

City of Coral Gables City Commission Meeting
Agenda Item F-13
August 27, 2019
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Jorge Fors, Jr.
Commissioner Pat Keon
Commissioner Michael Mena

City Staff

City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Assistant City Attorney, Cristina Suarez

Public Speaker(s)

Anthony de Yurre

Agenda Item F-13 [1:39:14 p.m.]

A Resolution of the City Commission of Coral Gables, Florida approving the filing of an application by RC Acquisitions LLC, pursuant to the Dispute Resolution Agreement between the City and Mundomed S.A. and South High Cliff Corp., to receive transfer of development rights for the proposed mixed-use project to be located at 216 Catalonia Avenue, 3000 Ponce de Leon Boulevard and 203 University Drive.

Mayor Valdes-Fauli: We'll take F-13.

City Attorney Ramos: A Resolution of the City Commission of Coral Gables, Florida approving the filing of an application by RC Acquisitions LLC, pursuant to the Dispute Resolution Agreement between the City and Mundomed S.A. and South High Cliff Corp., to receive transfer of development rights for the proposed mixed use project to be located at 216 Catalonia Avenue, 3000 Ponce de Leon Boulevard and 203 University Drive.

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Assistant City Attorney Suarez: Good afternoon. You may all recall that about two years ago, you approved a fee resolution agreement for the properties that were located, it was described as 20 acres south of Hammock Oaks; and pursuant to that agreement, the property owners received 50,000 square feet of TDR's, and alternatively they can be converted into density units at 1,000 square feet per unit. And those TDR's can be used in areas that are outside of the CBD or the north Ponce corridor. The applicant has requested review by you all of, not an application, but to use 40,000 square feet of those TDR's at a receiving site, and the reason why its coming to you at this preliminary stage is because that Dispute Resolution Agreement that created and conveyed those TDR's required that the Commission approved the filing of the application. So if you all decide to approve it today, it would just mean they go to the next step in the process, which is filing the application and it would go through the entire TDR process and approval today does not give them any guarantee that you will ultimately approve it, or that you would ultimately approve the number of TDR's that they are requesting, etc. It would still go through the entire process and you retain your full discretion and authority and the applicant is here to explain.

Mr. de Yurre: Good afternoon Mr. Mayor, Vice Mayor, Commissioners. We are acquiring 40,000 square feet of the available 50,000 square feet that resulted from the Dispute Resolution Agreement, as to...by the City Attorney. And we will request today, again, the points that need more commercial property; is it on U.S.-1? – does it abut residential? The property we are looking...TRD's 2, does not abut U.S.-1, does not abut residential, and it is a zoned commercial property, and thus we would just ask you for the opportunity to submit an application on the project.

Mayor Valdes-Fauli: Do I hear a motion?

Vice Mayor Lago: I want to ask Cristina one question.

Mayor Valdes-Fauli: Go ahead.

Vice Mayor Lago: What are the implications in regard to FAR if 40,000 square feet are added to the property? I know that we don't have a design before us to make a decision, but I just wanted to know does these super TDR's, as they are referred to, do they allow the project to go above and beyond what's allowed, the sale of 4.375...bonus.

Assistant City Attorney Suarez: So, they still need to comply with the requirements of the zoning code with respect to TDR's, but I know Mr. Trias can explain any specifics with respect to this process.

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Planning and Zoning Director Trias: That's exactly what it is. You have to follow the TDR rules. TDR's allow 25 percent more than the maximum at the highest point, and that's 4.375, but it could be less, depending on how their project is designed. The important thing is that this is a special process. It requires you as a Commission to agree that they submit the process and its reviewed as a regular TDR.

Vice Mayor Lago: So, with this purchase, and again, I know that you can't commit to this today, but the findings of these additional TDR's, are you going to come in at 4.375, or you are going to come in at 5.275?

Mr. de Yurre: No. The TRD's – I appreciate that they are called super TDR's, it makes me feel – be careful, because the seller might increase the price on us now, they are super TDR's.

Vice Mayor Lago: You can call them “super doper” TDR's if that makes you happy.

