

City of Coral Gables City Commission Meeting
Agenda Items F-1, F-2 and F-4 are related
May 22, 2018
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Frank Quesada
Commissioner Pat Keon
Commissioner Vince Lago
Commissioner Michael Mena

City Staff

City Manager, Cathy Swanson-Rivenbark
Assistant City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Public Works Director, Ed Santamaria

Public Speaker(s)

Mario Garcia-Serra
Timothy Plummer
Sue Kawalerski
Debra Register
Willy Bermello

Agenda Items F-1, F-2 and F-4 are related [9:52:07 a.m.]

An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 3, "Development Review", Division 15, "Comprehensive Plan Text and Map Amendments", and Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "Residential Multi-

City Commission Meeting

May 22, 2018

Agenda Items F-1, F-2 and F-4 are related - Ordinances of the City Commission of Coral Gables, Florida requesting an amending to the Future Land Use Map Comprehensive Plan, requesting a change of zoning and a resolution requesting mixed-use site plan for the mixed-use project referred to as Venera on the property legally described as Lots 11 thru 25, Block 203, Coral Gables Riviera Section 14.

Family Medium Density” to “Commercial Mid-Rise Intensity” for the property legally described as Lots 17 thru 24, Block 203, Coral Gables Riviera Section 14 (1515 San Remo Avenue), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (LPA Review) (10 11 17 PZB recommended approval, Vote 5-0)

An Ordinance of the City Commission of Coral Gables, Florida requesting a change of zoning pursuant to Zoning Code Article 3, “Development Review”, Division 14, “Zoning Code Text and Map Amendments”, from Multi-Family 2 District (MF2) to Commercial District (C) for the property legally described as Lots 17 thru 24, Block 203, Coral Gables Riviera Section 14 (1515 San Remo Avenue), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (10 11 17 PZB recommended approval, Vote 5-0).

A Resolution of the City Commission of Coral Gables, Florida requesting mixed use site plan review pursuant to Zoning Code Article 4, “Zoning Districts”, Division 2, “Overlay and Special Purpose Districts”, Section 4-201, “Mixed Use District (MXD)”, for the mixed use project referred to as “Venera” on the property legally described as Lots 11 thru 25, Block 203, Coral Gables Riviera Section 14 (1500 Venera Avenue, 1515 San Remo Avenue, and 1537 San Remo Avenue), Coral Gables, Florida; including required conditions; providing for an effective date. (03 14 18 PZB recommended approval, Vote 4-0; 1 recused)

Mayor Valdes-Fauli: Alright, the next item is Item F-1, F-2 and F-4, Venera.

City Attorney Ramos: F-1 is an ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 3, “Development Review”, Division 15, “Comprehensive Plan Text and Map Amendments”, and Small Scale amendment procedures from “Residential Multi-Family Medium Density” to “Commercial Mid-Rise Intensity” for the property legally described as Lots 17 thru 24, Block 203, Coral Gables Riviera Section 14 (1515 San Remo Avenue), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. Item F-2 is an ordinance of the City Commission of

Coral Gables, Florida requesting a change of zoning pursuant to Zoning Code Article 3, “Development Review”, Division 14, “Zoning Code Text and Map Amendments”, from Multi-Family 2 District (MF2) to Commercial District (C) for the property legally described as Lots 17 thru 24, Lot 203 -- Block 203, excuse me, Coral Gables Riviera Section (1515 San Remo Avenue), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. Those two items are being taken together with Item F-4, which is a resolution of the City Commission of Coral Gables, Florida requesting mixed-use site plan review pursuant to Zoning Code Article 4, “Zoning Districts”, Division 2, “Overlay and Special Purpose Districts”, Section 4-201, “Mixed Use District”, for the mixed-use project referred to as “Venera” on the property legally described as Lots 11 thru 25, Block 203, Coral Gables Riviera Section 14 (1500 Venera Avenue, 1515 San Remo Avenue, and 1537 San Remo Avenue), Coral Gables, Florida; including required conditions; providing for an effective date. The public hearing on this item has been closed. Unless there is someone who wishes to speak on something new that has not been discussed before, there should be no public hearing. And with that, I will turn it over to the Planning & Zoning director.

Planning and Zoning Director Trias: May I have the PowerPoint?

Mayor Valdes-Fauli: Please, silence. Go ahead.

Planning and Zoning Director Trias: May I have the PowerPoint, please? I have a very, very brief update on the discussion on Venera. If I can have the PowerPoint, that would be helpful. And if I can't, that's okay. Currently -- the current project has 150 units. It has been decreased. The FAR has been decreased also in the corners. If you look at the diagrams, slightly, there's a chart -- this is not my PowerPoint, so that's okay. In addition, there's some minor changes in the ground level, so there's continuous retail all along the perimeter. And if you have any questions in terms of the actual details, I'll be happy to answer. But like I said, right now, the project is 150 units.

City Attorney Ramos: As we wait for the other parties to present, I'd like to put a ex parte communication on the record for purposes of disclosure. There was a community meeting last night and Ms. Ebert sent a message to Commissioner Lago concerned about the size of the project. It's being made part of the record.

Mario Garcia-Serra: Good morning, Mr. Mayor and Commissioners. Mario Garcia-Serra, representing the applicant, address at 600 Brickell Avenue. This, of course, has been the subject of many hearings already. I think what's important to concentrate right now is on what changes have done to -- have been done to the site plan between the last hearing and this one. The number of units has been decreased from 165 to 150. The FAR has been decreased from 3.5 to 3.3. Based on our meeting that we had with the neighbors last night, they had a series of requests, some of which we can comply with. Others of which we can meet them more than halfway, I would say, and one in particular that is not acceptable. I think it might be helpful to go through that list of different items now to discuss where we are, because I do feel that we are getting closer to a point in time where we could come closer to a consensus. So, if you give me a few minutes, let me just take that list out and tell you where we are. I'll start sort of on the easier issues and then work through the more difficult ones. The first issue -- there was a request that our lease terms be for a minimum of one year. We're in agreement with that. In other words, the lease term has to be at least a year for any tenant that's going to be in the building. Additionally, to that, they did not want any subleasing. That's also acceptable to us. In other words, a tenant cannot turn around and try to lease that unit out, him or herself. There was a request also for some enhanced pedestrian safety signage where cars were coming into driveways, both in the loading area and within the entrance to the parking garage. On the more significant issues of room count, it was very important. You know, I'd say the overall feeling of the meeting yesterday was that the neighborhood is fine with there being more three-bedrooms than two and one-bedrooms, but the number of three-bedrooms that there are right now they felt was too high. We were discussing in terms of room count. We're at a 384-room count right now. What they expressed yesterday was a 355-room count would be acceptable. We're

actually willing, as a sign of good faith, to try to move this project forward in the way it should be to go down to 345 room count in total. That's approximately a 39 room decrease.

Vice Mayor Quesada: You're saying the neighbors requested 350 rooms? Did I understand you correctly?

Mr. Garcia-Serra: 355 rooms.

Commissioner Lago: 355, and I have -- that's part of the email that I put on the record via the City Attorney and I forwarded it to her just to make sure. That was a request by the neighbors.

Commissioner Keon: And you're -- and you are offering how many?

Commissioner Lago: 345.

