

City of Coral Gables City Commission Meeting
Agenda Item E-9
October 8, 2024
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago
Vice Mayor Rhonda Anderson
Commissioner Melissa Castro
Commissioner Ariel Fernandez
Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez
City Manager, Amos Rojas, Jr.
City Clerk, Billy Urquia
Planning and Zoning Director, Jennifer Garcia

Public Speaker(s)

Mario Garcia-Serra, Representing the Project
Glenn Pratt, Architect
David Fuentes, Architect
Raphael Sevilla
Vicky Rua

Agenda Item E-9 [12:04 p.m.]

A Resolution of the City Commission approving Mixed-Use Site Plan and Conditional Use review pursuant to Zoning Code Article 14, “Process” Section 14-203, “Conditional Uses,” for a proposed Mixed-Use project referred to as “33 Alhambra” on the property legally described as all of Block 15, “Coral Gables Section L” (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (09 11 24 PZB approved with conditions, Vote: 6-0). Lobbyist: Mario Garcia-Serra

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Mayor Lago: We have two items remaining on the docket. The next one is a time certain, agenda item E-9, Madam City Attorney.

City Attorney Suarez: E-9 is a Resolution of the City Commission approving Mixed-Use Site Plan and Conditional Use review pursuant to Zoning Code Article 14, “Process” Section 14-203, “Conditional Uses,” for a proposed Mixed-Use project referred to as “33 Alhambra” on the property legally described as all of Block 15, “Coral Gables Section L” (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. This is a quasi-judicial hearing item, so I ask the Clerk to please swear in anyone who will be testifying today.

City Clerk Urquia: Those who will be appearing before this item please stand and raise your right hand. Do you swear or affirm that the testimony you’ll provide today will be the truth and nothing but the truth.

All: Yes.

City Clerk Urquia: Thank you.

Mayor Lago: Mr. Garcia-Serra how are you.

Mr. Garcia-Serra: Everything good, thank you. Good afternoon.

Mayor Lago: Good afternoon.

Mr. Garcia-Serra: Good afternoon, Mr. Mayor and Commissioners, Mario Garcia-Serra with offices at 600 Brickell Avenue, here representing 33 Alhambra Propco, the owner and developer of the 33 Alhambra Project. I’m joined today by Mr. Jorge Cepero of MG Developer and also accompanied by our project architects, Glenn Pratt and David Fuentes of Bellam Pratt and Fuentes Architects, who will soon present the project to you. However, first let me familiarize everyone with the site and also tell you what has changed from the project which we proposed a year ago on this same property, and if Coral Gables TV could bring up the presentation, please. There we go. Go to the next slide. So here is project site outlined in red, its bordered by Alhambra Circle on the southeast, Minorca Avenue on the southwest, Galiano on the west, and Navarre on the north. This site is a little over an acre in size. It’s an entire city block and it is zoned MX2. The project which we proposed last year was proposing a rezoning of the property to MX3, or in the alternative a code amendment to allow for a taller height. That project generated controversy and some opposition, so we withdrew it, and went back to the drawing board and redesigned the project so that it complies 100 percent with the site’s existing MX2 zoning. This project does not require any change in zoning or variances, it is completely based on what the zoning code presently allows and is even less than what is presently permitted. We now have a 78-unit and 8-story condominium building, plus a penthouse with retail uses on the ground floor and office uses on the second floor.

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This slide here entitled, Highlights of the 33 Alhambra Project, lists what we think are the highlights of the project and we'll go through it briefly. As already mentioned, it complies 100 percent with the existing zoning. Its only using approximately half of the allowed density. The allowed density on this site would be somewhat around 140 units and we have proposed 78 units. It more than doubled the required open space, 4, 877 square feet of open space is provided, while 1,300, excuse me, there's a typo there. We've expanded the landscape areas on the ground level, and we also have an overall mass reduction and a ten-foot step-back around the entire building. There has been a significant reduction in height from the previously proposed project. Previously it was 12 stories, it's now been reduced to 8; and of that height that is at the 97-foot height mark, only about 25 percent of the building is actually at that height. The rest of the building is at a lower height than the maximum height of 97 feet. We've enhanced pedestrian access and pedestrian experiences and there is a historic structure at 42 Navarre, which we are proposing to preserve and adaptively reuse. So, with that said, I'll ask Glenn and David to briefly go through the architectural plans and elevation.

Mr. Pratt: Thank you, Mario. Glenn Pratt, Bellam Pratt and Fuentes Architects, 301 Almeria, Suite 210, Coral Gables.

Mr. Fuentes: I'm David Fuentes.

