

City of Coral Gables City Commission Meeting
Agenda Item E-4
August 24, 2010
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

City Manager, Patrick Salerno
City Attorney, Elizabeth Hernandez
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia

Public Speaker(s)

E-4 [Start: 10:51:22 a.m.]

Change of Land Use. An Ordinance of the City Commission of Coral Gables amending the Future Land Use Map of the Coral Gables Comprehensive Plan pursuant to small scale amendment procedures subject to ss. 163.3187, Florida Statutes, from “Commercial Use, Mid-Rise Intensity” to “Commercial Use, High-Rise Intensity” for the following city owned properties:

1. Lots 1-4 & 38-48, Block 20, Section “K” (2100 Block of Salzedo St.) Coral Gables, Florida;
2. Lots 22-43, Block 1, Crafts Section (300 Block of Andalusia Ave.), Coral Gables, Florida;
3. Lots 29-42, Block 2, Crafts Section (200 Block of Andalusia Ave.), Coral Gables, Florida; and providing for severability, repealer, codification and an effective date. (PZB recommended approval, vote: 6-0) (Passed on First Reading July 13, 2010).

Mayor Slesnick: E-4

City Attorney Hernandez: Repeated above title into record.

Vice Mayor Kerdyk: [Inaudible – mike off]...something that the city is asking for that I could vote against a resident...[inaudible]...

City Attorney Hernandez: OK.

Mayor Slesnick: Do I have a motion?

Commissioner Anderson: I'll move it.

Commissioner Withers: Second.

Mayor Slesnick: I feel compelled to address this issue also. I am one of the persons who nine years ago voted to down zone, if you will, I hate to use that term, to move down a little bit in the height on these properties. At the time, we had full-fledged highly fueled building going on. Residents were concerned as to the pace of the building that was happening, and I felt that the city was moving too fast to building up downtown. Since then, we have obviously had a change of pace; we have had a change of the building construction phase, and I think that this management team as well as the prior management team has focused on trying to develop these properties over and over again with little success, because of the current restrictions on doing public-private. My preference would be as Mr. Kerdyk would say, would be to vote no and to someday build similar garages to the Museum Garage that we have on Aragon, which is a height that we all agreed on, and serves the perfect purpose of providing parking with some retail, as a purely city project. I have been informed on a number of occasions by the City Manager that the city does not have the capacity economically to do that, to replicate that garage at this time, so therefore, this seems to be a way to try to possibly attract private investment on public property. I would, two things of caution though, I would still if we could find a way to financially replicate another Museum Garage, I'd prefer that approach than a public-private construction which emphasizes condos and/or office space, and secondly, I would hope that in doing this, if we do this, that in fact we all move to protect the height of Miracle Mile even more so than it may be by the current overlay, because two of these properties lay half a block off of Miracle Mile, but we've already done one thing to protect the Mile and I would like to make sure that trend continues.

Vice Mayor Kerdyk: Mayor there is one other issue though; it's not only the height that we're putting on to our individual properties, it's the precedent that we are setting that someone else has a similar piece of property in a similar location would come to us and say, how can you give to one, but not give to the other, or take for yourself and not give to the other. So I have that issue with the precedent and I have a feeling that we might be addressing the situation with one or two other parcels that are coming in front of us, and that is a bit of concern for me to support a high-rise site on ours when it's going to be a mid-rise height on somebody else's. That's really the genesis of my thought process here.

Commissioner Withers: Well, I always thought that this ordinance on first reading was to kind of reserve the city's right to develop it in the future if they wanted to, in light of the fact of some legislation that might be coming down on a statewide initiative. The Commission will always have the right to decide what's going on, on those parking garages.

Vice Mayor Kerdyk: It's just the parking lot that's across the street from them that might be coming in for rezoning, and you're going to be able to tell them, hey, we took a high-rise designation, but you owning the same property two blocks away in the same designation, now you have to go through a mid-rise density. I don't think that's the right way of doing business, and that's really my heart-felt issue with this.