Mr. Garcia-Serra: 345. So, the unit count is another issue that we would like to discuss as part of all this. We think that the overall unit count can be decreased from 150 to 147. So, unit count from 150 to 147, room count from 384 -- as it is right now -- to 345. And parking was also a concern. We're at 356 right now. What was represented to us last night was that 380 would be an appropriate amount of parking. We believe that we can get there with further refinement of the plans as we're going through construction drawings. Those are the significant points. The other significant point, of course, right now we have a listing we can show you of the public benefits, which the project's doing as far as streetscape enhancements, public space enhancements, monetary contributions. They total over a million dollars, a million seventeen. The neighborhood association that was represented last night said that the total public benefit contribution should be 2 million, which is double what we're doing right now. We really felt that that's excessive. It's not really in proportion to the impact of the project, certainly, as it's been reviewed by City staff. So, we feel that that additional request for that higher monetary contribution or that higher amount just isn't justified in that. What we're doing right now as far

as public benefits are concerned -- and I could take out the list that we're doing -- is significant and will certainly accrue to everyone's benefit. And on top of it, there's a monetary contribution there for other needs.

Commissioner Lago: Can we discuss just really quickly -- was that just an arbitrary number, \$2 million, or was there actual factual breakdown of what was the request? Because I want to go over certain items just to make sure we memorialize them here.

Mr. Garcia-Serra: Okay.

Commissioner Lago: Because this development agreement may change. I want to make sure we -- it's ironclad in regards to what is being provided.

Mr. Garcia-Serra: What was actually put forward as far as potential improvements by the association that would cost more money were intersection improvements around Kerdyk Park, as well as dedicated bike lanes. Those are the items that they mentioned in particular. We do have \$225,000 monetary contribution that could potentially be used in part towards that.

Commissioner Lago: You said 225?

Mr. Garcia-Serra: Is right now what we've proffered.

Commissioner Lago: Yeah, but that's dedicated in reference to Kerdyk Park, correct?

Mr. Garcia-Serra: That is dedicated for -- right now, the wording of the condition is for planning, streetscape improvements and park. That's how it works right now.

City Attorney Ramos: Mr. Garcia-Serra, I think it would be helpful if you go through the list...

Mr. Garcia-Serra: Sure.

City Attorney Ramos: Of the different...

Mr. Garcia-Serra: Let me bring it up.

City Attorney Ramos: Items and the amounts.

Commissioner Keon: And who it's being proffered to.

City Attorney Ramos: And, if you can specify also that the proffered amounts would be coming to the City, unless you're conducting the improvements.

Planning and Zoning Director Trias: Mayor, if I could make a point.

Mayor Valdes-Fauli: Yes.

Planning and Zoning Director Trias: All of those issues -- the way I understand it -- came out yesterday. They have not been submitted and they were not part of your package, so you need to look at them very, very carefully.

Mr. Garcia-Serra: So, we start at the top. The \$225,000 contribution proposed for planning, streetscape and park improvements. We were previously stating that a \$50,000 amount should be utilized for the park. We're open to, you know, whatever adjustment in that number you think might be appropriate. Streetscape improvements on the opposite sides of San Remo and Venera, which are totaling around \$350,000 in our estimated value. Intersection improvements on Red Road and the Madruga and Venera intersections, about \$120,000. Curb extensions at the San Remo/Red Road intersection, \$30,000. Pedestrian crosswalk improvements estimated at \$60,000. Standard pedestrian crossing signs to be installed at Yumuri and Venera and Yumuri

and San Remo, about \$7,000. The plaza that's going to be publicly accessible in front of the building, at \$175,000. And, then \$50,000 for emergency vehicle signal preemption technology. So, that totals -- those items, one through eight, total \$1,017,000. We then have bike-sharing facilities, which we're not necessarily factoring into that number, but it is other public benefits, electric car charging stations, car-sharing facilities. And then we talk about the reduction in density, which we already discussed and actually moving down further now from the 150 to the 147 and reduction in the FAR. Right now, at 3.3 with the change in unit count, there's probably going to be some sort of reduction in the floor area.

Commissioner Keon: Can I -- just for the record, I want to make it clear the amounts that you have listed there are what makes up the \$225,000?

Mr. Garcia-Serra: No.

Commissioner Keon: They're in addition to the 225...

Mr. Garcia-Serra: Correct.

Commissioner Keon: Thousand. So, there's an additional 30,000 -- I'm sorry, \$350,000 for streetscape improvements, an additional 120...

Mr. Garcia-Serra: Correct.

Commissioner Keon: An additional 30, additional whatever.

Mr. Garcia-Serra: Correct.

Commissioner Keon: Okay. And all of these -- money go to the City and are at the discretion of the City?

Mr. Garcia-Serra: Correct. Let me mention one point that was brought up in the neighborhood meeting yesterday. The Riviera Neighborhood Association, in particular, did want to have some participation in the process. They used the term “stewardship” of this money. The condition right now calls for a consultative process with the neighbors being consulted, you know. I defer to the City as far as, you know, how that process should play out as far as consultation with the neighbors.

Commissioner Keon: I would ask the Manager to address that issue.

City Manager Swanson-Rivenbark: I’m sorry. This is information that we’re hearing -- your meeting was last night?

Mr. Garcia-Serra: Correct.

City Manager Swanson-Rivenbark: With the residents.

Mr. Garcia-Serra: Correct.

City Manager Swanson-Rivenbark: And so, Ramon, if -- are you familiar with the conditions that were discussed last night?

Planning and Zoning Director Trias: No. This is the first time I hear about them. I think that they’re very good ideas, certainly. But I think it’s very unusual to have a situation where we have significant changes to the conditions of approval that have not been reviewed by staff. So, you just have to be aware of that.

Commissioner Lago: Well, these...

Planning and Zoning Director Trias: This has not been reviewed.

Commissioner Lago: If I may -- and if you want me to ask you to review it -- these are significant reductions in the scope of the project.

Planning and Zoning Director Trias: The size of the project to 150, yes, that was reviewed.

Commissioner Lago: Now, it's 147.

Planning and Zoning Director Trias: 147 is brand-new.

Commissioner Keon: Mario.

Planning and Zoning Director Trias: Is brand-new information.

Commissioner Lago: Along with also the reduction in the unit -- excuse me, in the bedroom count, which is, from my understanding, was discussed at yesterday's meeting with the residents and they actually want it to be around 355 and this is actually going below that.

Planning and Zoning Director Trias: Yeah.

Commissioner Lago: Okay. So, obviously, with a reduction in units and a reduction in the bedrooms, you're obviously going to see a reduction in the square footage of the building.

Mr. Garcia-Serra: Correct.

Commissioner Lago: So, you're going to see a reduction in the massing of the building, obviously.

Planning and Zoning Director Trias: Yeah. And the project that was in your package reduced the square footage to some amount, and I suppose this is additional to that, right?

Commissioner Lago: Yes.

Mr. Garcia-Serra: Correct.

Planning and Zoning Director Trias: Okay.

Commissioner Lago: Quick question. In regards to parking, you talk about -- I want to make sure we memorialize after CO we're going to do for three years a traffic review to make sure that we're dealing with any issues of congestion, any issues over a certain threshold and I want to make sure...

Mr. Garcia-Serra: Right. One year after CO, we do a traffic study. And whatever conclusions that comes to, we have to implement. And then, we can do it for an additional two years afterwards also.

Commissioner Lago: Your parking...

Mr. Garcia-Serra: Count?

Commissioner Lago: Yeah, is your -- Plummer's here, correct?

Mr. Garcia-Serra: Yeah, he is.

Commissioner Lago: Do you mind coming up for a second?

Commissioner Keon: Mario, can I see that? I'll give it back to you.

Timothy Plummer: Good morning.

Commissioner Lago: I know it's tough to go on the fly. You've seen some reductions that have been made, obviously, through some negotiations. You feel comfortable, obviously, with going from one year to three. You feel that -- what is the threshold that we're using to gauge if there's been too much of an increase.

Mr. Plummer: I'm not sure if it's in the development agreement or not. We usually use somewhere...

Commissioner Lago: The standard.