Mr. Pratt: We'll take you quickly around the project. I know that everyone's kind of pressed for time, but this is the front elevation of the building as seen from Alhambra. You see that the pedestal is three stories. We have on the ground level is all commercial space. On the second level we have a liner space that conceals the parking garage from views on both Navarre and Minorca, as well as Alhambra to create a lot of animation on the second level. The third level is the parking, and the ground level is again, going back is retail. The fourth level start the units and there are some as we take you around the building, you'll see there are large terraces that open up from the units that the fourth level units have very large terraces, as well as on the west side of the building, we have other amenity spaces and amenity terraces. This is an elevated view from looking from Alhambra. We've concealed all of the mechanical equipment in a parafait area within the roof, so that no mechanical equipment is seen from the street or from any of the units. There are two large units on the roof that will be the premiere units of the building, they are the penthouse units. The other remaining space on the roof is the amenity space and you'll see as we go around the building. On the front elevation there are the large terraces that are on the north side for the unit and on the south side for the south unit, and then there's a large space that divides the two towers where we are proposing to have a pickleball court that would be utilized on the roof. We put it on the roof to try and keep the noise and the associated noise levels from the adjacent neighbors that are lower buildings. This is a view from Alhambra and Navarre. That gives you a view of the front façade and as it wraps around, because the building is a full block, we felt that every elevation is a primary elevation and so, we've given each elevation essentially treated it as a front elevation. Go to the next slide. You'll see that one of the things that we really wanted to do was to anchor the building and each of the four corners of the building we have this feature that goes from the roof line down to the pedestrian level, with a flare at the bottom, so that it creates the volume that all of the other piece's clip into. You see also in this next slide you see the liner unit where the office space that's

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at the second level that wraps around Navarre, and the third level is the parking level with minimal openings that will be mechanically ventilated garage with no fans on the outside. All of the fans will be contained within the parking level so that you don't get the associated noise. This Navarre elevation from above. You see the little historic building. One of the things that we always appreciated about this project is that structure. It's a very unique little building and just really a gem, it's like somebody walked out the door in 1929, its untouched and it has a lot of really beautiful features, and we took quite a bit of inspiration actually from that little historic building in some of the features that we implemented into our structure. One of the things that we also felt was that it was very important to leave it enough breathing room, so we've created an open space, the landscape area that is to the north and west so that it doesn't feel like really squeezed in. One of the other things too, and you'll see from this elevation is that we intend to make a green wall that will be lining the parking garage behind it, so that essentially the green wall will create a really nice green background to just green out, so that the building has a much more prominent feel to it. From this elevation you also see the large open terraces that we have on the amenity level or on the fourth level; and then from the previous project when it was a taller tower, we had enough room to put the pool and some of the amenities down on that pedestal level. In this version to get it within the 97 feet, we've moved the amenity things up to the roof, so that the pool and the open terraces for outdoor barbecuing and meeting and some other associated spa spaces and so forth for the building will occur on the roof level, and we feel that it will be really an incredible view from up in that level. This is a view from Navarre and Galiano. You see the open park and the openness that's given to the historic building. We can go to the next slide. This is a view from Galiano that you see the landscape terraces that open up – we do have some amenities, the spas and massage and all of that, that will occur on that fourth level in the center and that large terrace opens really, opens up for the amenities that do occur on that fourth floor, and as you can see also, this is the only elevation where the parking garage is exposed on the two levels that are above the retail. You go to the next slide. One of the things that we felt though that was very important for the retail is that all of the base and the pedestal level be very activated and have a lot of movement and a lot of – so that the arcade that we've created completely wraps around the building. You'll see that in the site plan. This is a view from Minorca looking in Alhambra, looking back at the building and the front of the building. And again, as I was saying, all four corners of the main building have this expressed detail. And again, we're back to the front elevation of the building. This is the site plan that we're seeking approval for. The site plan consists of an arcade that totally wraps around the building, with the exception of the historic building and the garage parking entrance. We also have a paseo that runs through the building that connects Alhambra and Galiano Streets. We also have the retail that we've shown at this point we're not certain as to what the division of those spaces would be, whether they would be. We've had several discussions that they would be potentially either a large restaurant or we could also subdivide them into smaller spaces that would be smaller retail tenants. The separate core is set up so that the access to the office space that's on the second level, that makes the second level liner for the garage is access from the garage is a separate elevator system from the residential component. We can go to the next slide. This is the second floor that contains some parking, and you see the office space that wraps the Alhambra and Navarre and Minorca. This is the third level that is all parking. This is the fourth level that has some of the amenities that open out onto the amenity deck, and then the other remaining spaces is given to the units themselves. This is the typical floor level that has the condominium units. This

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is the roof level that has the two premiere units on the penthouse, as well as also the open terraces on each of the ends of that. And then also, the parking, excuse me, the pool and the other associated amenities things. You also see the pickleball court on the east side of the open court. This is a roof plan that just shows the containment of all of the mechanical equipment. This is just a quick elevation that shows the use of the materials that we are proposing with nice light fixtures, barrel tile roofing, different textures of stucco, natural stone on the ground plane and we are using a precast stone on the upper molding levels. We are using wrought iron and rails, specialized railing for the handrails. This is just a quick section that shows you how the building steps back to meet the code and comply with the code. This is just the last view and the end of the presentation.

