

City of Coral Gables City Commission Meeting
Agenda Items F-5 and F-5 Substitute are related
February 9, 2021
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

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

City Staff

City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Planning and Zoning Director, Ramon Trias

Public Speaker(s)

Agenda Items F-5 and F-5 Substitute are related

An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code relating to ‘Miracle Mile’ pursuant to Zoning Code Article 14, “Process,” Section 14-212, “Zoning Code Text and Map Amendments,” by amending the following provisions: (1) Article 2 “Zoning Districts,” creating associated provisions in Mixed-Use 2 (MX2) and the ‘Zain/Friedman Miracle Mile Downtown District Overlay (DO);’ (2) Article 4, “Urban Design and Public Improvement Standards,” refining public realm improvement; (3) Article 6 “Landscape,” updating open space requirements; and (4) Article 10 “parking,” updating certain parking requirements; providing for a repealer provision, severability clause, codification, and providing for an effective date.

An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code relating to ‘Miracle Mile’ pursuant to Zoning Code Article 14, “Process,” Section 14-212, “Zoning Code Text and Map Amendments,” by amending Article 2 “Zoning Districts,” creating associated provisions in Mixed-Use 2 (MX2) and the ‘Zain/Friedman Miracle Mile Downtown District Overlay (DO)’ and Article 10 “parking,” updating certain parking requirements; providing for a repealer provision, severability clause, codification, and providing for an effective date.

(Sponsored by Vice Mayor Lago)

Mayor Valdes-Fauli: Now, we go -- the Vice Mayor -- and I agree with him -- has suggested that we defer the Miracle Mile issue. It’s 7 o’clock, and we’re still on F-1.

Vice Mayor Lago: So, I’ll make that motion.

Mayor Valdes-Fauli: Is there a comment, a second?

Commissioner Keon: I’d like to know when it -- yeah, I’ll second it, but when will we reschedule it for?

Mayor Valdes-Fauli: Next Commission meeting.

Commissioner Keon: At the next Commission meeting?

Vice Mayor Lago: I think that we should -- I think we should have a little bit more discussion. I mean, again, I’d like to like to have my colleagues -- we have -- I presented an alternate proposal. I know that Commissioner Mena was going to present something. It’s late already. I think that we -- I think we need to have...

Mayor Valdes-Fauli: Well, let’s do it for the first meeting in March.

Vice Mayor Lago: I'm willing -- I think first meeting in March is appropriate. I just would like -
- I would like to give the Commission, staff some time to work on this. I've been asking and
presented this proposal a long time ago. It was not presented at the three community meetings that
I called for. It has not been formally addressed; I've asked for it. I know that -- I think that my
colleagues agree with me, and I'd hope...

Mayor Valdes-Fauli: Right.

Vice Mayor Lago: That they would support me on that issue.

Commissioner Keon: Would you...

Vice Mayor Lago: And we can have...

Mayor Valdes-Fauli: March 1st.

Vice Mayor Lago: A full discussion on Miracle Mile on the first week in March. It would be
perfectly fine with me.

Commissioner Mena: I'm fine with deferring voting on the item because, frankly, at this time, I'm
a no on the proposal as currently crafted. I'm open to having -- I appreciate that it's late. I'm open
to having some discussion and some direction on where we are each a little bit, just in the sense
of, you know, if that hasn't already made clear to staff, just so that, you know, we make use of the
time in between. I don't just want to defer and not make any progress in the interim.

Vice Mayor Lago: What I think we should do -- I mean, I think that besides deferring it, I think
we should have, I think, a Sunshine meeting where we can have a sit-down discussion, the
Commission as a whole. It can be a public meeting, if you'd like; I mean, just having a discussion.
It doesn't have to be, you know, input from the community. It'd just be a discussion amongst us.

I think it's pretty clear. I wrote a memo about it, and I know that the Commissioner had some, you know, a difference of -- difference, or maybe he had a different spin to what I was proposing. If my colleagues have anything else that they'd like to put on the record, I recommend that they put it on the record. Right now, as it stands, if we voted on Miracle Mile right now, I would vote.