Mr. Plummer: 10 to 15 percent.

Commissioner Lago: The reason why I ask is I want to make sure it's in the development agreement.

Mr. Plummer: Absolutely.

Commissioner Lago: Madam City Manager, I want to make sure that in the development agreement, we're, you know, detailing that if there is an increase over a certain threshold of traffic counts, that the developer -- whoever that may be at that point, the owner of the building - - has to implement those traffic measures.

City Manager Swanson-Rivenbark: And at last meeting, you were discussing after it is fully occupied...

Commissioner Lago: Yes.

City Manager Swanson-Rivenbark: That you could really assess the impact. Is that what you're saying? So that...

Commissioner Lago: Yeah.

City Manager Swanson-Rivenbark: Perhaps, one year after TCO, we begin doing the evaluation. And, are you saying for a three-year time period or what is the timeframe?

Commissioner Lago: Well, I said for -- it's been -- I've said it before in the previous meetings, for a three-year period. Because, again -- and this is something I think the Commission as a whole and if you look back at the minutes, we discussed we need to get more uniform in regards to the way we approach these projects. I don't want to be so arbitrary and one project gets one year, another project gets two years, another project gets three years. Either maybe we can define it by the size of the project, the location.

Commissioner Mena: Occupancy rate.

Commissioner Lago: Yeah, whatever that may be.

Mayor Valdes-Fauli: Alright.

Commissioner Lago: Whatever it is. I want to make sure we're clear.

Mayor Valdes-Fauli: Comments?

City Manager Swanson-Rivenbark: I think Ramon is -- Ramon, are you looking at those conditions...

Planning and Zoning Director Trias: Yes, yes.

City Manager Swanson-Rivenbark: Now?

Planning and Zoning Director Trias: The current condition is traffic monitoring, and it's one of the conditions of approval. And it reads at the applicant's expense, the City shall perform traffic monitoring for one year. So, we can change that to three years if you...

Commissioner Lago: Yeah.

Planning and Zoning Director Trias: Would like that.

Commissioner Lago: My request hasn't changed from the first meeting, so we need to make sure that happens, and that it has to be a number for an increase in traffic. I want to be fair to the developer and I also want to be fair to the residents so if we go over a certain threshold, the developer's responsible for implementing whatever plan that may be.

Mayor Valdes-Fauli: Alright. Any...

Planning and Zoning Director Trias: Right now, it's at the discretion of the Public Works director.

Commissioner Lago: You feel more comfortable with that or do you feel...

Planning and Zoning Director Trias: I -- I do, and I think that's probably better, from a practical point of view. I mean, it's hard to come up with a...

Commissioner Lago: But that has -- does that -- when Public Works -- it's at the discretion of the Public Works director, but shouldn't that also come back to the City Manager, so that she can sign off on whatever decision is made? Because it's not coming before the Commission and...

Planning and Zoning Director Trias: Right.

Commissioner Lago: I want to make sure we protect the residents and the neighborhood.

Planning and Zoning Director Trias: The monitoring is a staff process...

Commissioner Lago: And let me be clear. I'm not picking on this project. I want this to be done across the board. This has nothing to do with this project. I want this to be implemented across the board.

Planning and Zoning Director Trias: Okay.

Mayor Valdes-Fauli: Okay.

Planning and Zoning Director Trias: We can trace it like that, but the concept is that it's a staff review that takes place periodically, up to three years after the project gets a TCO, which includes the time that it's full of people.

Mayor Valdes-Fauli: Alright.

Commissioner Lago: Okay.

Mayor Valdes-Fauli: We have a new -- we have a neighbor that wants to speak on new items, please, new items. Yeah, come on. Identify yourself, and if it has been covered before, I'm going to cut you off, so please come. No, you haven't filled a card.

Sue Kawalerski: He told me I couldn't fill out a card.

Mayor Valdes-Fauli: What?

Commissioner Mena: He said that she couldn't.

Mayor Valdes-Fauli: Yeah, fill out a card, but new items, please.

Commissioner Mena: Can she just fill it out after?

Mayor Valdes-Fauli: Huh?

Commissioner Mena: Can she fill it out after?

Commissioner Lago: Right.

Mayor Valdes-Fauli: Okay, no. Yeah, fill it out after.

Commissioner Keon: You can speak and then fill it out after.

Ms. Kawalerski: Good morning, everybody. I'm Sue Kawalerski. I live at 6830 Gratian Street. I represent the Riviera Neighborhood Association. The RNA plus other neighbors met with the developer last night. We gave them a package of what we would consider acceptable. I think you heard some of those things. They did reduce it to 347 bedrooms and I've got 147 units and three...

Commissioner Mena: 345.

Ms. Kawalerski: 345 bedrooms.

Commissioner Lago: 345 bedrooms.

Ms. Kawalerski: We find it very, very necessary that this project is going to have such an influx of traffic and plus when Mr. Frank Fernandez told me last week, they're also considering -- you are also considering putting a fire station on San Remo possibly. That traffic influx is going to be increased so high that the traffic mitigation is going to be a major concern. Therefore, the new item here is that we'll not accept this project unless we have \$2 million proffer versus the \$225,000 proffer from this developer to specifically address the traffic mitigations around this development, the upcoming developments...

Mayor Valdes-Fauli: Can I have a question on that? Why did you come up with \$2 million and not \$3 million or \$4 million to make it more difficult for them?

Ms. Kawalerski: Okay and here's why. I talked with a Public Works person for Miami-Dade County. I talked about how much it would cost to improve intersections in a semi-residential/semi-business area. The cost for improving an intersection in this area is at least \$300,000 per intersection.

Mayor Valdes-Fauli: Okay, thank you very much, ma'am.

Ms. Kawalerski: Okay.

Commissioner Lago: But, we have -- but do you understand that's why -- first off, you're talking about a million and change right now, close to \$1,100,000 in benefits to the community. That's why I made it very clear that I want to put it in writing in the development agreement the certain threshold...

Mayor Valdes-Fauli: Yeah.

Commissioner Lago: That if the traffic count goes over that threshold -- again, I'm not a traffic expert -- but the traffic count -- I don't think anybody on this dais is. That's why we need people on our staff to really be able to make sure that this is ironclad. If this goes over a certain threshold and it's not arbitrary, that we hold the owner of the property accountable one year after CO. And then a lot of those improvements that may be required will eat up...

Mayor Valdes-Fauli: Will be done.

Commissioner Lago: Will eat up into that potentially million dollars additional. But, I can't just put a random number of an additional million dollars when we don't even know if that's going to be...

Mayor Valdes-Fauli: Yeah.

Commissioner Lago: An issue in the near future.

Mayor Valdes-Fauli: If it's going to be an issue or not.

Commissioner Mena: I agree with you. I think...

Commissioner Keon: Right. But in addition to that, they also pay impact fees and they pay...

Commissioner Mena: Sure.

Commissioner Keon: Road impact fees that...

Commissioner Lago: Of course.

Commissioner Keon: The benefit of those road impact fees come back to this community for improvements in and around that area. It can't go to some project or something...

Commissioner Lago: Outside.

Commissioner Keon: That is far from it. It has to go -- there has to be a nexus between the impact...

Mayor Valdes-Fauli: Right.

Commissioner Keon: Fees that are paid and the improvements that are done. So, although it is not laid out here, there -- and I don't know what the road impact fees are. I mean, somebody can tell you what the...

Commissioner Lago: They're significant.

Commissioner Keon: Calculation of those...

Commissioner Lago: They're...

Commissioner Keon: Impact fees...

Mayor Valdes-Fauli: They are significant.

Commissioner Keon: They're very high. Those impact fees are part of the requirement in order to be able to be permitted and have to be paid before the project is...

