Attorney Ramos: Yes.

Commissioner Mena: With leaving the prohibition in this ordinance...

Commissioner Keon: Right.

Commissioner Mena: You know, the discussion here has been somewhat exclusive as to Miracle Mile.

Commissioner Keon: I guess that's because (INAUDIBLE).

Commissioner Mena: This ordinance is not exclusive...

Vice Chair Lago: Across the board.

Commissioner Mena: As to Miracle Mile.

Commissioner Keon: Right.

Commissioner Mena: It deals with...

Commissioner Keon: You're right.

Commissioner Mena: Industrial...

Commissioner Keon: Right.

Commissioner Mena: The downtown overlay, CBD...

Commissioner Keon: Right.

Commissioner Mena: Ponce corridor.

Commissioner Keon: Right.

Commissioner Mena: I don't want to outright prohibit onsite parking in all of those areas.

Commissioner Keon: I don't either.



Commissioner Mena: So...

Commissioner Keon: So, I would exclude Miracle Mile...

Commissioner Mena: So...

Commissioner Keon: Then.

Commissioner Mena: I-- my point is, to me, this shouldn't have an outright prohibition. It should just have the minimum 25...

Vice Chair Lago: I'm just...

Commissioner Mena: Percent.

Vice Chair Lago: Can I...

Commissioner Keon: Okay, well, then...

Commissioner Mena: And then maybe there's some way to look at the site specifics...

Commissioner Keon: Okay.

Commissioner Mena: Of Miracle Mile if you want to exclude...

Commissioner Keon: Okay.

Commissioner Mena: Parking. That's a separate...

Commissioner Keon: Okay.

Commissioner Mena: Discussion.

Commissioner Keon: I have no problem with that.

City Attorney Ramos: So...

Commissioner Mena: I'm open to the discussion, but I think that's...

Commissioner Keon: Okay.

Commissioner Mena: An important point.

Mayor Valdes-Fauli: Let's bring it to...

City Attorney Ramos: Just a point of order. There's been a motion. I don't know if there's been a second.

Commissioner Keon: I'll withdraw my motion.

Vice Chair Lago: May I...

Mayor Valdes-Fauli: Let's listen to Bernardo Fort before we continue, please.

Bernardo Fort-Brescia: Mr. Mayor, I heard various comments and I -- as an architect, I'd like to make some statement, a clarification. There are certain -- let's begin by the aesthetic aspect. A garage aesthetic, even if you decorate it with a façade, is a garage. It doesn't have windows. You see almost like it had blown up, you know, you got the holes. Even if you decorate it whatever

design aesthetic you want to give it, a garage is a garage. Nobody lives there. There's nobody looking onto the street. There's a value to eyes on the sidewalk and people connecting with the city. There are certain streets in which that appearance is inappropriate. There's certain streets that you want to make them feel like they're a main street where people live or use the space above, and there's a sense of Parisian, so to speak, you know, or many other cities feeling. And therefore, the garage is disruptive in that sense because it doesn't contribute to that interaction between building and street. So, if we go back to the subject of FAR, if the FAR hasn't changed because it remains what it is and what is permitted, it allows the architect, like me, to be able to create articulation to the building. If I have to include the garage and I have a maximum height and a maximum envelope, that building will be a box because I'll have the garage, plus the FAR, and it'll be filled in to the rim. It doesn't allow you to set back, to create stepping, to create a nicer appearance to the building. In fact, the removal of the garage, without changing the FAR and without changing the envelope, permits the architect to be more expressive and to create a better building. And it is -- so I want to clarify that this ordinance doesn't change the FAR, and by virtue of that, allows for a better design. If the garage were to be included, it would result in essentially filled to the rim, a sort of giftbox, you know, to the edge. And that is the big difference. There are certainly certain streets where the garage may be more acceptable, that are other kinds of streets that are not the right place where one has to worry about such things and one has to accept it. But I do think Miracle Mile is a special place and garages don't belong there, and actually, better buildings that are better articulated and that are -- have a nicer design is what Miracle Mile deserves. And so, reiterating, there's no FAR change that we're talking about. You're not filling in the space that used to be a garage with additional square footage.