Planning and Zoning Director Trias: Mr. Vice...

Mayor Valdes-Fauli: If there's no objection, it'll be deferred to the first meeting in March.

Commissioner Keon: But could we...

Planning and Zoning Director Trias: Sure.

Commissioner Keon: Could we have a Sunshine meeting prior to the first meeting in March, so that all of these things can be discussed and worked out so that when we come in March, we kind of know where we stand and it doesn't become another opportunity to defer?

Mayor Valdes-Fauli: Alright.

Commissioner Keon: I'd like us to...

Commissioner Mena: If -- I'd...

Commissioner Keon: Make that decision and have a Sunshine meeting and see if we can come to, you know...

Commissioner Mena: I -- just to -- if...

Commissioner Keon: Some consensus.

Commissioner Mena: With the permission of the Mayor, I would like to at least provide my colleagues with an idea of the direction that I personally am thinking...

Commissioner Keon: Oh, tonight?

Commissioner Mena: This should go, briefly. Yeah.

Commissioner Keon: Oh, I -- yeah, I'm comfortable with that too.

Commissioner Mena: And then I'll have...

Commissioner Keon: I can do that.

Commissioner Mena: I'll ask staff to prepare something that's -- you know, a proposal that we can put on a future agenda. So, I can be brief, but I -- you know, I at least want to start the conversation.

Mayor Valdes-Fauli: Yeah, go ahead, go ahead.

Commissioner Keon: Do you want to do the Crafts Section first and then come back?

Commissioner Mena: No, no, this is fine. I'll be brief.

City Manager Iglesias: Let me say, Commissioner, that we welcome your input, and we welcome the input tonight.

Commissioner Mena: I -- in reviewing what's on the agenda tonight, I don't feel comfortable with staff's proposal as currently crafted. I thought that the Vice Mayor's proposal was very interesting

in that it really, very sort of elegantly dealt with the Bert Harris concerns we had because it provided an option for another avenue than what is currently in the Code; and so by doing that, it alleviated some of the concerns we've expressed about Bert Harris. And in evaluating both of those, where I'm at currently on what I'm thinking of proposing and discussing with all of you is somewhere in between, I think, I would describe it as. Which is, as I thought this through -- and I've made comments at some of the prior meetings and in discussing the appraisal, for example -- we hired a consultant to do an appraisal. When I discussed that at prior meetings, and I gave our City Attorney some direction, I was really thinking about it in the context of, if you're going to provide remote parking to the properties on the Mile, can you trade that off, if you will, for reduced height, and what is the value implication of that, and therefore, the Bert Harris implications of that? In thinking about it and analyzing it further, I realized height is really not -- at least not clearly a value issue to a property owner. It's really about the FAR. If you can build X amount of square feet and you can build them in four stories, there's not really additional value to building those same square feet in six stories; in fact, there's probably a detriment to you financially to do so because you would have to build further up. So, what I'm thinking is that if we -- and I want to be clear about something. What we currently allow -- I apologize.

Vice Mayor Lago: What we currently allow is an FAR of 4.375 on the Mile...

Commissioner Mena: Right.

Vice Mayor Lago: Which includes TDRs and two levels of Med bonus, along with six floors or 70 feet, correct?

Commissioner Mena: Correct, so...

Planning and Zoning Director Trias: Yes.

Commissioner Mena: So, a developer is currently allowed to build...

Vice Mayor Lago: As long as they build parking.

Commissioner Mena: Right.

Vice Mayor Lago: And I'm sorry to interrupt you. I apologize.

Commissioner Mena: No, no, no, that's okay. I have it right here.

Vice Mayor Lago: By the way, and that was one of the things that I was concerned about...

Commissioner Mena: Right.

