



May 24, 2018

**VIA ELECTRONIC MAIL**

Ms. Cathy Swanson-Rivenbark  
City Manager  
City of Coral Gables  
405 Biltmore Way, 1st Floor  
Coral Gables, Florida 33134

Re: **Gables Station / 215 and 251 South Dixie Highway / Waiver of Payment of Impact Fees**

Dear Ms. Swanson-Rivenbark:

On behalf of NP International USA, LLC, (the "Applicant"), and pursuant to City of Coral Gables Code of Ordinances (the "City Code") Section 2-2184, we respectfully submit this letter requesting approval of a waiver of payment of impact fees due to significant contributions in an amount exceeding \$3,400,00 to the Underline project being undertaken by the Applicant as part of the Gables Station project (the "Project" or "Gables Station") to be constructed at 215 and 251 South Dixie Highway (the "Property"). Section 2-2184 of the City Code permits the City of Coral Gables City Commission (the "Commission") to provide incentives for development that fulfills a public purpose through the deferral or waiver of payment of impact fees.

Pursuant to Resolution No. 2017-357, adopted by the Commission on December 5, 2017, (the "Resolution"), a copy of which is attached hereto as **Exhibit "A"**, the City may utilize park and mobility impact fees collected from new development located within 1,000 feet of the proposed Underline for the construction of the Underline project. As depicted in the Underline Improvement Plan, a copy of which is attached hereto as **Exhibit "B"**, the Applicant will be improving a very significant portion of the Underline area with amenities such as a bicycle and pedestrian path, landscaped open space, a large number of additional trees including large shade trees, as well as other landscaping and hardscape improvements, including new parking.

Aside from being a major advance in the construction of the Underline, these improvements will enhance the recreational space within the City and benefit the surrounding community thereby fulfilling the public purpose required for a waiver of impact fees. The Underline Improvement Plan also incorporates other multimodal transportation improvements including a new Coral Gables Trolley stop, bike racks, shared bicycle facilities, and ride sharing pickup and drop off designated spaces. Accordingly, the Applicant requests your favorable consideration of its request for a waiver of payment of Park and Mobility impact fees in the amount of approximately \$1,500,000 due to the Applicant's significant contributions toward and

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fulfillment of the public purpose of realizing the Underline project and the other related public use improvements.

We continue to look forward to working with you on this transformative project. Approval of this waiver request will bring us one step closer to having the City of Coral Gables leading the way in the construction of the Underline. Please confirm that this item will be included as one of the City Manager's items on the June 12th agenda of the City Commission. Thank you for your attention to this matter. Please feel free to reach out to me at 305-376-6061 or [mgarcia-serra@gunster.com](mailto:mgarcia-serra@gunster.com) to discuss this request further.

Sincerely,

pp: 

Mario Garcia-Serra

cc: Peter Iglesias, Assistant City Manager  
Miriam S. Ramos, City Attorney  
Ramon Trias, Planning and Zoning Director

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# **Exhibit A**

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2017-357**

A RESOLUTION OF THE CORAL GABLES COMMISSION, AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANUDM OF UNDERSTANDING, IN SUBSTANTIALLY THE ATTACHED FORM, WITH MIAMI -DADE COUNTY TO FUND A PORTION OF THE UNDERLINE PROJECT WITH CITY OF CORAL GABLES IMPACT FEES ATTRIBUTABLE TO NEW DEVELOPMENT AS DEFINED IN ORDINANCE NO. 2017-09 (AS AMENDED), OF THE CITY OF CORAL GABLES CODE, THAT HAVE PAID OR WILL PAY IMPACT FEES WITHIN ONE THOUSAND (1,000) FEET OF THE UNDERLINE PROJECT FROM S.W. 38<sup>th</sup> AVENUE TO GRANADA BOULEVARD, IN A TOTAL NOT TO EXCEED FIFTEEN MILLION DOLLARS (\$15,000,000), PROVIDED THAT SAID FUNDS SHALL BE EXPENDED ON THE UNDERLINE PROJECT WITHIN SIX (6) YEARS OF THE DATE OF PAYMENT OF THE IMPACT FEE BY THE OWNER OF THE PROPERTY TO THE CITY.

**WHEREAS**, on October 14, 2014, the City Commission passed Resolution No. 2014-220 authorizing the City Manager to allocate fifty thousand dollars (\$50,000) to Friends of The Underline, paid from the City of Coral Gables ("City") impact fees for improvements to the Metrorail right of way for a project known as The Underline Project; and

**WHEREAS**, it is estimated that the cost of the entirety of The Underline Project is approximately one hundred million dollars (\$100,000,000); and

**WHEREAS**, roughly 33 percent (33%) of The Underline Project is located in the City; and

**WHEREAS**, enhancing the recreational space within the City will provide numerous benefits to the surrounding community; and

**WHEREAS**, the City wishes to further support The Underline Project and effectuate this goal by entering into a Memorandum of Understanding with Miami-Dade County which will allow the City to assist in the funding of The Underline Project up to fifteen million dollars (\$15,000,000) utilizing parks and mobility impact fees collected from new development, as defined in Ordinance No. 2017-09 (As Amended) of the Code of the City of Coral Gables, ("City Code") that have paid since October 1, 2017 (unless

improvements to The Underline Project are already accounted for in the Development Agreement for a particular new development) or will pay parks and mobility impact fees within one thousand (1,000) feet of The Underline Project to be used for eligible expenses for The Underline Project;

**NOW, THEREFORE, BE IT RESOLVED, BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:**

**SECTION 1.** The recitals and findings contained in the Preamble to this Resolution are adopted by reference and incorporated as if fully set forth in this Sections.

**SECTION 2.** The City Manager is authorized to enter into a Memorandum of Understanding, in substantially the attached form, with Miami-Dade County, to assist with funding of up to fifteen million dollars (\$15,000,000) for The Underline Project, from S.W. 38<sup>th</sup> Avenue to Granada Boulevard, utilizing parks and mobility impact fees attributable to new development, as defined in Ordinance 2017-09 (As Amended) of the City Code that have paid since October 1, 2017 (unless improvements to The Underline Project are already accounted for in the Development Agreement for a particular new development) or will pay impact fees within one thousand (1,000) feet of The Underline Project for eligible expenses provided that said funds shall be expended within six (6) years of the date of payment of the impact fee by the owner of the property on which such fee has been paid.

**SECTION 3.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FIFTH DAY OF DECEMBER, A.D., 2017.

(Moved: Lago / Seconded: Mena)

(Yeas: Quesada, Keon, Lago, Mena, Valdes-Fauli)

(Unanimous: 5-0 Vote)

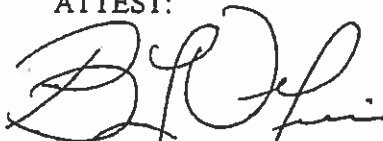
(Agenda Item: H-1)

APPROVED:



RAUL VALDES-FAULI  
MAYOR

ATTEST:



For WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS  
CITY ATTORNEY

# Exhibit B