Vice Chair Lago: If I may. I just want to respond. I agree with you wholeheartedly in regards to the design. And if anybody knows design, yourself knows -- you know design better than anybody here because you've put together incredible buildings that I have had the pleasure of being in -- one of them being the one in the Grove, which I enjoyed last week, and it was a wonderful experience. Maybe I misspoke. It's not about increasing FAR. It's about maximizing your FAR where parking is a restriction unless you give additional height. When you -- it's about maximizing

the FAR as a result of the parking that the Code requires you to basically construct. If you're going to -- depending if you're going to build an office building, a hotel, a residential -- but I'm not -- we're -- you know, we just -- I wanted to discuss that with you. It's about maximizing the FAR that's allowed per the Code. If you see most buildings, they got to park it. And if you can't -- if you have -- if you're forced to park it, you have to have X amount of floors or parking, which I agree with you would not look appealing on Miracle Mile. I think it would be terrible. I'm willing to make a motion. And I make a...

Mr. Fort-Brescia: I just want to clarify an answer to that.

Vice Chair Lago: Of course.

Mr. Fort-Brescia: On a project -- a certain project that we're working on, I can fit a garage and I can fill a maximum FAR within the permitted height. No question...

Vice Chair Lago: If you...

Mr. Fort-Brescia: About it.

Vice Chair Lago: If you change the use, if you change the use from what you're requesting now.

Mr. Fort-Brescia: No, the same use.

Vice Chair Lago: That's not what I...

Mr. Fort-Brescia: Absolutely. That's the plans.

Vice Chair Lago: But that's not what I had the conversation with the developer yesterday.

Mr. Fort-Brescia: I can do exactly the same...

Vice Chair Lago: But we're not here to talk...

Mr. Fort-Brescia: I don't know why...

Vice Chair Lago: About that.

Mr. Fort-Brescia: Of what will be the virtue of changing the use, but if it -- but I can fit a building, a box, to the rim as per the permitted Code with a garage. I won't have a recess in the middle and I wouldn't have a courtyard, wouldn't have the terraces, wouldn't have the setbacks on the roof. I would just -- instead of creating a penthouse with a roof terrace, no. I would fill up the box. I can fit everything exactly the same, whether it's an office building, whether it's a hotel, whether it's whatever you want. I can actually fit it because the Code is actually well calculated. It's intended for that, and we know many buildings on Alhambra and other places that are boxes that are using the maximum FAR to the rim. And I don't think there's any wonderful thing if we change -- that use is changed anyway, you know, but it is -- nevertheless, I can fit that use or any use within that envelope. But there wouldn't be that -- those green features, those outdoor terraces, those -- it would just be a box, and that's the problem. But I don't think the (INAUDIBLE) here is how to take away FAR from people, you know. Again, FAR...

Vice Chair Lago: I'm not saying that. I never said that.

Mr. Fort-Brescia: It is -- I'm saying that it is -- but it wouldn't be.

Vice Chair Lago: And let's be clear. I want to put it on the record because I never said that.

Mr. Fort-Brescia: Yeah.

Vice Chair Lago: What I said is about maximizing FAR, but that's...

Mr. Fort-Brescia: I think the removal of the garage doesn't change the FAR. You can fit with a garage the same FAR. And by removing the garage, you can do a better building that is lighter, more open, with more depth, and which is what certain streets, like Miracle Mile, deserve.

Vice Chair Lago: Okay, thank you.

Mayor Valdes-Fauli: Thank you. Thank you, Bernardo.

Vice Chair Lago: So...

Mayor Valdes-Fauli: Vice Mayor, you want to make a motion?

Vice Chair Lago: But I'm going to make a motion...

City Attorney Ramos: I'm sorry. We have a motion on the floor and no second. Is there a second to Commissioner...

Vice Chair Lago: There was -- no.

Commissioner Mena: She withdrew it.

Vice Chair Lago: She withdrew it.

City Manager Iglesias: I would like to say that I would like to look at -- there's more -- there are a number of ways of incentivizing the new parking pedestal, and I would like the option of looking at those that can be very effective from a construction point of view and what developers are really looking for.

Vice Chair Lago: And so -- if I may.

Commissioner Keon: But...

City Manager Iglesias: I would like to have a little flexibility...

Vice Chair Lago: If I...

City Manager Iglesias: Please to allow that.

Commissioner Keon: But so are you...

Vice Chair Lago: But what I'm going to...

Commissioner Keon: Are you saying that you would do that? You -- the whole issue with the parking trust would...

City Manager Iglesias: Correct.

Commissioner Keon: Would be what?