Mr. de Yurre: No...

Vice Mayor Lago: Whatever floats your boat, whatever floats your boat.

Mr. de Yurre: But to your point Vice Mayor, the TDR's will be treated just like any other TDR's. They would not allow us to go beyond 4.375, would be the delta between 3-5 and 4.375 on the project, the property to even get there would have to comply with the full Med-bonus as well for the project. Everything exactly as normal within the code. The only reason we came here to you today, prior to submitting an application is that the Dispute Resolution Agreement needed the Commission's blessing, and I think the biggest issues were to make sure that it wasn't going in a property that abutted residential, that was on U.S.-1, and that it had to be commercial. We checked those boxes and its pretty much a ministerial issue at this point in time. So, we can put forward the application that would obviously require a significant investment on behalf of the client.

Mayor Valdes-Fauli: Motion?

Vice Mayor Lago: So moved. Unless there are anymore questions that Commissioner Keon has.

Commissioner Keon: I'm sorry. This is the site that you came to talk about.

Mr. de Yurre: Correct. These are the TDR's that are going to be applied for, a piece of property that has been mostly dormant, vacant parking lot for close to 50 years. As a Quick Stop, prior to

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that it was a Chevron that got demolished, prior to that it was Royal Castle. So, this has been a real eyesore and it's going to be a very prominent eyesore once we make a multi-million-dollar investment in the park at Ponce Circle and obviously once folks start operating the Plaza.

Commissioner Keon: And you are still accumulating, you are still assembling property for that site?

Mr. de Yurre: Correct. So, the way that the settlement agreement works is, we can transfer them at square footage, or we can convert them to units. So, to the extent that we have enough assemblage when we do the application, to keep it under 4.375, to Vice Mayor Lago's point, we'll move all 40,000. If we don't get the full assemblage then we would be able to convert them on a unit basis, but not going over the 4.375 allowed in the City Code.

Commissioner Keon: You mean FAR.

Mr. de Yurre: Correct.

Commissioner Keon: But what about density?

Mr. de Yurre: The density – right now we are targeting somewhere between 150 units, I think is the ceiling on the project. Again, it's a tight site, so we are working on trying to also maximize open space. I know we are looking at modifying open space requirements, the City, to relax some requirements, or push certain trends the City wants, but ultimately we are going to comply with all the requirements that are on the books and it looks like maybe 150 units, so its not going to be you know, a significant project. There are currently in the City that have been constructed or slated in the pipeline within the CBD, maybe 300 units, if you count the Plaza and Columbus, the Plaza being the project on Ponce and Columbus Plaza, maybe it gets close to 500 units that are either in the application pipeline outside the CBD, or have been recently built. So, we look at it as a boutique CBD project. Again, cannot be on U.S.-1, its not the product that we are interested in doing. We are interested in, I think, ponying up the conversation earlier today about the trolley and transit. We are interested in popping into that corridor and taking advantage of the investments the City makes in park in the betterment of that particular pocket right there.

Commissioner Keon: Why do you apply for the TDR's before you finish assembling the parcel?

Mr. de Yurre: Because its really a matter of timing. The seller of the TDR's required us to acquire by "X" date, and the potential pieces of assemblage that we have cannot approve the sale until said date; and it just so happens that we are low out of sync. And so, to give you a little transparency

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on the negotiation process on the TDR's, we said well, we need some level of at least presentation to the Commission at the City that this passes at least the initial muster so we can even go do an application, and that's what we are here to do today, so we can close on the acquisition of the TDR's.

Mayor Valdes-Fauli: OK. Its been moved, is there a second?

Commissioner Mena: Second.

Mayor Valdes-Fauli: Will you call the roll please.

Vice Mayor Lago: Yes

Commissioner Mena: Yes

Commissioner Fors: Yes

Commissioner Keon: Yes

Mayor Valdes-Fauli: Yes

(Vote: 5-0)

Mr. de Yurre: Thank you very much.

Mayor Valdes-Fauli: Thank you.

Vice Mayor Lago: Thank you.

[End: 1:48:12 p.m.]