Ms. Kawalerski: With all due...

Commissioner Keon: Is TCOed.

Ms. Kawalerski: And with all due respect, Commissioner Keon, those impact fees can go to the Underline, which does not affect our...

Commissioner Keon: Those impact fees...

Mayor Valdes-Fauli: No, they will not go -- no.

Commissioner Keon: Road impact fees cannot go to...

Mayor Valdes-Fauli: No.

Commissioner Keon: The Underline. Road impact fees have to go toward traffic-related and road-related things. So, I know that you're with the County. I would suggest that you speak with the County for the definition of road impact fees and how they have to be spent. It is very clearly laid out how road impact fees have to be used. These aren't park impact fees. They're not school impact fees. They are road impact fees.

Ms. Kawalerski: And how are the impact fees defined as far as the area?

Commissioner Keon: It has to be in connection with the impact that the development creates in the neighborhood. So, there has to be a nexus between that development and where the improvements are done. You can't take the impact fees from a particular development in one area and use them in another portion of the City.

Ms. Kawalerski: Okay, could...

Commissioner Keon: You can't. It has to...

Ms. Kawalerski: Alright, Commissioner.

Commissioner Keon: Be a nexus between them and the project itself.

Ms. Kawalerski: I would just like a definition of what you consider the area and how these impact fees will...

Commissioner Keon: It's not my definition. Can I have someone from Public Works -- could you speak to the impact fees?

City Attorney Ramos: It's not a geographic area.

Commissioner Keon: It's not a geographic area.

City Attorney Ramos: There has to be a nexus. It is not a specific geographic area. Courts have not defined a specific area. It's simply that there has to be a nexus of where the impact is created. In addition, I need to mention that the City cannot require any of the amounts that they are ask -- that they are proffering. Those amounts are voluntarily proffered and not being required by the City.

Ms. Kawalerski: I understand, and that's why, voluntarily, we are asking them for \$2 million, because we feel...

Mayor Valdes-Fauli: Yeah, but why not three or four?

Ms. Kawalerski: Well...

Mayor Valdes-Fauli: I mean, I think that you came up with this figure...

Ms. Kawalerski: We...

Mayor Valdes-Fauli: To make it difficult for them.

Ms. Kawalerski: We feel that \$2 million is reasonable.

Mayor Valdes-Fauli: Oh, okay.

Commissioner Keon: Could you -- through the Mayor, could...

Mayor Valdes-Fauli: Yeah.

Commissioner Keon: Peter Iglesias...

Mayor Valdes-Fauli: Sure.

Commissioner Keon: Talk about impact fees?

Mayor Valdes-Fauli: Of course.

Commissioner Keon: It's the County that defines impact fees...

Commissioner Mena: And also...

Commissioner Keon: Not us.

Commissioner Mena: And also, Commissioner Keon, if you could please address Commissioner Keon's request, but also, I think it's important if you guys could lay out for us a little bit some of the costs associated with these intersections and improving them. Ms. Kawalerski has indicated she spoke to somebody at the County. All due respect to her and that person, I don't really like to rely on hearsay from somebody that is not somebody that we rely on as a professional. So, if you guys could chime in on what the associated costs are with something like that, so that we can evaluate what is being proffered here.

Assistant City Manager Iglesias: The impact fees for mobility and transportation fees are geared just towards that, the future impact of this project, the fact that we will be looking at this project for the next two years. It means that the Public Works staff, which has -- as traffic experts, will be looking at Mr. Plummer's report and the impacts of this building -- the actual impacts of the building for the next two years, so, we do have that also. There -- that's what the impact fees are for. They're for the impact -- they're geared for -- not to fix some current condition, but actually to look at the impact of the project and the future needs related to that impact.

Commissioner Mena: That's -- let me -- if I could cut to the chase a little bit about what some of the concerns here are as have been articulated to me in the past. Because of where this is located and some of the one-way streets -- San Remo, for example, is a one-way street south of the park. The outlet for the property is either to go towards 57th Avenue or to go via the Publix out to Alhambra Circle. So, I think one of the questions that the neighbors have articulated to us is as long as we can establish a nexus between potentially increased traffic over on Alhambra Circle and that area; would impact fees be able to go towards improvements in -- as far as Alhambra Circle from this project? Which it's not that far, but it's not in the immediate vicinity.

Assistant City Manager Iglesias: There is no question that impact fees can...

Commissioner Keon: Absolutely.

Assistant City Manager Iglesias: Go there.

Mayor Valdes-Fauli: Yes.

Assistant City Manager Iglesias: There's no question.

Mayor Valdes-Fauli: Alright. Are there any other questions?

Commissioner Keon: Impact fees are paid to the County, and the County is the one who holds and keeps the impact fees.

Mayor Valdes-Fauli: Thank you, Ms. Kawalerski.

Commissioner Keon: As we begin to identify projects that are related to the traffic, they meet with the County, they have to put in writing and establish what that nexus is, and then the fees that are in an account for the City of Coral Gables are then released, so that we can work on and pay for those projects.

Commissioner Lago: And by the way...

Ms. Kawalerski: I have one...

Mayor Valdes-Fauli: Ms. Kawalerski, thank you very much.

Ms. Kawalerski: I have one question, please.

Mayor Valdes-Fauli: You've made your point.

Ms. Kawalerski: Excuse me. I have one question.

Mayor Valdes-Fauli: Finish up.

Ms. Kawalerski: I have one question, please. Is it not true that the City of Coral Gables really does not have the total control over improvements at these intersections? In fact, it is up to the County to make that decision?

Commissioner Lago: Sue, may...

Mayor Valdes-Fauli: That is not true.

Commissioner Keon: It is made with...

Commissioner Lago: If I may. If I may, we're working on that right now.

Mayor Valdes-Fauli: Yeah.

Commissioner Lago: And you should...

Commissioner Keon: But...

Commissioner Lago: Go ahead. No, no, no, go ahead.

Commissioner Keon: It is the County and the City with the County that makes those. If there is something that the County has an objection to, they will negotiate and work out an agreement as to how we can achieve that end. Now, it may not be that you'll do exactly what you want done, but they will work toward the end of finding the solution to the issue that is acceptable under the Code of both the County and the City of Coral Gables.

Mayor Valdes-Fauli: Alright. Thank you...

Commissioner Keon: We don't dictate...

Mayor Valdes-Fauli: Very much, Ms. Kawalerski.

Commissioner Keon: To anyone.

Mayor Valdes-Fauli: Thank you.

Commissioner Lago: If you want an answer...

Mayor Valdes-Fauli: Please sit down.

Commissioner Lago: If you want an answer to your question in regards to who has control, whether the County or the City, just wait until H-4 where Ed Santamaria is going to give an update in regards to traffic calming initiatives, which I've been working with staff and we're going to have some real answers, real concrete answers. And staff's been doing a lot of work to try to get as much of control on our side. And I think we're going to probably have more control than any other city in regards to traffic calming...

Mayor Valdes-Fauli: Okay.

Commissioner Lago: Initiatives.

Mayor Valdes-Fauli: Mr....

Commissioner Lago: And, when I told you about -- when I told you -- when you talk about an extra million dollars, that's why I'm adding not one, not two, but three years. This Commission

is adding three years of reviews and to see what the impact is. And when that -- if there is an impact that goes over a certain threshold, that's where your million dollars are at. That's where the developer's going to have to come in and deliver on what is promised in the development agreement, correct? Correct me if I'm wrong.

Mayor Valdes-Fauli: Alright.

City Attorney Ramos: You're adding to the development agreement an additional two years. If there's an issue that they have to fix, then they have to fix it if after two years the evidence bears out that there's a traffic issue that was not addressed.