Commissioner Withers: I understand, but again, this isn't a cart blanche for the city to build 97 or 102, whatever, but remember we had a 95 foot glass ceiling and we took it to 97.

Commissioner Anderson: And you know I voted against the height at the time, but I do believe that with the threat of Amendment 4 and I think it will pass, it will hamper government's ability to do anything as well as private industries, and so I respect your position, I'm not challenging it, I just want to put mine on the record because I have in the past said no, and I do believe that we do need to hold a place-holder for ourselves as far as our ability to...

Mayor Slesnick: What's the height of 55 Aragon?

Vice Mayor Kerdyk: 55 Aragon – 55 Aragon is a 13 story building or 15 story building. So its 145 feet, or 150, 165 feet.

City Manager Salerno: 150 feet or so.

Mayor Slesnick: So is that what we're talking about?

Vice Mayor Kerdyk: Yes, that's what you are talking about, basically a high-rise 165 feet; and I think with the accoutrements and everything its about 190 some odd feet.

Commissioner Anderson: And those sites for sale are so narrow, they don't lend themselves any...

Commissioner Withers: With the FAR can you even go that high there though?

Vice Mayor Kerdyk: What?

Commissioner Withers: With the FAR can you go that high?

Vice Mayor Kerdyk: For sure – 3.5 FAR and you can build 3.5 FAR times how the big the sites are, probably about 30,000 square foot site it's a 110,000 square feet you can build, park underneath and build retail, parking, office, those are your combinations.

City Manager Salerno: Mayor?

Mayor Slesnick: Yes Mr. Manager.

City Manager Salerno: Commissioner Withers comments I think are very appropriate in that you're giving yourself, basically its saying, do you trust yourselves?- because that's all you are doing, because it is city owned property at some point in the future if you are presented with a deal that you like and at that particular time whatever the community's philosophy is, you get to decide, it's not like giving it to a private entity and letting them make a decision based upon the bottom line. You always have the right to make this decision for the bottom line reason or for just the community reason; however, with Amendment 4 if that should pass you will lose that opportunity, so you won't be able to even trust yourself in that regard, you would have to perhaps wait years to develop something. The Mayor has talked to me consistently about which is, get rid of those, fix those garages, get us new garages Mr. Manager, and this is one of the key components in our strategy in being able to do that. So without this action it could be years before we have a viable option even to consider, not necessarily even for the Commission to go forward with. That's all I would....

Vice Mayor Kerdyk: I just believe in fair to one fair to all.

City Manager Salerno: I agree.

Vice Mayor Kerdyk: So when somebody comes in a week from now or a month or two months from now and ask for the same thing, and we have the same conversation, so you know where my vote is going at that point.

City Manager Salerno: The good thing about this because it is a land use as you all know, you have broad discretion in saying yes or no to that, and that could be a myriad of reasons why you could say no, and I could probably make a differentiation on land use change for almost any parcel, even parcels across the street from each other there is differentiation. And again, if it passes you are probably not going to have those options to consider because it will be all subject to votes, so this could be one of the last few votes you get that perhaps mean something as far as increasing development potential, but I certainly understand your feelings Vice Mayor.

Vice Mayor Kerdyk: That's OK.

Mayor Slesnick: I think we have a motion and a second. I thought we had.

Commissioner Anderson: I'll move it.

Mayor Slesnick: Moved by Ms. Anderson. Did we have a motion already?

City Clerk Foeman: Yes we did.

Commissioner Anderson: OK.

Mayor Slesnick: Who made the motion?- who seconded, Walter just for the record?

City Clerk Foeman: Commissioner Anderson moved it, Commissioner Withers seconded.

Mayor Slesnick: Boy you all were about to do the same thing again.

Commissioner Anderson: I've forgotten already.

Mayor Slesnick: Déjà vu all over again, Ground Hog's Day. Mr. Clerk.

Vice Mayor Kerdyk: No

Commissioner Withers: Yes

Commissioner Anderson: Yes

Commissioner Cabrera: No

Mayor Slesnick: Yes

(Vote: 3-2)

[End: 11:01:52 a.m.]