Vice Mayor Lago: Why I voted no on the Zoning Code was because now -- and I want you to put it on the record, please -- not once but twice -- we did it already once, and now we're considering doing it again. You're lowering parking requirements for developers, so they don't have to pay for parking. Let me just finish one second. I haven't spoken much tonight. I've been very quiet, very quiet. You've already done it -- we've already done it once, where we lowered parking requirements, which back then I thought it was appropriate. It was very excessive, a little heavy-handed in my opinion, but now we're doing it again. So -- and I think that's going to be a detriment if we're going to do remote parking because, again, we're not getting any public benefit in behalf of the residents in return. So, I think that this is a discussion, like Commissioner Mena's saying right now, whether the FAR -- or the interplay of the FAR and how much FAR is going to be appropriate, and if there's going to be a restriction in regards to how many floors. So, like he said, this is about construction feasibility. I know certain people may not understand that, but again, as you go more vertical, it becomes more expensive and there's certain requirements to it. But again, anybody can take a piece of property and shrink the footprint and go vertical, but that wouldn't make any sense. So, this is a conversation, I think that -- I'm willing to vote on it right now. My vote would be no.

Commissioner Mena: As mine.

Vice Mayor Lago: I'm ready right now. So, if anybody wants to make a motion, I'm ready to go, just like we did on the first one. I'm ready to vote on it. But I think that if you want to have a real sensible discussion, an educated discussion, I think that we need to review the memo, which I sent to you months and months ago, and it just has been sitting out there in kind of clouds. We haven't discussed it publicly.

Mayor Valdes-Fauli: We're discussing Miracle Mile.

Vice Mayor Lago: No, but I think...

Mayor Valdes-Fauli: If you want to, we'll take it up today.

Vice Mayor Lago: No, but I think...

Mayor Valdes-Fauli: Okay, well, let's move it from there.

Vice Mayor Lago: I think what we need to do is I think we need to have a more -- a sit-down...

Mayor Valdes-Fauli: Okay.

Vice Mayor Lago: Discussion...

Commissioner Mena: Yeah.

Vice Mayor Lago: That could really go into -- drill down into what everybody's opinion is on the matter and review, for example, the Beverly Hills Code that I sent you, the Naples Code, the

Charleston Code. For example, Beverly Hills allows 45 feet. If you apply for a remote parking, you're only allowed to build 45 feet (INAUDIBLE) maximum. And if you're a historic building, you're only allowed to build 25 feet. That code, I provided it to DPZ. Those are things that we should sit down and have a discussion, and a full robust discussion in depth drill down and see what is really acceptable for the Commission in regards to Miracle Mile. Because at its plan right now, I will vote no.

Commissioner Mena: I agree with just about everything you just said, and frankly, you know, your point about the parking is well taken. I think we need to evaluate that further. That's why I wanted to remove it from what...

Vice Mayor Lago: Yes.

Commissioner Mena: We voted on earlier, because I think we need to revisit that. And frankly, your memorandum and your proposal is really one of the things that prompted my sort of thought process on this. And -- because I thought it was a move in the right direction, and I like how it's crafted. My thought was -- and I think one of the fundamental misunderstandings about what we are talking about on Miracle Mile, and when I read articles and media coverage and I see lines like "Coral Gables Government is considering allowing six stories on the Mile;" that's not true. You are currently allowed to build six stories. For those people who are saying, "Don't change anything," you are currently allowed to build six stories, and you're current...

Mayor Valdes-Fauli: That's the point I made.

Commissioner Mena: And you're currently allowed to build 3.5 FAR, and you're currently allowed to build a parking pedestal on Miracle Mile, which nobody wants. So, what I'm leaning towards right now is I want to reduce what you can build height-wise to four stories. I want to effectively let you keep your FAR because you can build your three and a half FAR in four stories if you can remote park. And if we have remote parking on the Mile, we reduce the height of what

can be currently built on Miracle Mile from six stories to four stories, and you have the same density as you can currently build. So, if you're comparing -- for those saying, "Leave it as it is," what I'm suggesting is, don't leave it as it is; reduce the height, get the parking off the Mile, lower it to four stories and leave the FAR the same. Now, I understand the Vice Mayor's proposal has the FAR slightly lower. I'm willing to discuss that, and we should continue to have discussions about that. But in concept, the idea is, let's reduce the height of what can currently build on Miracle Mile. Let's require remote parking. And in doing so, that will lower the scale of the buildings on Miracle Mile, which I think from my conversations with a lot of residents on this topic, is what most people are scared about. And circling back to comments the Vice Mayor has made several times, he cited to good examples about -- I think it was Worth Avenue in Naples.