City Manager Iglesias: There's two issues here. There's the parking trust and also...

Commissioner Keon: (INAUDIBLE) do that.

City Manager Iglesias: This policy issue. I believe that the parking trust aside can really incentivize this for the developers, which is basically a cost issue. And we can look at area by area

and not necessarily have to say no parking pedestals. But if we incentivize it properly, we will achieve that same result.

Vice Chair Lago: And I think that goes...

Commissioner Keon: Well, I do think that there is...

Vice Chair Lago: And that goes back into...

Commissioner Keon: A difference when you -- I do agree that there is a difference when you prohibit parking on the Mile as opposed to giving the option to a developer to have a percentage of their -- there be remote parking. And so, in -- you know, I...

City Manager Iglesias: If we incentivize it...

Commissioner Keon: I'm not uncomfortable with what's here because I think they can continue to look at it. And I don't know if it's, you know, this is fine and you deal with it in the site specifics for Miracle Mile, which exists today. There is -- there are...

City Manager Iglesias: If we incenti...

Commissioner Keon: That are site specifics and then go with the overlay.

Mayor Valdes-Fauli: Okay. We have...

Commissioner Keon: And it should. So, I -- you know, the order in which we do that, I don't...

City Manager Iglesias: If we...



Commissioner Keon: I don't have a problem with, but I -- that's how I would like to see it happen, so...

City Manager Iglesias: If we incentivize it...

Commissioner Keon: If you need more time...

City Manager Iglesias: Right.

Commissioner Keon: You can have more time.

City Manager Iglesias: There....

Commissioner Keon: Otherwise, but I think we should move...

City Manager Iglesias: There are two parts to this. There is the trust and there is this policy issue.

Commissioner Keon: Right.

City Manager Iglesias: And we can combine both to properly incentivize it without maybe removing -- without maybe disallowing something so we can -- as long as we properly incentivize it, from a construction perspective, from a cost perspective, I think that we can deal with these different areas through the trust fund and through this policy and make sure that they -- that there's synergies between both so we can...

Commissioner Keon: But if you change this...

City Manager Iglesias: So we can accomplish what we want to do.

Commissioner Keon: Right. But if you change this order substantially, it should come back on first reading.

City Attorney Ramos: Agreed.

Commissioner Keon: Okay. So, it should have to come back on first reading if you're going to make a substantive change to this, this issue.

City Manager Iglesias: I think what I...

Vice Chair Lago: So...

Commissioner Keon: So, if there is agreement that...

Mayor Valdes-Fauli: The Vice Mayor wants to make a motion.

Vice Chair Lago: So, if I may.

Mayor Valdes-Fauli: (INAUDIBLE).

Commissioner Keon: Well...

Vice Chair Lago: If I may. Thank you.

Commissioner Keon: Oh, okay.

Vice Chair Lago: Thank you, Mayor. I appreciate that. So, what I'm recommending is that obviously you see that staff is not ready today and this is a moving target, and there's a lot of issues here that are not clear. So, what I'd like to see is I'd like to have staff work on this a little bit

longer, whatever time you need. We have DPZ obviously working on the rewrite. I want to see what the ramifications are, and I want to hear from DPZ in regards to if we do remote parking, which by the way, I'm in favor of for Miracle Mile. I'm also taking into consideration Commissioner Mena's and Commissioner Fors' comments, which are very adequate in regards to we have to be very careful with a brush brush -- a broad brushstroke across our downtown. We also need to understand what are the ramifications for the industrial area and how that will play. Do we treat them the same as our downtown when we have an existing structure, like we have in reference to Merrick Park, and we have over 400 parking spaces there that are attributed to the City. Those are things that we need to consider. And then I would like to see this not come back to the Commission on first reading. I would like to see, once staff is ready and DPZ has weighed in, maybe we meet at another -- I don't have a problem calling another sunshine meeting, like I did yesterday, which the public can attend. I think it would be a great idea to get their input, the business community, the residents that live in downtown. Have it go to Planning and Zoning. That's why Planning and Zoning is there. Planning and Zoning is there to give guidance, like they have in the past.

Mayor Valdes-Fauli: Make a motion.

Vice Chair Lago: So, that's my motion, to defer.

Commissioner Keon: To...

Vice Chair Lago: Along with...

Commissioner Keon: Is it to send this item...

Vice Chair Lago: Along...