Mr. Garcia-Serra: Thank you very much Glenn and David, Mr. Mayor and Commissioners, this project has been well received by the city boards that previously reviewed it, most recently Planning and Zoning Board, which recommended approval unanimously, 6-0. Staff is also recommending approval. In response to certain neighborhood input, we are also proposing to further buffer the pickleball court on the amenity deck with landscaping, and at the recommendation of the Planning and Zoning Board, we are also in agreement with prohibiting any use of the pickleball court after sunset. I think there are going to be some additional comment from neighbors regarding the pickleball court and we are ready to discuss that to try to figure out ways for this to work. And there are a couple of other conditions of approval which we would like to talk to you about, incorporating sort of feasibility, viability language in there, sort of similar to the discussion you had on underground utilities on the last project, and that's just making sure that some of these conditions of approval, such as the underground utilities, one, streetscape improvement in particular, and tree relocation, pickleball court can be done and done well. So, I'll let staff do their presentation now and we'll hear from the public and if I could just have a few minutes of rebuttal to try to address anything that comes up.

Mayor Lago: Thank you very much.

Planning and Zoning Director Garcia: Good afternoon, Jennifer Garcia, Planning and Zoning Director. If I can have the PowerPoint, please. Thank you, appreciate it. So, as we know, the location of this property is bounded by four streets, Navarre, Alhambra Circle, Minorca, and Galiano. It takes up the entire block. It is surrounded mostly by residential buildings, the northeast and south. It's on the edge of the CBD District. Its abutting the North Ponce Conservation District, so it's kind of transition property between the CBD denser downtown area and to the North Ponce, the north. Conditions right now are multi-family buildings. As you know, the property was rezoned about 7 years ago, so the property right now is being used as multi-family with multiple buildings on site. In this image, you can see the downtown taller buildings are on the left side, in the heart of downtown, and to the right side is our North Ponce Conservation District. So the mixed-use type plan proposed today include adaptive reuse of a historic building on Navarre; a small dog park just adjacent to that historic building; vehicle entrance and exit is off of Navarre; ground floor commercial flex space along Alhambra and also along Galiano, as well; a paseo cuts through the middle of the building, and then a small 2,900 square foot open space park plaza space on the north side of the property. So, they are well over the open space requirement, which is 10 percent. They are providing 20 percent. Their density is actually 70 units per acre, within the CBD which is

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unlimited density; the height is 97 feet, 8 stories, plus a penthouse. The FAR is 3.5, right at the maximum, the setbacks they made the upper floor a stepback requirements, 146 parking spaces, and 22 bicycle parking spaces. As the view looking south of the proposed building, you can see the corner park plaza in the bottom right of the image. There is the adaptive reuse of historic building that's facing Navarre. The ground floor commercial flex space that turns the corner along Alhambra. Office space on the second floor that wraps the parking, and then the residential units they are above the office space. So, DRC reviewed the project in May of this year; they met the neighbors in July this year; Board of Architects approved the Med Bonus and the design of the building in August. Later they met with the neighborhood again, end of August, Planning and Zoning Board recommended approval last month. They also were reviewed by the School Community Relations Committee later last month, and here we are for this meeting. So, letters were sent to property owners within 1,000 feet within Coral Gables and also included some properties in the City of Miami as well, as required by code. Letters were sent to property owners within, sorry, four times, for both neighborhood meetings, PZB, and to the Commission. The property was posted three times, as well as the website, the website posted four times, newspaper advertisement was twice and emails to whoever subscribes to our email was sent out twice. So, staff determines this application is consistent with the Comp Plan, the goals, objectives and policies. This complies with the findings of fact which are located in the staff report attachments. And we recommend approval subject to conditions of approval and that is located in Exhibit B of your packet. The highlights are Alhambra Circle sidewalk be open during construction, as well as the school pickup and drop-off unaffected during construction as well, so they will coordinate with the school as far as what they need to be able to facilitate correctly. The shade trees and mobility lanes, as recommended by the Planning and Zoning Board, the crosswalk on Alhambra Circle, and then landscaped bump-outs on both of all the adjacent intersections. The paseos and arcades will be public accessible at all times. A minimum of 75 percent of the ground floor retail be leased within one year after the last TCO of the property, as much as applicant can do as far as advertising and trying to make sure that ground floor is being leased and occupied. Construction parking plan to prohibit any on-street parking that have location for those construction workers, contractors, will be located off-street. The pickleball use restricted to only dawn to dusk. That's it. Thank you.