Vice Mayor Lago: No, Beverly Hills, Beverly Hills.

Commissioner Mena: Beverly Hills.

Vice Mayor Lago: Beverly Hills has a code exactly (INAUDIBLE)...

Commissioner Mena: Et cetera, and that's effectively what we're talking about, is let's have three or four stories, maybe three and a half stories, where the fourth story is set back, but you still have your three to three and a half FAR and you get the parking off the Mile, again, with dedicated spaces, you know, that are required to be renewed. And you know, the key there -- the last point of that and the key there is going to be the point the Vice Mayor just made about what are the actual parking requirements? Because that's going to be an important aspect of that analysis, so that's what I'm leaning towards. I think it makes sense. I think you're not taking anything away from the property owners because they still get to build either their existing FAR -- maybe it's slightly less; if it is, we can discuss that, the implications of that. And then the last aspect of it that we'll have to talk through is whether it's something that's mandated or whether it's something that's optional, as the Vice Mayor's proposal has basically crafted.

Vice Mayor Lago: And again, if I may just add two things. Number one, here's the Beverly Hills ordinance, if you want to take a look at it, so you can have it for our community meeting. Two quick points; you know, we discussed this. We can pass all the legislation, we can pass all the zoning codes we want, but when it comes to the Commission and the Commission approves these projects and gives additional height, you know, that's on the Commission. So, we have to make the decision on whether -- what we're going to allow. So, we can pass all these things and try to put all these restrictions, all these bonus packages, all these alternative...

Mayor Valdes-Fauli: Let's take up Miracle Mile.

Vice Mayor Lago: No, listen, I'm with you. I'm with you, 110 percent.

Mayor Valdes-Fauli: Okay, we're taking Miracle Mile...

City Manager Iglesias: If I may say that...

Mayor Valdes-Fauli: And deferring the Crafts Section.

City Manager Iglesias: If I may say, Mayor, just for one second, that limiting the FAR to 3 or 3.5 will, essentially, from a construction perspective, limit the Mile to four stories because it doesn't make sense, as we discussed...

Vice Mayor Lago: That's what I've been saying.

City Manager Iglesias: To go vertical.

Commissioner Mena: Yeah, but if we can -- I hear you...

City Manager Iglesias: And...

Commissioner Mena: And I recognize that if you look at it from a practical sort of commercial practicability aspect, you're probably right. They'll probably build it lower anyways.

Vice Mayor Lago: Yes.

Commissioner Mena: But I think what the people want to hear is that we're willing to legislate in a fashion that will ensure that the scale of the Mile is lowered. And what I'm proposing is, let's lower the height from six stories to four stories by having remote parking.

City Manager Iglesias: Well, we are basically limiting...

Commissioner Mena: I think that that addresses a lot of the concerns that we're...

City Manager Iglesias: We're basically limiting what is going to happen anyway, so I don't see that as an issue, because from an economic point of view, it doesn't make sense to do a long, skinny tower there from a construction perspective, as we discussed. So, we can certainly look at an FAR of 3 to 3.5, with a limit of four stories.

Commissioner Mena: I'm happy to discuss this further at a future meeting.

City Manager Iglesias: Right.

Commissioner Mena: To the Vice Mayor's point, I don't mean to -- I just wanted to put that out there...

Planning and Zoning Director Trias: Mr. Vice Mayor.

Commissioner Mena: As a proposal, idea.

Planning and Zoning Director Trias: Just a couple...

Commissioner Mena: So that my colleagues can start thinking about it, and we can have a more robust discussion at a future meeting.

Vice Mayor Lago: Yeah.

Commissioner Keon: Well, I would...

City Manager Iglesias: Perfect.