Commissioner Keon: To Planning and Zoning as is and then let it come back from there?

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City Commission Meeting

December 10, 2019

Agenda Item F-9 - Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, by amending Article 5, "Development Standards," Division 14 "Parking, Loading, and Driveway Requirements" to provide regulations, restrictions, and procedures for the use of remote parking for new construction. Page 35

Vice Chair Lago: Commissioner, that was not what was stated.

Commissioner Keon: I'm asking.

Vice Chair Lago: What I stated was very clear, and that was -- it is to have staff, like our City Manager was talking about incentivizing several points, it was to discuss the ramifications of a broad brushstroke in downtown. It was to discuss the issues on how this would impact the industrial area, to look at the issues of parking -- existing parking at Merrick Park.

Mayor Valdes-Fauli: Which is not an issue with this.

Vice Chair Lago: No, but I'm just saying -- but this is remote parking, but there are, I think, three projects that are currently looking at that issue. We can treat...

Mayor Valdes-Fauli: Well, this is Miracle Mile.

Vice Chair Lago: By the way, we can treat them separately. I don't have a problem. Fine, we won't look at that.

Mayor Valdes-Fauli: Okay. You made a motion. Is there a second?

Vice Chair Lago: That's my motion.

Commissioner Mena: The only...

Vice Chair Lago: And I would like for it -- to see it go to Planning and Zoning so we can get their input.

Commissioner Mena: I'll second for discussion.

Vice Chair Lago: Yep.

Commissioner Mena: My only question there is what that process looks like because I agree with you it should go to Planning and Zoning. My concern is what goes to Planning and Zoning, right, so they're going to -- staff is going to need direction from us once they take another stab at reworking this I think before any input from Planning and Zoning will be helpful to us.

Vice Chair Lago: No. I think we should...

Commissioner Mena: Because if they end up coming back with something we don't agree with...

Vice Chair Lago: And I agree with you.

Commissioner Mena: Then...

Vice Chair Lago: That's why I mentioned the fact that we could have another sunshine meeting, like the one that we all attended yesterday, and just continue to have an open discussion.

City Manager Iglesias: If I...

Vice Chair Lago: I think it's -- go ahead.

City Manager Iglesias: If I may say something, Commissioner.

Vice Chair Lago: By the way, I think yesterday's discussion was a very healthy discussion and I think it's a discussion that we need to continue to have before it even comes to the Commission. Why not have a discussion which has all stakeholders at the table? We've seen before...

Mayor Valdes-Fauli: Hello?

Vice Chair Lago: We've seen -- no, no. I'm just making sure you're paying attention.

Commissioner Keon: I am.

Vice Chair Lago: So, I just don't...

Commissioner Keon: I can hear you.

Vice Chair Lago: I don't want to see a situation where we come back here and staff says, you know, let's -- we need to work on these issues before -- we need to iron out a few pending issues. And then we -- you know, I want to make sure that everybody's comfortable on where we stand.

Mayor Valdes-Fauli: Okay, a motion has been made and seconded.

City Manager Iglesias: Let me further explain.

Vice Chair Lago: Yeah, of course.

City Manager Iglesias: I think the issue here is that we are saying no parking pedestals on the Mile. If we remove that requirement and then we go back to the trust and incentivize the different areas with different costs, we can incentivize it through that route, so the 25 percent can stay, but the costs in different areas will be incentivized differently, similar to what other cities have done. Now this is -- so this is something that we can work on with just the removal of the requirement of no parking pedestals on the Mile. We could incentivize it economically, which is what the developers are looking for.

City Attorney Ramos: But then I'm hearing two...

Vice Chair Lago: Yeah, but I also want to...

City Attorney Ramos: Things, Mr. Manager.

Vice Chair Lago: Madam City Attorney, just give me one second just to respond. Thank you. I appreciate that. You know, I want to be very clear because there was some comments -- there was one comment made yesterday in yesterday's sunshine meeting that I called that was talking about being punitive. No, we don't want to be punitive. We want to incentivize the developers, but there also has to be a public benefit and that's what I think is key. So, I...

Mayor Valdes-Fauli: But the public benefit...

Commissioner Keon: Could you discuss public benefit?

Mayor Valdes-Fauli: (INAUDIBLE) the public benefit is the betterment of Miracle Mile.

Vice Chair Lago: No, but I'm saying...

Mayor Valdes-Fauli: And the use of our...