Commissioner Lago: But there has to be an impact. There has to be an impact that's clearly, like I said before, delineated over a certain threshold, as Mr. Plummer stated.

Ms. Kawalerski: And what is their dollar commitment after three years?

Commissioner Lago: After three years in what sense? Do you want me to go to a fourth year?

Ms. Kawalerski: After three years, you have a study that shows that there's massive increase in traffic and there needs to be mitigation. In three years, how much money are they committed to bringing back onto the table?

Commissioner Lago: I don't think it's an issue about money. It's an issue that they have to reme...

Commissioner Mena: They have to remediate the issue, right.

City Attorney Ramos: Correct.

Mayor Valdes-Fauli: Okay.

Commissioner Lago: They have to remediate the issue. If it costs...

Mayor Valdes-Fauli: Ms. Kawalerski, thank you very much.

Commissioner Lago: X or it costs Y, it has to...

Commissioner Mena: I think this is...

Ms. Kawalerski: Alright.

Commissioner Mena: An important discussion...

Mayor Valdes-Fauli: Thank you.

Commissioner Mena: Mayor, with all due respect.

Mayor Valdes-Fauli: Ms. Kawalerski, please sit down.

Ms. Kawalerski: Well, I'm sorry. Commissioner Mena...

Mayor Valdes-Fauli: You're out of order, Ms. Kawalerski. Please sit down.

Commissioner Mena: Mr. Mayor, I think this is an important topic for us to make our decision.

Mayor Valdes-Fauli: It is an important topic for us...

Commissioner Mena: So, let us...

Mayor Valdes-Fauli: To discuss, yes. We're talking about the \$2 million and when that's going to be applied...

Commissioner Lago: I just...

Mayor Valdes-Fauli: And we've answered the question.

Ms. Kawalerski: Well, I'm talking about more than \$2 million. I'm talking about the quality of life for a very important neighborhood. I'm talking about the fact that we should have a master plan before permitting anything over what's as of right in that neighborhood. I'm talking about a very precious park that is going to be destroyed by overdevelopment if there is not the proper stewardship.

Mayor Valdes-Fauli: That is your assumption, ma'am. It isn't going to be destroyed. You have had -- you've opposed every single project that has come before this Commission in the past few years and...

Ms. Kawalerski: I'm sorry, Mayor. I have to correct you. We were here in support of the new - - what we called the Publix building that Mr. Garcia-Serra represents. We are not against development. We are against development that is encroaching on a neighborhood in a very negative way...

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

Ms. Kawalerski: Not as of right.

Mayor Valdes-Fauli: Alright.

Ms. Kawalerski: That's what we are against, Mayor.

Commissioner Mena: I think we're getting off topic here, folks.

Mayor Valdes-Fauli: Yeah.

Ms. Kawalerski: We have been willing...

Commissioner Mena: Can we get back to the substantive issue here?

Ms. Kawalerski: To compromise. We have compromised last night. We compromised last night and now at a item that was supposed to appear this afternoon, I'm being texted that it's on the agenda now. Was this on purpose that it was moved from...?

Mayor Valdes-Fauli: It was not going to be -- it was never going to be...

Ms. Kawalerski: An item F to this morning?

Mayor Valdes-Fauli: In the afternoon, ma'am. I don't know where you got that from.

Commissioner Lago: Sue, again, in an effort to be transparent, this is not a time certain item, so it can come up whenever the Mayor deems it appropriate or whenever the item comes up.

Ms. Kawalerski: I guess when residents aren't here to express their view it is the appropriate time.

Commissioner Lago: One of the items -- let me explain it to you. At the last Commission meeting when this came up or two Commission meetings ago, I requested and the Commission

supported me on making sure that the developer met with the residents in the area. They met, correct?

Mayor Valdes-Fauli: They met.

Commissioner Lago: And I received several emails, which I put them on the record with our City Attorney, which is important to do, and certain stipulations were met through negotiations with the developer; unit count, bedroom count, parking. Now, this issue of a million dollars versus two million dollars is a new item. But, in my opinion -- and I could be wrong -- why put a number to something which, in the future, could be significantly a lot more to do. I'm in the construction industry. If you're talking about -- if you review this the first year and there are impacts that need to be corrected, it may be over a million dollars. If, in the second year, that review happens again and there are impacts that need to be corrected, it could be over a million dollars again that need to be corrected. That's why what I was trying to do was to make it as ironclad as possible, so that the Public Works director then had to go through the City Manager and make sure that either there wasn't an impact or there is an impact that needs to be dealt with. So, we're meeting all the standards and all the requests from the residents. I'm going to go over certain -- a few other things that I think are important to see if we can include them in the development agreement. I'm just not on board with this one million versus two million, because I think it may be even more than the number you're talking about...

Ms. Kawalerski: And...

Commissioner Lago: If that impact does occur.

Ms. Kawalerski: And, our point is put the \$2 million in the bank now and rely on the impact fees later when there is an extension needed for...

Mayor Valdes-Fauli: That is not possible.

Ms. Kawalerski: Traffic mitigation.

Mayor Valdes-Fauli: That is not going to be done.

Ms. Kawalerski: Obviously.

Mayor Valdes-Fauli: Obviously. Precisely, because it's never done...

Ms. Kawalerski: But, I just want to put on the record...

Mayor Valdes-Fauli: Ms. Kawalerski, thank you, very, very much.

Ms. Kawalerski: The Riviera Neighborhood Association...

Mayor Valdes-Fauli: You came up. You talked about...

Ms. Kawalerski: The Riviera Neighborhood Association...

Mayor Valdes-Fauli: The \$2 million. Please sit down.

Ms. Kawalerski: Compromised with this developer...

Mayor Valdes-Fauli: Right.

Ms. Kawalerski: Last night and is not being met. I want that on the record, please.

Mayor Valdes-Fauli: Thank you very much.

City Attorney Ramos: Commissioner Mena, you had asked regarding the scope of how far an improvement would go. What a court would do is that they would look at whether there was evidence on the record by an expert, that there was, in fact, an impact. They would provide a rational nexus test that they would look at. And if there is a rational nexus that five blocks away is creating an impact...

Commissioner Mena: Right.

City Attorney Ramos: Then it could be used as far as that.

Commissioner Mena: I think it's important to communicate that. Mr. Garcia-Serra, I had a -- with respect to the board you had with the...

Mr. Garcia-Serra: I'll bring it up again.

Commissioner Mena: Estimated dollar figures. There it is. Outside of number one...

Mr. Garcia-Serra: Right.

Commissioner Mena: So, two through whatever...

Mr. Garcia-Serra: Two through eight is what it has.

Commissioner Mena: I can't see the bottom of your board there. But, if these improvements that are listed -- who has to approve these proffered improvements on our end as the city? In other words, it says a curb extension. Who -- you know, that would have to go through City and County, obviously.

Planning and Zoning Director Trias: No. That's the Public Works director, at the City review, yes.

Commissioner Mena: And so, that's an estimated amount you have on...

Mr. Garcia-Serra: Correct.

Commissioner Mena: If it costs more than that...

Mr. Garcia-Serra: That's a point that I was going to make. And these are conditions of approval. We have to do these in order to get building permit or in order to get CO. So, if they come out more, they come out more and that's what we have to spend in order to get it done.

Commissioner Mena: Right.

Mr. Garcia-Serra: So, it could very well -- this is our estimated amount. It could be more than the amount that's indicated down there at the end of the day, once it's all done.

Planning and Zoning Director Trias: And they have not been reviewed by the Public Works director or anyone in City staff.

Commissioner Mena: What has not been reviewed?

Mr. Garcia-Serra: The values.