Mayor Lago: Thank you very much. Mr. Clerk are there any comments?

City Clerk Urquia: Yes, Mr. Mayor. First speaker is Raphael Sevilla.

Mayor Lago: Good afternoon, sir.

Mr. Sevilla: How are you. I tried to speak earlier on, but it was not possible for you to listen to me. I certainly am worried about the over-development again, closer to Philips Park. This is not the first time. Again, and again and again, we hear the same type of proposal, which is a nice one, but I believe it's in the wrong place. There are two schools nearby. There is one park. There are quite a few developments that are either approved or in consideration to be approved. And then we hear all of you in campaigns saying about over development and then back again here in the podium sometimes approving the project, which I agree with some, but please let's have a plan. Let's don't consider all the projects just because they have some green space or because they have some

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pickleball court. What is the plan for North Ponce. What is the plan for Galiano. What is the plan for that area, because enough. I mean, we still are in the same situation that we were five years, ten years ago, that every developer comes here and almost every development is approved. Under some reviews and so on, but still, there is an over development, particularly closer to Philips Park. There have been quite a few ones being approved already and we are concerned. It's not me, it's the people. So please, do something, because otherwise you are not fulfilling your promise that you made in the campaign, and we are still back to zero. I'm not saying this could not be considered, but it is not in the right place. That is my public opinion. Thank you.

Mayor Lago: Thank you, sir.

City Clerk Urquia: Vicky Rua.

Mayor Lago: Good afternoon.

Ms. Rua: I had a two-page, but I want to keep it simple. I think the project is very appropriate and I was against this project for many years. It's a given, Raphael, that we're going to have a building there, because they changed the land use and the zoning, so we have to accept. My big concern and the concern – I am so sorry, I live at 50 Alhambra Circle, right in front of 33 Alhambra, and I have 27 petitions of the 36 owners of that building. We are concerned with the pickleball. Pickleball should be in places that are commercial, in places where there is noise. I get it. In Andalucia, next to LeJeune, but not on top of, and I don't know if you can see where the pickleball would be, but it would be in the front of the building, facing our building. Noise travels and in fact, I read that its 75 to 80 decibels, and it's the constant, it's the constant, so a lot of us work from the house, we have balconies, and we have accepted the building. It's happening, but I urge you not to have the pickleball. It's not the place for it, and not only, I'm going to read the last paragraph that I was going to read. It says, we request that the city take our concern into consideration and give us an opportunity to understand what the benefits and risks are associated with approving this, because as I said to Mario and to the attorney, the project gets built beautiful, MG Developer will sell that project. Its quality. You don't need a pickleball to sell. It would only affect the area, the noise continuing. The plan rooftop concept at the city parking garage, the one in Andalusia, it's something that the city can easily undo if it turns out to be a problem, but approving the removal in the future on this proposed residential building rooftop pickleball court would be rather difficult. So, with that said, I'm going to leave the information I am hoping, I am really hoping that you understand that it will affect the area which is a residential area. Thank you.

Mayor Lago: Thank you.

City Clerk Urquia: That's it, Mr. Mayor.

Mayor Lago: Okay. Madam Vice Mayor.

Vice Mayor Anderson: I don't know if you want to respond first.

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Mr. Garcia-Serra: Sure. I can be brief.

Vice Mayor Anderson: And then I can address some of these.

Mr. Garcia-Serra: And so, from the objections that were expressed, the first one had to do with quote-unquote, over-development, but this project is very important. To point out this property is within the city's Central Business District and so that is where development is intended to happen. Even more important to point out, as I did before, this complies 100 percent with the existing zoning. We are not looking for any sort of increase in zoning or increase in height. We are doing what the law permits. After having to previously tried to attempt a rezoning and increased size, and so forth. We came back from that. We decreased the building by four stories in height, and so we are now doing what the law allows us to do, and again, within the Central Business District. Then the pickleball court has been an issue that has travelled with us as we've been going through the approval process, and we want to be good neighbors, we also want to have good amenities in the building. So we have, and actually Glenn, if you could come up, we've sort of looked at the acoustics of the pickleball court and Glenn will describe it to you, how sound works and how we are proposing to buffer it, and we are open to considering any other sort of measures, and perhaps we don't figure that out today, but we bring in an acoustical engineer and so forth, to try to figure out how this pickleball court can comply with city code, because remember, the city has a noise ordinance and we have to comply with that noise ordinance. We don't want anything that violates that noise ordinance, nor do you, and I think that's sort of the measuring stick or the measuring point by which we can decide whether we can have pickleball here or not. By our looking at the acoustical study that's prepared that Glenn will describe in more detail. It looks like we are in compliance with pickleball activity on there, especially considering that it's only going to be part of the day, since we've agreed not to allow it after sunset, would comply with city code.