Vice Chair Lago: You know, what and I agree with you.

Mayor Valdes-Fauli: (INAUDIBLE) that's the public benefit.

Vice Chair Lago: And I agree with you. That is a public benefit.

Mayor Valdes-Fauli: Okay.

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Vice Chair Lago: That is one of the many public benefits. But I think that we could have more discussions with the developers at hand, like the -- some of them were at the meeting yesterday, and have discussions and get their input and saying, you know, if we reduce -- like I mentioned yesterday in the meeting, what if we reduced the amount of parking that was required for certain projects in regards to remote parking? Could we lower the height of the buildings, which would save them money? And also, because that remote parking outside of what you're talking about, the parking trust and the people who are listening today don't know the full extent of our discussion. That's why I want to be very clear. The developer will be -- would be required to pay at a minimum 25 percent into the parking trust, which that money would be used to upgrade our infrastructure in regards to our parking infrastructure, but then there'll be a remaining 75 percent. I think it should be more, by the way, the 25 percent.

Mayor Valdes-Fauli: Okay.

Vice Chair Lago: That's just a starting point. The remaining portion will be required in perpetuity as remote parking. I would like to see if we could find a way, having discussions with the developers, to not make it in perpetuity because I know what's going to happen. In five or ten years, the developer's going to come back and say, hey, listen, I don't need the parking. I want a parking reduction because it's going to cost them X amount of money a year or every month for life, forever, for the life of the building. So why not try to bring down the size and scope of the building or offer other incentives that will benefit the community as a whole, along with redeveloping these buildings which are a public benefit in itself.

Mayor Valdes-Fauli: Okay, Commissioner -- I mean, Vice Mayor.

Vice Chair Lago: I'm just saying what I think...

Mayor Valdes-Fauli: A motion -- I know.



Vice Chair Lago: Will be great to talk -- continue talking about.

Mayor Valdes-Fauli: A motion has been made and seconded. I want to make it very clear. There's a saying in law, justice delayed is justice denied, and we can kill projects by delaying and by over studying projects, so we have to be very, very careful that we don't discourage developers by delaying and delaying and delaying. A motion has been made and seconded to...

Commissioner Keon: Can I speak to that, please, for discussion?

Mayor Valdes-Fauli: Yeah, but let's...

Commissioner Keon: I would...

Mayor Valdes-Fauli: Conclude.

Commissioner Keon: I will. But I would -- I -- your motion was to defer, is that right? Okay. I won't support a motion to defer. What I will support is a motion to not vote on this, but direct staff to move this to -- to move it to Planning and Zoning and let it at least begin the process within Planning and Zoning without a vote and allow staff to continue to work with them, and then it would come back to us in -- you know, it would come back to us probably along a similar schedule. But I don't want to see it stopped. I think there needs to be continuing...

Commissioner Mena: It's not stopping.

Commissioner Keon: Discussion. But you know what...

Commissioner Mena: You guys are saying...

Commissioner Keon: It will...

Commissioner Mena: It's semantics.

Vice Chair Lago: Yeah, it is.

Commissioner Mena: You're talking about the meaning of the word defer, where...

Vice Chair Lago: Let's just take a vote on this.

Commissioner Keon: Well, it's -- rather than deferring, I'd like it to go...

Commissioner Mena: You are -- your motion...

Mayor Valdes-Fauli: (INAUDIBLE)

Commissioner Mena: Is to defer.

Commissioner Keon: I will, but it also includes an action.

Mayor Valdes-Fauli: Okay.

Commissioner Keon: The action is...

Commissioner Mena: But I agree with you.

Commissioner Keon: Is we're deferring it, but we're going to send it as its written to Planning and Zoning.

Commissioner Mena: That's a different...

City Attorney Ramos: That was not...

Commissioner Keon: That's what...

City Attorney Ramos: That was -- the motion on the table...

Commissioner Keon: And I know the motion is...

Vice Chair Lago: So let's take...

City Attorney Ramos: Is to go back -- have staff go back and redraft, bring back a first reading, then it would go to P and Z, then it would come back.

Commissioner Keon: Well, I would rather just...

City Attorney Ramos: What I was trying to say earlier is I think staff needs very clear direction.

Commissioner Keon: Right.

City Attorney Ramos: What I'm hearing is we want to treat all areas differently.

Commissioner Keon: Right.