Commissioner Keon: I would like to discuss or address that issue too. I think from a planning perspective, you should not have parking garages or parking platforms on the Mile, irrespective of what the height is or anything else. You shouldn't have them on the Mile. One, they are too difficult to access because you can't have curb cuts. You can't curb cut the Mile; you're not going to curb cut on Ponce or anything else. You -- so the only way that you can access them is through the alley, and these alleys are really not designed as roads. They're back of house, they're designed for the services to the stores and the thing that's on them. So, I don't think from a practical or from a planning perspective, you should have garages or platforms on the Mile. I don't think you should have grates where park -- where you see parking garages. I don't think that you should have headlights coming through at night where people are parking or whatever else. I think that it isn't -- I don't think they're appropriate, and I don't think they're appropriate for the reason -- for access and for appearance and for aesthetics, and for a lot of reasons, I don't think that they're appropriate. So, I agree with the part when we -- when you don't allow parking garages on the Mile. And if we don't allow them, then we have to, in turn, allow remote parking. Now, the way the remote parking is -- you know, and particularly, in this memo by the appraiser, I mean, every -- and I think one of the misconceptions or what I hear often from residents is, "How can you let them build and there's no parking?" And that is a misconception. It's not that there is no parking;

it's the parking is not contained within the building. But that same amount of parking has to be retained within 500 feet of that building, and that isn't -- we're not really talking about customers, by and large, that are going to go into a retail space any more than there is for the Mile right now, but it is for employees. And depending on what you're building, if it's, you know, an office, you know, a small office above whatever you're building, it would be for the employees that are in an office or whatever else. So, you have to have -- they have to meet the parking requirement, but they meet it remotely. They don't need it on the Mile because you don't want a parking garage on the Mile. You want a fully activated space. I mean, the issue -- and one of the things with Commissioner Lago's proposal is, he says, okay, you want to do it? Go ahead, build parking garages on the Mile. I'm telling you, I think for those of us that are looking at this long-term, from a planning perspective, you don't want parking garages on the Mile, partly because of the alleys and also just the aesthetics or the (INAUDIBLE). Now, if there is a way to deal with that, and you know, affect the height that they already have and not put us in legal jeopardy, I have no issue with that, none at all, none at all. But I don't -- I really ask you -- I mean, I think that, you know, we have to have the collective vision and the courage to do what's right from a planning perspective on this Mile. Now, I understand that not every resident is going to understand this or is going to like it, and I'm willing to continue the conversation with every resident, if it takes that. If I have to go to everybody's house to make them understand that, I'm willing to do that because what we do is long lasting. It isn't just for today; it's for long into the future that we set the aesthetic for that street. So, you know, that -- so, I really -- I would only want to start from the perspective that there is no parking garages on the Mile because it just -- it affects -- too badly affects the aesthetics of the area, and because they're just not accessible and you're going to have to allow them to be accessible, so you're going to have to allow them to do that if you take off -- and absolutely, they should be held to the parking standard, and if it's remotely, it's remotely. You know, there is plenty of parking within, you know, a short distance of most of those -- you know, of the Mile in different commercial buildings, plus the garage that we're going to build and the existing garages that are in the area. But you know, Miracle Mile is not a museum piece. It is a living and important part of our City, but it is ailing; and in many cases, it is failing economically. We can create the environment that can restore its health and preserve the unique character of this signature street,

but we need to do it with very careful planning perspectives in mind. And that's why, you know, I turn to Ramon, I turn to Liz Plater-Zyberk because that is their expertise. They can help us as we look into the future and say, "How will this be?" Now, yes, if we can decrease that height and do those things, that's fine. You know, I have no problem with that at all, but you know -- and I agree with you, you don't need -- TDRs are conditional. They would have to come before us. If you want to take them out, take them out. They don't need to have TDRs. You know, if you want to control Med bonuses, you know, that's -- I had asked Miriam that; can we do that? If we can do that and not be subject to a taking, take out the Med bonuses. I don't -- it doesn't -- they don't need to be bigger. But how do we deal with what we have to make it work, maintain, you know, this signature street in a way that we want it to be and for long, long into the future, so that the decisions we make here will provide that signature street with the aesthetics that we are known for.

Mayor Valdes-Fauli: Okay.

City Attorney Ramos: With regard to moving forward, I just wanted to make a couple of comments. Commissioner Mena, I'm assuming your proposal is based -- also adopts the Vice Mayor's proposal of eliminating TDRs.