Planning and Zoning Director Trias: The amounts.

Commissioner Keon: The amount.

Planning and Zoning Director Trias: So, it's something that is being proposed to you for the first time.

Mayor Valdes-Fauli: Okay. This is the fourth....

Commissioner Mena: Can we...

Mayor Valdes-Fauli: Time this comes up.

Commissioner Mena: Well, this is the first time this comes up.

Mayor Valdes-Fauli: I know, but the fourth time that this issue -- the Venera project comes up. Let's do it in an organized fashion. Commissioner...

Commissioner Mena: Agreed.

Mayor Valdes-Fauli: Mena...

Commissioner Mena: Well, I'd like either Mr. Iglesias or Mr. Santamaria also to address, you know, from your experience, you know, some of these estimated values that we're putting on intersection improvements. I mean, are these -- I don't know what it costs to improve an intersection as far as curbing and striping and et cetera. Mr. Santamaria, I assume you have more insight into that, but I think it's important for people to understand that the items that are being proffered here are accurate estimates. And, I apologize that you're being put on the spot here, but these just came up.

Commissioner Keon: I think you also need to look at every one of these type -- well, most of the -- like the intersection improvements and the curb things, all of those things all can be used for -- particularly the improvements to intersections, can be paid for out of impact fees, and the impact

fees they will pay are considerable. They are a portion of the amount of construction. So, in addition to these dollars that they are proffering, you also have the access to impact fees that can also add to the resources by -- that you can address these issues. So, I mean, they could tell you that, so I'd like them to look at that in light of that.

Mayor Valdes-Fauli: Will you excuse me a moment? We have Debra Register who wishes to speak. Debra.

Debra Register: Mine will be short.

Mayor Valdes-Fauli: What?

Ms. Register: Mine will be short, and I won't -- and I wasn't sworn in.

Mayor Valdes-Fauli: Please, and new items.

Ms. Register: Do I need to be sworn in?

City Attorney Ramos: Yes, please.

Deputy City Clerk Urquia: Please raise your right hand. Do you swear or affirm that the statements you will make today will be the truth and nothing but the truth?

Ms. Register: I do.

Mayor Valdes-Fauli: Yes, ma'am.

Ms. Register: My name is Debra Register. I live at 1240 Placetas Avenue. The one thing that wasn't mentioned of why we had asked for additional funds is because the additional count in the

rooms -- we've asked for funds to help with the bike path so that students in this area, which we're going to have, which we don't have as many, they ride their bikes. And so, a portion of this money we wanted to use for a bike path, so that it's Alhambra to help with the flow across Alhambra for additional traffic and bikes. So, a part of that money, okay, was we were asking for it to be used for that specific purpose and to help the flow and the safety of the bike riders.

Mayor Valdes-Fauli: Thank you, ma'am.

Commissioner Lago: When you say bike path, are you talking about just standard striping or an actual dedicated bike path?

Ms. Register: It can be anything. It could be...

Commissioner Lago: But you understand by -- with a dedicated bike path, there's a lot of instances where you lose a lot of parking and that's been a big concern of the residents and the businesses.

Mayor Valdes-Fauli: Yeah.

Ms. Register: Well, it's basically -- it may be a combination. I'm not sure, okay.

Commissioner Lago: Okay.

Ms. Register: And that could be studied, as we suggested. But, there would be some funds that would help because, especially on South Alhambra, to get across South Alhambra -- and this is where these students are going to go and this is logical is to go from this project, whatever roads they decide, okay, which is probably in back of the park, to South Alhambra and to get across so that there be some safety for those students. That's part of that funds.

Mayor Valdes-Fauli: Thank you, ma'am. Thank you.

Commissioner Keon: You should meet with Jessica Keller, who is in charge of that and she can show you what the master plan is and how the funding has already been put forward and how we've addressed that.

Ms. Register: Okay.

Commissioner Keon: And it may relieve some of the concerns that you have. Jessica's in the back of the room. I'm sure she can introduce herself to you.

Ms. Register: Okay.

Commissioner Keon: And, can help (INAUDIBLE) you of the concerns you have but share your concern.

Mayor Valdes-Fauli: Thank you. Thank you, ma'am.

Ms. Register: Thank you.

Commissioner Keon: Thank you.

Mayor Valdes-Fauli: Thank you very much. Commissioner Mena, will you...

Commissioner Mena: I'm still waiting for the answer to my question.

Assistant City Manager Iglesias: Commissioner, and to answer your question, we looked at these numbers. They're reasonable ballpark figures, just looking at them briefly right now. But, let me just say that these improvements would have to be done not prior to CO, but prior to TCO.

All of our development agreements are now done prior to TCO. So, it means that you cannot sell the project and not physically occupy the project until all these -- the development agreement is done.

Commissioner Mena: And, with your office and Mr. Santamaria's office be responsible for approving the listed improvements and making sure that they satisfy...

Assistant City Manager Iglesias: For the most part, we would be. Yes, yes. The Public Works Department would be in charge of approving that and making sure that that -- that those are done. The Building Department -- as the building official, I will not authorize the TCO until the development agreements are done. So, it means that you have no use of the building until everything is done.

Commissioner Mena: And again, that's irrespective of what the ultimate dollar figure ends up being.

Assistant City Manager Iglesias: That's correct, but those are reasonable ballpark figures.

Public Works Director Santamaria: And, I would also add to ACM Iglesias' response that this is very early in the ballgame. We still have to review all the site packages and determine what impacts on the right-of-way exist, how all these improvements are going to be integrated into the ultimate plans for this project. And at the end of the day, they will have to do what they have to do in order to comply with any conditions of approval. And, we'll be making -- we'll be there to ensure that working with all the other departments in the city.

Mayor Valdes-Fauli: Thank you. Commissioner Mena, anything else? Please.

Commissioner Lago: You want me to jump in and you can come back to...

Commissioner Mena: Yeah, go ahead.

Commissioner Lago: Okay. Peter, I just want to make sure -- I know I've said this ten times, but I'm going to say it an eleventh time, so just...

Commissioner Mena: Oh, I know.

Commissioner Lago: Bear with me. I want to make sure that the trees are actual shade trees that are put in. This is going to be my new pet peeve for all projects moving forward. Please, no more, you know, one-inch caliper trees that blow over or get snapped, you know. Let's -- and I have to wait 25 years before there's actually any shade. This is an -- and I'm going to ask this from every single project moving forward, okay, because it's pretty ridiculous when you see some of these projects. I go up there and, you know, the trees are -- again, it's an embarrassment. I know the City could do much better and we got to hold people accountable. So, that's one big issue that I want to make sure that gets dealt with. I want to make sure that when you talk about sidewalks, that all the ADA concerns are obviously met. I want to make sure that there's crosswalks. I want to make sure that if we can do something in regards to -- obviously, this is going to be a LEED building, so bike accessibility, you know, bike docking station, whatever we can put in there to assist the...

Assistant City Manager Iglesias: It'll be LEED Silver minimum.

Commissioner Lago: LEED Silver minimum, obviously, that's required by the Code. But, I want to make sure -- and they brought up a very good point in regards to bike and pedestrian accessibility. I know that Jessica, obviously, is very well versed on this topic. But, I want to make sure that if we can do anything to make it as easy as possible for whoever is going to be living in this building to meet their goals in regards to not having to use a car, especially, in this area where you have, you know, supermarkets. You have, you know, Sunset right there. So, this is a great opportunity for people to live in this building and actually walk, be pedestrians, not

have to get into a car. And if they get into a bike, let's make it as easy as possible for them. I talked to you already about the three years in regards to traffic review. I want to make sure that's implemented. That it's not at the discretion only of the Public Works director; that the City Manager has to review and sign off to make sure that if something is required to be done to mitigate whatever traffic concerns there are after the construction of this project, that they're done.