City Attorney Ramos: So, the new ordinance would treat all four areas differently. And what I'm hearing is that we want to look at incentivizing, which means that when this comes back, it needs to come back with the numbers.

Commissioner Mena: Yeah.

City Attorney Ramos: But we're not going to know how we're incentivizing.

Vice Chair Lago: And let me give you...

City Manager Iglesias: That is correct, Madam City Attorney.

Vice Chair Lago: Let me -- and let me give you -- and let me...

City Manager Iglesias: That is correct.

Vice Chair Lago: Mr. City Manager, let me give you one last point, which I think is an important one. When this goes back to P and Z, if my deferral's granted today, if a project is required to do 50 parking spaces as per what their -- the Code states, we should go 50 parking spaces and then that's what people should pay off either into the trust or into the other parking tranche, which is the remote parking. We -- you know this -- we have to hold firm on certain issues here because we're talking about the city. I have a -- I have right here a deferral on the table, with a second.

Mayor Valdes-Fauli: There's a motion.

Vice Chair Lago: With a second and let's...

Mayor Valdes-Fauli: It has been seconded.

Vice Chair Lago: And let's move on or...

Mayor Valdes-Fauli: Will you call the roll, please?

Vice Chair Lago: Or come up with -- or deny my deferral.

Mayor Valdes-Fauli: No, no, no, no, no.

Vice Chair Lago: And move on to something else.

Mayor Valdes-Fauli: Yeah, (INAUDIBLE).

Commissioner Mena: As the person who seconded the motion, the clarification that I was seeking is where it goes from here, and so I just want to make sure. We defer. We have staff rework it.

Mayor Valdes-Fauli: Then it goes to Planning and Zoning.

Commissioner Mena: And then it goes to Planning and Zoning.

Commissioner Keon: When would it go to Planning and Zoning?

Vice Chair Lago: And I would like...

Commissioner Keon: When would you direct them to send it to Planning and Zoning,  
Commissioner Mena?

Commissioner Mena: I think we have -- it's not my motion.

Vice Chair Lago: It's my motion.

Commissioner Keon: Okay, when...

Vice Chair Lago: I would...

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City Commission Meeting

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Commissioner Keon: But as a Commissioner and voting member on this dais, when would you send it?

Commissioner Mena: I think you either have a workshop, as the Vice Mayor suggested because if he -- if staff comes back with something that we're not satisfied with, then it's sort of a waste of time to submit it to Planning and Zoning.

Mayor Valdes-Fauli: Okay.

Commissioner Keon: Well, it's -- but that's usually where things are worked out is in Planning and Zoning. I mean, that's...

Commissioner Mena: I'm open to (INAUDIBLE) direction.

Commissioner Keon: I mean, that's the only reason. I would just like to see it move. I don't want to see it sit because I don't want to see -- you know, there are two issues here.

Commissioner Mena: But this is the first...

Commissioner Keon: One is...

Vice Chair Lago: This is the first time.

Commissioner Mena: Let's be clear.

Commissioner Keon: Yes.

Commissioner Mena: I think there's a little bit of...

Commissioner Keon: Yes. No, I agree...

Commissioner Mena: I want to...

Commissioner Keon: With you.

Commissioner Mena: Say something because I think there's a little bit of a false narrative on both sides of that issue.

Commissioner Keon: Yes.

Commissioner Mena: On the one hand, there's people out there saying, what's the urgency? Why is this being treated like an emergency? That's not true. I don't subscribe to that.

Commissioner Keon: No, I don't either.

Commissioner Mena: However, I think it's also a little unfair to make it seem like we're moving at a snail's pace on remote parking, which is what is before us today for the first time since I have sat on this dais. So, let's not...

Commissioner Keon: But I think it's...

Commissioner Mena: Overstate either side of this. Let's just...

Commissioner Keon: Right.

Commissioner Mena: Move forward and let's -- I agree with you.

Mayor Valdes-Fauli: Okay.

Commissioner Mena: Let's keep moving with it.

Commissioner Keon: But I think the issue is...

Mayor Valdes-Fauli: Let's...

Commissioner Keon: The issue is, is that we're talking about remote parking, but you're also talking about, you know, there's -- others have a great interest in a parking trust and you're trying to accommodate both things, and they are not -- they are -- they're related. They're related, and the management of remote parking is likely through a parking trust. So, it is -- they are related, but they are not the same thing. And I think when you're trying to put both things into the same ordinance, you're trying to please too many masters.