Mr. Pratt: We are going right now to a slide, a study that we prepared using acoustic principles. We would also like to get an acoustic consultant that is a specialist that would confirm this, but this is a slide we prepared that you see it's a section of the building where the pickleball court is on the roof and there is a six-foot, a six-foot seven-inch parapet wall that is on the outside edge of the pickleball court.

Commissioner Fernandez: Is there a way to zoom in.

Mr. Pratt: I'm sorry.

Commissioner Fernandez: Is there a way to zoom in so we can see a littler clearer?

Mr. Pratt: I'm sorry, I didn't hear.

Commissioner Fernandez: Is there a way to zoom in on the graphic so we can see it a little bit larger?

Mr. Pratt: If IT can zoom into the – and actually David prepared this study, and I'll let him do the discussion.

Mr. Fuentes: We are doing the study based on the how sound diminish and travel within the space. There is a law that says that the sound reduces twice, the decibels, I'm sorry, six decibels twice the distance. So based on that, in 170 feet, that's the distance from the source we start at 70-85 decibels when you hit with the racket and the ball, but when it travels 170 feet, then it reduces to 22 decibels, something around that, which is barely noticeable. So again, like Mario and Glenn said, we would like to consult with an acoustic engineer and make sure that our assumptions are correct. We have a pretty good feeling that is up there, if some sound is going to travel down, it's going to be minimum. Most of the sound is going to travel up, because we have parapet on the walls, and whatever sound travels down, it's going to be normally reduced to the point that affects more the car crossing by than the pickleball.

Mr. Pratt: Just to kind of an explanation also of this diagram is that the building on the lower right hand side is actually the 50 Alhambra Building, in terms of the height and location across the street, the right-of-way from our project, and you can see that in the shaded area that would be the noise that would be reduced because of the parapet wall and noise generally travels in a straight path. It doesn't really go around corners very well, it gets diminished. So that's really the point of the diagram is that the noise that will be produced by the pickleball court is significantly elevated above the adjacent properties and as well as also by the parapet wall on the east; and in addition, because we are also very concerned about the adjacent residential units that are on our roof line, as well as the residential units below, so we are proposing that and maybe you can go back, David, to the overall view. What we've done is in that court area in the center of the building, we've carved out niches that we were proposing to use mass-loaded final which is a sound deadening absorption material, as well, and then hiding that with plants that would be within these recess niches that will deaden the sound also, and so, we are very serious about trying to make the impact and the noise impact both for ourselves for the project, for the condominium owners of the building, as well as the adjacent neighbors. And so, on those walls that...

Mr. Fuentes: [Inaudible – off mic]

Mr. Pratt: Maybe I can just explain it, but in what would be considered the court area, there is a close to seven-foot, six-foot seven-inch parapet wall, the remaining walls that were these recess niches with the sound dampening material would be located, those are over 12-foot-high walls, and so, the area is completely contained on the other three sides. So, we don't feel that – we're looking to minimize, like I said, the amount of impact the noise would have on our project, as well as adjacent neighbors.

Mr. Garcia-Serra: So, on the point of the pickleball court, the underground utilities, certain streetscape improvements and the relocation of trees, because there are three mature trees on the site that we are considering potentially relocating. We only have so many facts before us right now. Based on the facts that are before us, we feel that we can proceed with this, but similar to your previous discussion and other discussions that we've had in the past, we need, I think

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language in the resolution making clear that, if we come across something that is not viable, that creates an undue hardship, that is anticipated that it might violate code, that we can come back and revise that either with staff, or if you feel appropriate we come back here and discuss it, but I think it's sort of a practical way to try to proceed and address these issues, would you like to say something perhaps about...