Assistant City Manager Iglesias: I'd just ask that that would be the requirement of the Public Works director, because there should be a technical analysis based on what Mr. Plummer...

Commissioner Lago: Of course. I think it should be both.

Assistant City Manager Iglesias: Did versus...

Commissioner Lago: I think it should be both, the Public Works director and also the City Manager. And I think that's what we should do -- and Ramon, just give me one second. I think that's something that we should do going forward on all projects, on all projects because it's important. It's another, you know, safety measure that can help us. Let's see, we talked about it being LEED. We talked about the unit count being at 147. We talked about the parking being at 380, and we also talked about the actual bedrooms. I think it was 300 and -- what was the bedroom count that they proffered?

Planning and Zoning Director Trias: 345.

Assistant City Manager Iglesias: It was 345.

Commissioner Lago: 345, which is ten units less than what the residents agreed to yesterday, which was 355.

Mayor Valdes-Fauli: Right.

Planning and Zoning Director Trias: Yeah.

Mayor Valdes-Fauli: Okay.

Commissioner Lago: And also, last point, Art in Public Places. Are they going to be donating in reference to Art in Public Places, or are they going to actually have a plan? And before the architect gets up, I want to reiterate this is a beautiful building. I stand by the design. I think it's going to be a great addition to the neighborhood. I think that the architecture team did an exceptional job on the design, on the layout of the building. And I'm very excited, also about the plaza on the front of the building, which is going to complement well with the park. I think it's going to be a great activator for the area. I think it's going to be something which is going to bring a lot of, hopefully, play between the park and the building. So, can I have an answer in regards to the Art in Public Places?

City Attorney Ramos: If we can swear him in, please? If it's going to be Mr. Serra, no, but if it's going to be the developer...

Mr. Garcia-Serra: Art in Public Places, we are making the contribution.

Commissioner Lago: You're making the contribution?

Mr. Garcia-Serra: Correct.

Commissioner Lago: If you don't mind me asking, why? Is it just because you don't want to deal with the artist? You don't want to deal with the process, or you just feel it's in the best interest of -- just to write the check?

Mayor Valdes-Fauli: It's what's better for us for them to make the contribution.

Commissioner Lago: No, no, no. I agree. I just -- but I want to understand it.

Mr. Garcia-Serra: Probably more process oriented than everything else.

Commissioner Lago: More process oriented.

Mr. Garcia-Serra: Yeah, it does take -- it's a considerable process.

Commissioner Lago: Yeah.

Mr. Garcia-Serra: It's probably about a year in total as what I've gone through on other projects. And so, I think -- not only this developer. I think a lot of the development community, while their first impression might be, hey, let's see if we can incorporate it into the building. Quite often, when they realize how long it's going to take, that art is something of a subjective issue too, they usually end up with the contribution.

Commissioner Lago: Okay, thank you.

Mayor Valdes-Fauli: Thank you. Anything else, Commissioner Lago?

Commissioner Lago: No. I think the architect wanted to speak.

Mayor Valdes-Fauli: Okay.

Commissioner Lago: Mr. Bermello.

Mayor Valdes-Fauli: And then we go to Commissioner Mena.

City Attorney Ramos: You can swear him in, please.

Commissioner Lago: And I have all my -- by the way, I made all my comments. I'm ready to vote on this issue.

Deputy City Clerk Urquia: Raise your right hand. Do you swear or affirm that the statements you will make today are the truth and nothing but the truth?

Willy Bermello: I do. Mr. Mayor, members of the Commission, just want to clarify one item that's been said here today, and it's regarding parking. The developer has agreed to reduce the unit count, has agreed to reduce the FAR, has agreed to reduce the bed count. But, you also heard that yesterday there was a request that the parking increase. Well, I guess we want to do that, but I must tell you, knowing our plans, we can't do that. We are stuck at 356. We can't add a single parking space unless we increase the building bulk and go higher in parking. So, right now, we're tapped at 356. So, it's the only one thing that's been said here today that even if we wanted to...

Mayor Valdes-Fauli: Thank you.

Mr. Bermello: Unless we change aisles, et cetera. And, the last thing -- I don't want to go against our attorney, but I have to tell you that if I was asked by my client, I believe that the Art in Public Places program of the County does work. It's a good program. Michael Springs and the curators do a tremendous job. And if they ask me in the process, I will recommend that we in fact go through the County. They do a terrific job and I think...

Mayor Valdes-Fauli: Yeah. We'll not go through the County.

Mr. Bermello: And...

Mayor Valdes-Fauli: We will not go through the County.

Mr. Bermello: Okay. But, I know and I've seen...

Mayor Valdes-Fauli: We don't trust the County.

Mr. Bermello: It works very well.

Mayor Valdes-Fauli: Yeah.

City Manager Swanson-Rivenbark: So...

Mayor Valdes-Fauli: Thank you.

Mr. Bermello: Thank you.

City Manager Swanson-Rivenbark: The City has its own Art in...

Unidentified Speaker: Yeah.

Mayor Valdes-Fauli: Yeah.

City Manager Swanson-Rivenbark: Public Places program that is very successful, so that's why the Mayor is saying that it wouldn't be through the County.

Mayor Valdes-Fauli: And if you want to be chairman of that, I'll lobby my fellow Commissioners to name you chairman.

Commissioner Keon: Put you on the Art Council.

Commissioner Lago: We have a...

Mayor Valdes-Fauli: Commissioner Mena, let's conclude.

Commissioner Lago: We have a great group of individuals that are on the Art Council and we're doing some good things, so I'm proud of them.

Mayor Valdes-Fauli: Commissioner Mena.

Commissioner Mena: Mr. Garcia-Serra, I just wanted to follow up on that last point that Mr. Bermello made about parking, because I...

Mr. Garcia-Serra: Right. On the parking spaces...

Commissioner Mena: My understanding was there was some room there, so...

Mr. Garcia-Serra: That was my...

Commissioner Mena: You could explain.

Mr. Garcia-Serra: Impression last night also from some of Mr. Bermello's associates that in the development of the plans, as they go through construction phase, drawings, there could be some refining and depending on the width of columns and so forth, we could potentially squeeze in some more spaces and get more. I don't know...

Mr. Bermello: Well, my experience is just the opposite. When you develop the plans and you finish the plans, you're not getting spaces, you're losing spaces. You find that you have pipes

where you weren't anticipating them, that the columns will be a little larger, that you have to provide a walkway that wasn't the right width for the handicap spaces. And what it starts doing is starts eating up, so it's just the opposite. You tend to fight to make sure you don't lose any spaces. We're not going to gain spaces. We're stuck at the number that I just gave.

Commissioner Keon: Alright. You also -- then you -- you know, you make it difficult...

Mayor Valdes-Fauli: Wait, Commissioner...

Commissioner Keon: For people to...

Mayor Valdes-Fauli: Commissioner, let's let...

Commissioner Keon: I'm sorry.

Mayor Valdes-Fauli: Commissioner Mena...

Commissioner Mena: But, let her chime in on the topic that we're talking about.

Commissioner Keon: You know why, because...

Commissioner Mena: I think it's easier that way.

Commissioner Keon: What you see then is you have parking places as they've tried to narrow them to the minimum width, and without the division of the thing between them, that you don't have the radius to park like pickup trucks and different vehicles and big SUVs that you now see, so many people use and they end up having to park them on the street or other -- or take up two spaces, because they really are too difficult to park easily in an individual space.