Commissioner Mena: I think what the Vice Mayor proposed...

Commissioner Keon: But they need to go in conjunction.

Commissioner Mena: And I seconded...

Commissioner Keon: Yes.

Commissioner Mena: And correct me if...

Commissioner Keon: Yes.

Commissioner Mena: I'm wrong. Defer, have staff work -- rework it, workshop, and then based on the direction from there, P and Z.



Vice Chair Lago: Yes.

Mayor Valdes-Fauli: Okay.

Commissioner Mena: Is that clear?

Commissioner Keon: I would like it...

Vice Chair Lago: That's clear.

Commissioner Keon: To come back in January, though.

Mayor Valdes-Fauli: Come on. Let's -- will you call the roll, please?

Commissioner Mena: My second, alright.

Mayor Valdes-Fauli: Stop it. Will you call the roll, please? We have discussed this for an hour, and I think that we're in agreement...

Commissioner Keon: Keep talking.

Mayor Valdes-Fauli: About deferral and go ahead. Will you call the roll?

Commissioner Keon: Yes.

Vice Chair Lago: Yes.

Commissioner Mena: Yes.

Commissioner Fors: Yes.

Mayor Valdes-Fauli: Yes.

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City Commission Meeting

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(Vote: 5-0)

Mayor Valdes-Fauli: Alright.

Vice Chair Lago: I want to be very...

Commissioner Keon: I would like...

Mayor Valdes-Fauli: Thank you.

Commissioner Keon: I would like to make a motion to direct staff to bring it back in January. I don't want it to sit forever.

Mayor Valdes-Fauli: Okay.

Commissioner Mena: I'm okay with that. I mean...

Commissioner Keon: Okay?

City Attorney Ramos: Whoa, whoa. Hold on, hold on.

Vice Chair Lago: But the Planning and Zoning meeting -- when is the Planning...

City Attorney Ramos: The next P and Z meeting it can go to is not 'til January.

Commissioner Mena: No. She's saying bring it back for workshop.

Vice Chair Lago: For workshop.

Commissioner Keon: It's going to workshop and come back to us.

City Attorney Ramos: Oh, it's for the workshop in January.

Commissioner Keon: They want it to come back to us before it goes to P and Z, so I would like it to come back to us in January.

City Attorney Ramos: To have the workshop in January.

Commissioner Keon: Whether the workshop is the beginning of January and it comes in the second meeting in January, but I would like to set some parameters so that it doesn't just wither.

Commissioner Mena: I'm okay with that general direction.

Commissioner Fors: I'm fine with that.

Commissioner Keon: Is -- okay.

Commissioner Mena: But I think staff should have the leeway if...

Commissioner Keon: Do you believe you can do that?

Commissioner Mena: They can't get that done, to tell...

Commissioner Keon: Do you...

Commissioner Mena: Mr. Director.

Commissioner Keon: Do you think you can do that?

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Unidentified Speaker: At this moment, we're going to look into exactly what it is that's being asked here on the floor. We'll get together with...

Commissioner Keon: Okay.

Unidentified Speaker: The City Manager and then we'll provide an outline...

Commissioner Keon: Okay.

Unidentified Speaker: As soon as possible.

Commissioner Keon: Do you believe that you can have a workshop the begin -- in January and we can come back for the second meeting in January with an item that we could vote on to go to - or will go...

City Attorney Ramos: Let me just...

Commissioner Keon: To P and Z?

City Attorney Ramos: Let me just weigh in...

Commissioner Keon: One or the other.

City Attorney Ramos: To timeline. If it's going to be to be a workshop and then P and Z, the P and Z meeting is when?

Unidentified Speaker: I believe it's January 10.

City Attorney Ramos: So, we would have to have a workshop before January 10. It would have to go to P and Z January 10, and then Commission January 24.

Commissioner Mena: I think realistic...

City Attorney Ramos: I don't know if that's reasonable.

Commissioner Mena: I think realistically that's not happening.

Vice Chair Lago: I mean, I think the question is we've got (INAUDIBLE) -- I mean, I'm going to...

Commissioner Keon: But do you want it to come to us and then go to P and Z? Do you want to do a workshop, have it come to us the end of January and then send it to P and Z in February? It will come back to us at the end of February...