Speaker: Thank you. I'm George ____ I'm the developer. Thanks for having us. First of all, my first time in front of you guys, so please take it easy on me. You probably have more experience with MG Developer than I do, I've been with them for six months. What I've seen so far, I think you would agree the adjectives that come to mind are things like, excellence, beauty, attention to detail, and responsibility to the community. I think we see that in previous projects, and you can see it in this project as well. I think or I know developers get a bad reputation trying to milk every last little bit out of a project, and it's nice to be recognized when we try to do what's right, and I'd like to read you some of the comments from the public from the Planning and Zoning Board members on this project. Ms. Kawalerski said, thank you for bringing the project down to a manageable size, because I remember a year ago, we were aghast at how large it was. So, I applaud your efforts to undoing that. Mr. Pardo said, I have to commend you both, the developer and the architects and the land use attorney, so I have to commend you because basically you have done what Allen Morris did, you listened. You went back and addressed the major points, the massing, the compatibility, and it should be a beautiful project. Mr. Gabriel said, it's a perfect project. I like everything about it. I think the articulation of the façade, you've done a very nice job separating the base from the building itself and the articulation are on the ground floor is excellent. The circulation around the building. Mr. Salman, first of all, a wonderful job. I think that it really is the right size. The project for the site to fit in so much better with the surrounding. So, congratulations. I'm not going to read you the comments from...Aizenstat said, I agree with Felix, that the developer, the team, the architect, everybody listened to what the community had to say, what the board had to say and really came back with a good project. I'm not going to read you everything the Board of Architects said, but it was extremely complimentary of the design. So overall, everybody seems to be happy with the project with what we've done with it. We've made tremendous sacrifices to bring this new project to you in time and in expense, delays that we've incurred, our word to our investors. We'd like to see the project move forward as expeditiously as possible and we'd like your help with that, but also like your consideration with some of these conditions. We can certainly look at things like the pickleball court, but this is a much smaller project, doesn't have a lot of amenities. We do need the amenities that we do have, things like the improvements where we're already doing a tremendous amount of infrastructure improvement around the building, required by code. We are talking about things like we go above and beyond what's required by code. We've agreed to some of those like the bulbouts on the intersection with Alhambra. The one in the rear, I think that's a bridge too far. We've made so many concessions in the scope and size of this building and all these things are seen it's just a little bit more, its easy, but I've been around a little bit and I know a lot of things that look easy don't turn out to be so easy, particularly when you're having to deal with existing conditions, taking a quick look at the situation. There is drainage, there are water lines there; the water line is immediately very close parallel to the drainage line, just a few feet, so touching one affects the other. There is another drainage line that crosses, all of this becomes expensive, the unknown, things happen in the future

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and different things are decided and what we did today years from now are not necessary anymore. The new developer comes in that has already acquired that block and says, well, you know, this is not what we wanted, why should we pay the previous developer. One thing is to improve our side of the road, let the other guy improve his own side. He's already getting ready to submit to you. Also, want to point out, remind you...

Mayor Lago: May I make a comment on that just really quickly.

Speaker: Sure.

Mayor Lago: When you talk about infrastructure improvements like, for example, roads, resurfacing of roads, you think it's appropriate that one side of the road gets completed and the other side does not get completed and we have to wait for the developer on the other side to complete that. You understand.

Mr. Garcia-Serra: Right, right, I know what you're saying.

Mayor Lago: I'm in construction. Its unfeasible. You can't mill a road, you could, but you'd have a road that's uneven and it wouldn't be in our opinion, Coral Gables standards. So, I understand your comment. I understand that there are certain things that will break a project because you are asking for too much and I get it, I understand, maybe you are running a sewer line instead of 100 feet, 200 feet, you are asking for 2000 feet. I get it. It can break a project in regard to cost, but I think when you resurface a road, you've got to stripe that road, it's a lot of things that have to happen and you just can't do one side and not do the other. So, there are limits, there's limits, I understand that, and I respect what your comments are, but we also have to be feasible, because once you are finished with your project, who knows when that gentleman or lady, whoever the developer is, is even going to start their project. If I could just give you my opinion and that's all I'm going to say about the project. I'm ready to vote, ready to vote. This has been a long time. I just have one concern, one simple concern. If the residents don't want the pickleball, remove the pickleball court, that's it, walk away, start the project, very simple. If the residents tell me that they don't want the pickleball courts, because it's a concern, walk away. Your project gets approved, and we move forward. I think that's a reasonable request and we are not going back and forth with residents here combative in this front.

Vice Mayor Anderson: If I can dovetail some of that since you brought up both sides of the road. You also have to look at it from the perspective of it enhances the value of your project and we end up with these lopsided streets. So, enhancing both sides of the road is a benefit to you as well. As far as the pickleball is concerned, sometimes that's a bridge too far. You were talking about doing acoustical studies and bringing it back to the residents and for the record, I did speak to the developer and his attorney ahead of time. Residents are happy with it after an acoustical study, you can bring this back for an approval later on, we get this project moving forward in the meantime and not have the anxiety of a potential pickleball that may make noise across the street be the straw that breaks the camel's back. Acoustical studies will show you that a base sounding noise, deep sounding noise will travel around a corner, okay. So, we can look at a bunch of hypotheticals, but

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October 8, 2024

*Agenda Item E-9 – Resolution approving mixed-used site plan and conditional use review
To zoning code – 33 Alhambra*

[Date]