Mr. Bermello: Keep in mind that the property next door, the one immediately to the west, if that was developed as a single parcel as it normally would have been, it would have had parking right on the street, on the street frontage, interrupting the streetscape along that street. Right now, there's no parking on that property. It's consumed within the 1500 Venera, which is a real public benefit, I think, to the overall neighborhood. It's something that we worked with your Planning director.

Planning and Zoning Director Trias: Yeah. If I could do my analysis of this. What the issue is, is that the parking floors have a maximum number of parking space. To have more parking, you need an additional parking floor instead of the residential, so that, I think, is what the concern is.

Commissioner Mena: Another question I had -- and I don't know if this is for Mr. Iglesias or for Mr. -- you, Mr. Trias. The -- if I understood Mr. Iglesias' comments correctly about these improvements, because they have to be satisfied before a TCO, it's not an issue of sort of if they were to sell the project or there was another owner of the project. These things would still need to be satisfied or would have already been satisfied.

Assistant City Manager Iglesias: Our development agreements are now based on TCO, not CO.

Commissioner Mena: Okay.

City Attorney Ramos: Also, re...

Commissioner Mena: What about the traffic three mitigation issues that Commissioner Lago's been discussing?

Assistant City Manager Iglesias: These will all be part of the development agreement, so that it could go with this project.

Commissioner Mena: Say that again, sorry.

Assistant City Manager Iglesias: This would go with this project, so these are issues that are part of this project and certainly the Commission approval, and it would be -- it would have to be subject to being done prior to the TCO, not CO.

City Attorney Ramos: And remember also that we have the two covenants that tie the site plan and the zoning -- the site plan to the zoning and the comp plan change.

Commissioner Mena: Okay.

Commissioner Keon: So, it would follow the project.

Mayor Valdes-Fauli: Alright. Anything else?

Commissioner Mena: No, that's it.

Mayor Valdes-Fauli: Commissioner -- I mean, Vice Mayor Quesada?

Vice Mayor Quesada: No comment.

Mayor Valdes-Fauli: No comments.

Commissioner Keon: I'm fine. Thank you.

City Attorney Ramos: Mr. Mayor, did you officially close the public hearing on new items?

Mayor Valdes-Fauli: Yes. The public hearing is closed. Alright.

Commissioner Lago: And by the way, another item before you -- before we close up. Also make sure we memorialize the fact that the FAR has gone from 3.5 to 3.3 on this project, which has been...

Planning and Zoning Director Trias: Right, right.

Commissioner Lago: Also a pretty significant reduction.

Planning and Zoning Director Trias: And...

Mayor Valdes-Fauli: Alright.

Planning and Zoning Director Trias: Mayor...

Mayor Valdes-Fauli: Do I hear a motion?

Commissioner Keon: We have three items.

Commissioner Lago: Wait, wait. Ramon wants to make a comment.

Planning and Zoning Director Trias: Just to...

Mayor Valdes-Fauli: (INAUDIBLE).

Planning and Zoning Director Trias: Clarify the issue...

Commissioner Lago: Yes.

Planning and Zoning Director Trias: Of the quality of the landscaping, et cetera. The way we phrase the conditions is that we give the staff the authority to make the final decisions. It has to be reviewed by the Public Works director. It has to be reviewed by the landscape services director. That is the way it's phrased in the conditions.

Commissioner Lago: Yeah, but I want to make sure -- and I want to make sure -- and I say this in front of the Manager. I want to be very careful, because I don't want to go overhead and give staff any direction. That's the Manager's job, okay.

Commissioner Mena: Right.

Commissioner Lago: But I want staff to be empowered and say, listen, a one-inch caliper tree is unacceptable. You know, this neighborhood -- if you're going to put this neighborhood through a serious construction project over the next two years, they deserve quality. They don't deserve for anyone to skimp.

Planning and Zoning Director Trias: Right.

Commissioner Lago: And I -- when I mean anyone, I mean us, the City of Coral Gables. Because, at the end of the day, we have to do our job to hold everybody accountable. So, that's why I'm talking about this city deserves that best.

Mayor Valdes-Fauli: Alright.

Commissioner Lago: And the residents deserve the best. And, I know that this Commission agrees with it. So, I want to make sure that the staff is empowered to do the right thing and just to come and speak to the Manager and say...

Mayor Valdes-Fauli: Yeah.

Commissioner Lago: Listen, I don't think it's appropriate that X, Y and Z is occurring and I think that we should make our request accordingly.

Mayor Valdes-Fauli: Alright.

Assistant City Manager Iglesias: We've taken note of your comments, Commissioner.

Mayor Valdes-Fauli: Do I hear a motion?

Commissioner Lago: No, no, and I appreciate that.

City Attorney Ramos: You need...

Mayor Valdes-Fauli: Motion?

City Attorney Ramos: Three separate motions.

Commissioner Lago: But by the way...

Commissioner Keon: We need three separate motions.

Commissioner Lago: And again -- and this has nothing to do with this project. It has to do with everything...

Commissioner Keon: We need three separate motions.

Commissioner Lago: That we do.

Mayor Valdes-Fauli: Okay. Do I hear...

Commissioner Keon: I'll move...

Mayor Valdes-Fauli: A motion on...

Commissioner Keon: F-1.

Mayor Valdes-Fauli: F-1?

Commissioner Lago: I'll second.

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

Commissioner Mena: Yes.

Vice Mayor Quesada: Yes.

Commissioner Keon: Yes.

Commissioner Lago: Yes.

Mayor Valdes-Fauli: Yes.

(Vote: 5-0)

Mayor Valdes-Fauli: F-2.

Commissioner Keon: I'll move F-2.

Mayor Valdes-Fauli: Second?

Commissioner Lago: Second, excuse me.

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

Vice Mayor Quesada: Yes.

Commissioner Keon: Yes.

Commissioner Lago: Yes.

Commissioner Mena: Yes.

Mayor Valdes-Fauli: Yes.

(Vote: 5-0)

Commissioner Keon: I'll move F-4.

Commissioner Lago: Second.

Commissioner Keon: Yes.

Commissioner Lago: Yes.

Commissioner Mena: Yes.

Vice Mayor Quesada: Yes.

Mayor Valdes-Fauli: Yes.

(Vote: 5-0)

Commissioner Mena: And I just want to say really quickly, you know, I -- in the past few meetings, I was one of the people who voted against this project and I just want to say that -- and frankly, I came in today thinking that's the direction I was leaning based on the plan I had seen. I think the changes that you've made here to reduce the unit counts, the room count, to provide a minimum lease term, I think, hopefully, will alleviate some of the concerns with respect to the student housing issue that's out there. And you know, I just want to commend you on making those changes, because I think that was the right move. As somebody, again, who lives in the area, this is a project that I take very seriously and I think the changes you proffered today were important.

Mayor Valdes-Fauli: Thank you very much.

Commissioner Mena: And I just want to ask that, obviously, in all these improvements here that you please work with our staff...

Mr. Garcia-Serra: Of course.

Commissioner Mena: To make sure that they're done to the level that we expect. And obviously, I'm sure that Mr. Iglesias will have a big say in that, so I appreciate your help.

Mr. Garcia-Serra: Of course.

Mayor Valdes-Fauli: Thank you.

Mr. Garcia-Serra: Thank you very much...

Mayor Valdes-Fauli: Thank you very much.

Mr. Garcia-Serra: Mayor and Commissioners.

Mayor Valdes-Fauli: Thank you.

Mr. Garcia-Serra: We'll make this a great project.

Mayor Valdes-Fauli: I hope I don't see you...

Commissioner Lago: Thank you.

Mayor Valdes-Fauli: Again for a long time.

Mr. Garcia-Serra: On another project, on another project.

Commissioner Lago: Thank you, Mario. I appreciate it.