Commissioner Fors: And it'd go to Planning and Zoning...

Commissioner Keon: Or beginning of March.

Commissioner Fors: Before first reading?

City Attorney Ramos: That was the motion.

Vice Chair Lago: I think it should be, yeah.

Commissioner Keon: It can.

Vice Chair Lago: That was part of my motion.

Commissioner Fors: So, we have a workshop, P and Z.

Commissioner Keon: Well, we have to have the workshop, and then it can come back the first meeting in February, okay.

Vice Chair Lago: Why don't we just take...

Commissioner Keon: So, we'll set a workshop in the beginning of January, and it'll go...

Vice Chair Lago: Why don't we...

Commissioner Keon: To P and Z in January. Is that right?

Vice Chair Lago: Why don't we just take a moment, let staff -- staff just said they have to review it with the City Manager. Everyone could look at their schedule. I will tell you now, I'm not going anywhere either in December, the rest of the month.

Commissioner Mena: I am.

Vice Chair Lago: Or -- I'm just saying. I'm just giving you my schedule so you know I'm available. I'm available for the workshop. I'm available.

Mayor Valdes-Fauli: Okay.

Vice Chair Lago: So, let's look at our schedules. Let's coordinate with the City Manager and we'll do the best that we can to have it at -- some time in December or in January so we can have the workshop and then kick it to P and Z. If we don't make the January 10 deadline, we'll make the following deadline. I think it's going to be very tough to make the January 10 deadline.

City Attorney Ramos: I was just told it's actually the eighth.

Vice Chair Lago: The eighth, excuse me, the -- thank you for that clarification. I don't think it's possible, right, during the new year, and then we'll kick it to the next Planning and Zoning Board meeting, and then we'll have it at the next Commission meeting.

Mayor Valdes-Fauli: Okay.

Vice Chair Lago: I think it's pretty flexible.

Mayor Valdes-Fauli: Alright. F...

Commissioner Keon: So, I asked...

Mayor Valdes-Fauli: F-4, time certain.

Commissioner Keon: Okay. I'm going to -- I wanted -- I would like him to tell me when is it going to go to -- when are you having a workshop?

Commissioner Mena: Whenever the meeting is after that.

Vice Chair Lago: Yeah.

Unidentified Speaker: The workshop right now, I think...

Vice Chair Lago: We could do something in January.

Unidentified Speaker: It's possible that we can look into it...

Commissioner Keon: At the beginning of January.

Unidentified Speaker: In the same week that...

City Manager Iglesias: Have the workshop...

Unidentified Speaker: Planning and Zoning is taking place in January.

Commissioner Keon: In the beginning of January.

Unidentified Speaker: And then we could move on from there.

Commissioner Keon: And it could come back to us the end of January. It could go to P and Z. I mean, that's all open.

Unidentified Speaker: If the workshop is happening...

Commissioner Keon: Is that right?

Unidentified Speaker: At that time, don't...

Commissioner Keon: Alright.

City Attorney Ramos: P and Z is January 8.

Commissioner Keon: I'm just asking you. I want -- I would like to see...

City Manager Iglesias: Commissioner.



Unidentified Speaker: It'd be difficult.

Commissioner Keon: It begin to move forward.

City Manager Iglesias: Commissioner.

Mayor Valdes-Fauli: Okay, folks.

City Manager Iglesias: I'd like to have the meeting in January. Allow us to look at the trust fund also.

Commissioner Keon: Okay, yes.

Mayor Valdes-Fauli: Alright.

City Manager Iglesias: Allow us to...

Commissioner Keon: Okay.

City Manager Iglesias: Look at both issues...

Commissioner Keon: That's fine.

City Manager Iglesias: Because one will incentivize the other.

Commissioner Keon: As long as you continue to move forward. And if you have to separate those two items, then you separate those two items.

City Manager Iglesias: No. I think we need to look at them together, from a...

Commissioner Keon: And you need to -- well, you do.

City Manager Iglesias: From that perspective.

Commissioner Keon: But if you need to do the Mile separately because of the overlay for the Mile, then I'd like to see that done also because I don't want to see a parking garage on Miracle Mile, alright.

Mayor Valdes-Fauli: Let's continue this discussion. Come on.

Commissioner Keon: Okay.

Vice Chair Lago: Thank you, sir.

Commissioner Keon: Do you want me to talk a little more?

Vice Chair Lago: I appreciate it.