Commissioner Mena: Yes.

City Attorney Ramos: Because otherwise, you're going to be going higher.

Commissioner Mena: Yes.

City Attorney Ramos: Okay. Also, the appraiser's on Zoom, if anybody wants to ask him questions at this time.

Vice Mayor Lago: No.

City Attorney Ramos: Are you directing staff or would you like to make a motion, Commissioner Mena, to direct staff to draft another substitute ordinance for...

Commissioner Mena: Do I need to do that, or can I just sponsor it on the next...

Commissioner Keon: Why don't we -- well, you can sponsor it.

City Attorney Ramos: You can do that, that's fine.

Commissioner Mena: Yeah.

City Attorney Ramos: You could send them what you want...

Commissioner Mena: Yeah. I'll just...

City Attorney Ramos: And they'll draft it.

Commissioner Mena: I'll craft it with you guys as an alternative that we can discuss and...

City Attorney Ramos: Okay. And then I...

Commissioner Keon: Can we...

City Attorney Ramos: Heard a motion and a second...

Mayor Valdes-Fauli: It is agreed.

City Attorney Ramos: And a second to defer.

Commissioner Keon: Well...

Vice Mayor Lago: So moved.

Commissioner Keon: Well, can we discuss this before...

Mayor Valdes-Fauli: No, no, no.

Commissioner Keon: It comes back?

Vice Mayor Lago: I made a motion.

Commissioner Keon: No, I'm only asking...

Vice Mayor Lago: I made...

Commissioner Keon: That we can discuss this before it comes back in March, so that we're not here again with a number of different proposals that we're going to discuss. I would like us...

Mayor Valdes-Fauli: We should.

Commissioner Keon: To have a Sunshine meeting that you can lay -- everybody can lay out what they believe it should be, and we will, you know, either come to some consensus or we won't.

Commissioner Mena: Yeah. I think the Vice Mayor was open to a Sunshine meeting.

Vice Mayor Lago: Yeah.

Commissioner Keon: Okay, then...

Commissioner Mena: If we can't get that done between now and March 1st, then we'll schedule accordingly.

Vice Mayor Lago: Yeah.

Commissioner Mena: But...

Commissioner Keon: Okay, but I would think between now and March 1st, we should be able to...

Commissioner Mena: Yeah, I think so.

Commissioner Keon: We should be able to schedule a Sunshine meeting. So, I would ask that...

Commissioner Mena: Just got to schedule it.

Commissioner Keon: That if we -- you can defer...

Mayor Valdes-Fauli: Okay.

Commissioner Keon: The item, but that we also have a Sunshine meeting.

Mayor Valdes-Fauli: Miracle Mile, Items F...

City Attorney Ramos: Mayor, we need to vote. I think there's -- there's a motion to defer; there's a second.

Mayor Valdes-Fauli: Okay.

City Attorney Ramos: And then to have a Sunshine meeting...

Mayor Valdes-Fauli: Will you call the roll on the motion to defer, please?

City Attorney Ramos: Before the March 9 Commission meeting.

Commissioner Keon: Yes, thank you.

Mayor Valdes-Fauli: Motion to defer.

City Clerk Urquia: I will, Mr. Mayor. Just a really quick question. For March 9, do you want to set the Miracle Mile item for...

Mayor Valdes-Fauli: Yes.

City Clerk Urquia: 5 PM again?

Commissioner Keon: Yes, please.

Mayor Valdes-Fauli: Yes.

Vice Mayor Lago: Yes.

City Manager Iglesias: Yes.

City Clerk Urquia: Okay. Commissioner Mena?

Commissioner Mena: This is on the motion to defer?

City Clerk Urquia: Yes, sir.

Commissioner Mena: Yes.

City Clerk Urquia: Commissioner Fors?

Commissioner Keon: And have a Sunshine meeting.

Commissioner Fors: Yes.

Commissioner Keon: Yes.

Vice Mayor Lago: Yes, thank you.

Mayor Valdes-Fauli: Yes.

(Vote: 5-0.)