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really when the rubber meets the road is, does the sound carry. I live close to the Central Business District and it's hard to spot where the noise is coming from sometimes and I'll call it in, because it's making noise and they'll ask me, where's it coming from, and I say, I don't know, you'll have to drive around with your windows open. So, I'd say let's move the project forward. This has been a long time coming. MG has made a very good commitment and is continuing to work with me on relocating trees on other sites, as we look for a good location to put something that's healthy enough to move, because it enhances your project, because it makes the neighborhood better and if it enhances your project, the value of your project enhances as well. So, there's a lot of wonderful things about this project. It's not building to the max. I can't roll back time and decrease what the zoning is, Mr. Sevilla, I would love to, but they are building less than what they could have, the density is considerably less than it could have. They haven't come in and asked for any increases to us. It is close to Philips Park and a lot of projects are close to Philips Park. You are doing wonderful things by including also the EV charging, you are not required to do so, but we understand that this is a community where folks are looking for a place to live and looking for a place to rent are the folks that are buying the electric vehicles now, and the hybrids as well. So, you've done a great commitment for us there. One other question I had for you is about your green wall, is it live plants or is it going to be those plastic things. There is something that will grow everywhere, you'd just have to choose the right thing to grow in a more shaded condition.

Mr. Pratt: It would be a live green wall. We've provided areas for planting that would support the growth of the plant, but it would be a true natural green wall, a real green wall not plastic.

Vice Mayor Anderson: So those are my comments about pickleball. I'd like to see this project move forward.

Mr. Garcia-Serra: If I may just to perhaps make the proceedings easier. I've consulted with my client, and we will eliminate the pickleball court.

Commissioner Menendez: Okay.

Mayor Lago: Thank you.

Commissioner Menendez: My only comment and much appreciated. Again, what we were talking about earlier, everybody working together it's a win-win for the community. This item for clarification to those who are watching, as of right basically, what you are building you have the legal right to, so we are not providing you any additional variances, or changes, or this is what you are entitled to build, and the reason why it's before us, I think is because of the 20,000 square feet, I believe.

City Attorney Suarez: Correct. It's before you on conditional use review. They are not asking for a zoning change or a change in the height pursuant to a land use change, but it is a conditional use review that is required.

Commissioner Menendez: Which is, I strongly believe that's why you got the 6-0 vote in the Planning and Zoning Board, and I think a very good job of reading some of the comments from the members of that board as well. I echo those sentiments. You listened, you made adjustments, and we are here to basically, you know, approve something that, I think is well done, done in well taste, but also very considerate of the concerns of the residents. So, to me this is a A-plus.

Mr. Garcia-Serra: Thank you.

Commissioner Fernandez: Mr. Sevilla, you are 100 percent correct. We do have a lot of over-development in that area, but like the Vice Mayor said, unfortunately that decision was made a long time ago, and it opened the door for a project in this location of this scale. The opposite end of the coin is the first time I saw this project it was a monster in comparison to what we're getting today. So, I have to commend the developers and the members of the community who have sat down with them to work through the process on a solution that both sides can work and I think today we've seen that last chip that was really holding the support from the neighbors across the street has been taken off the table and there is no bigger proponent of pickleball than me, but I do realize and I think your diagram actually convinced me that they are 100 percent correct, because there will be an effect to that noise. I had seen it before, I said, well the noise will travel upwards, but that study shows that the noise level will actually be going towards the neighboring buildings. So, I applaud you for taking action today and taking that off the table, agreeing with the neighbors. Mr. Sevilla, I think going forward, we just need to make sure we uphold the zoning code in future projects, but as we've mentioned, the project we just approved earlier today, the State of Florida is now preempting us from certain projects and they placed items on the table, SB102, with the Live Local Act, where developers are allowed to build to the highest building within their city, as long as they are providing workforce housing and its taking our ability as a municipality to defend our own zoning code and its unfortunate, but that's the reason that we're up there in Tallahassee and Vice Mayor Anderson, Commissioner Castro and I are at the Florida League of Cities, we were there this past week, advocating on behalf of our residents and trying to see how we can take shots at the Live Local Act, to ensure that we're able to provide some protection for our residents. Last year we were able to put in some provisions protecting our residential neighborhoods from these projects, but it's a long road ahead and what I ask residents is, if you are concerned about development, reach out to your state legislators, reach out to Tallahassee, let them know about your concerns, because I think that's where we can make real change when it comes to these projects. As for this project today, I thank you for all the work that you did, and the community did. I know Ms. Rua has been heavily involved in this process since day one, and put in many hours of her own, meeting with neighbors, trying to see what the concerns were and working with you and the developer on finding solutions and I'm happy that we're here today with a project that isn't maxing out on scale, is not a monster that's going to be towering over a residential area, will be preserving our historic building, add some green space within that project, and I like that tree wall. I'm glad that its actually going to be, that green wall is actually going to be a live green wall and not something that's fake, which will actually add a nice aesthetic look to that building. I appreciate all the work that's been put in.

Commissioner Castro: I, myself live in a condo, so I understand how important amenities are, especially when you are out looking to see where you're going to live. My question is, have you even considered putting pickleball indoor?

Mr. Pratt: Indoor – it would probably be considered FAR, and we don't have a way of enclosing that or we don't have the square footage, actually remaining in the project to enclose it. Potentially, if that were discounted, not recognized as FAR, that could be a possibility, but at this point, we simply don't have the square footage in the building to do that.

Commissioner Castro: So now, putting on the table that you're going to take off pickleball. What are you going to put in its place, have you thought of that? What's going to be in the area that's not.

Mr. Pratt: It will be an open terraced area that would be used for just parties or for having different events. That whole area is all inter-connected with the outdoor cooking area, and so it could be a place for having a child's birthday party, or some anniversary event, or...

Commissioner Menendez: I heard that badminton is making a comeback – very quiet.

Mr. Pratt: That may be an alternative we'll look at.

Commissioner Castro: Very nice project.

Mr. Garcia-Serra: Thank you. The one topic that hasn't been discussed is the idea of maybe having some flexibility in those conditions of approval, like the underground utilities and the tree relocation, so that if issues come up, as issues inevitably do, we either go back to staff or this Commission.

Commissioner Fernandez: As far as tree relocation, I'm always cautious about that, because I don't want some small technicality to all of a sudden, we're losing the tree. So, my concern is always when we're talking about giving a little bit of leeway with relocation of those trees, and then it doesn't come back to us, and we lost a tree. So that would be my concern when it comes to that.

Vice Mayor Anderson: Can I ally your concerns, because I am a thorn in their side.

[Laughter]

Commissioner Fernandez: Can we designate her to make those decisions.

Vice Mayor Anderson: I work with staff on that. We go over it carefully and we look at there is so much that goes into relocating a tree. You've got to be able to move it down the street. You have to have the underground. And Mayor, you had a point.

Mayor Lago: Very simple because there was a point made about development and I want to mention something for the record. I don't like to be ambiguous or vague on the record, because it sends a wrong message that people who were here before potentially approved this project. So, I want to bring up four very quick points. Number one, I adamantly opposed the doubling of the density in North Gables from 50 units to 100. I voted against that. So, in North Gables I was the no vote on that. Number two, 2017-25, resolution on this project, I voted no. 2017-26, the site plan, I voted no. 2017-142, the change of zoning, I voted no. So, my record is clear in regard to this position. I voted no. So, at the end of the day, I want to make sure the residents, because when you say, oh, the zoning was changed by the past, you have to be very thoughtful, very methodical, very careful when you are talking about people's reputations and the way they vote. So, I want to be very clear on the record that we are here today, based on a 3 to 2 vote that happened, not once, not twice, but three times, and then a zoning code change, which increased the density from 50 units an acre to 100 units an acre, which I voted no. It was supposed to be 75 units an acre, but on the dais, they changed it to 100 and I voted no on that. So, just to be clear. I'm ready to make a motion, not myself, but anyone else ready to make a motion. We've cleared up the issue of pickleball, I think we are pretty clear on the trees.

Commissioner Menendez: Did we clear up what the request was in terms of...

Vice Mayor Anderson: The conditional items – we wanted to go over the pickleball, we wanted to go over the trees.

Mr. Garcia-Serra: And the underground utilities also, to have some ability to work out any issues that come up.

Mayor Lago: And you're going to do, obviously the issue of the streets; obviously the streets have to be done appropriately, as per code.

Mr. Garcia-Serra: Correct.

Mayor Lago: Sidewalks, all those kinds of things you are going to be taking care of, so we are ready to go.

Mr. Garcia-Serra: There is one bulbout on the other side of Navarre that interferes with drainage lines and a manhole, that's the sort of category of things that...

Mayor Lago: I have full faith and confidence in staff, Hermes can figure that out with Melissa.

Vice Mayor Anderson: We worked it out on some other sites, so get together and examine it. So, I'll make a motion with those conditions attached.

Commissioner Menendez: I'll second.

Mayor Lago: Mr. Clerk.

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Commissioner Fernandez: Yes
Commissioner Menendez: Yes
Vice Mayor Anderson: Yes
Commissioner Castro: Yes
Mayor Lago: Yes
(Vote: 5-0)

Mr. Garcia-Serra: Thank you very much.

Mayor Lago: Thank you very much.

Mr. Pratt: Thank you.

Mayor Lago: To the residents, have a wonderful day. Thank you for being active, appreciate it.
Thank you for engaging. Have a nice day.

[Applause]