

City of Coral Gables City Commission Meeting
Agenda Item F-4
January 10, 2023
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Michael Mena

Commissioner Rhonda Anderson

Commissioner Jim Cason

Commissioner Kirk Menendez

City Staff

City Attorney, Miriam Ramos

City Manager, Peter Iglesias

City Clerk, Billy Urquia

City Planner, Jennifer Garcia

Public Speaker(s)

Agenda Item F-4 [11:13 a.m.]

An Ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code, Article 10, “Parking,” Section 10-109, “Payment in Lieu and Remote Off-Street Parking;” to revise remote parking and payment-in-lieu processes, requirements, and fee structure; providing for severability clause, repealer provision, codification, and providing for an effective date.

Mayor Lago: Mr. Clerk, item F-4.

City Attorney Ramos: F-4 is an Ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code, Article 10, “Parking,” Section 10-109, “Payment in Lieu and Remote Off-Street Parking;” to revise remote parking and payment-in-lieu processes, requirements, and fee structure; providing for severability clause, repealer provision, codification, and providing for an effective date.

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Agenda Item F-4 – Ordinance providing for text amendments to Official Zoning Code Article 10, “Parking” Section 10-109, “Payment in Lieu and Remote Off-Street Parking”

City Planner Garcia: Good morning, Jennifer Garcia, City Planner. And so, today we are trying to clarify the fee structure for remote parking and also clarifying the review process. So, we are keeping the boundaries the same. Its now still ultimately allowed in the Central Business District, the CBD, as well as the design-industrial, design and innovation district down south, and along 100 feet of Ponce de Leon, that's all staying the same, so are the requirements within 1,000 feet of where you are requesting it. That's all staying the same as well, and the fees are staying the same, the fees being \$12,500 per space for citywide as in the CBD and along Ponce, \$10,000 for space in the design-innovation district, as well as \$5,500 for Miracle Mile because we require remote parking on Miracle Mile. What we're changing is, we are changing and clarifying what the original intent of this was, right. So, the original intent was that you'll be paying for the remote parking and paying in lieu is something that was only for special conditions, if your remote parking fell through, or if you're only requesting a handful of spaces, you could do a payment in lieu, which is paying out the requirements. And we are also clarifying the intent of the review process, which is, if you had less than 25 spaces, then it could be reviewed administratively. If you had more than 25 spaces, then that requires Commission approval for the conditional use process. I have a few slides that helped diagramed this. There it is. Like I said, less than ten spaces would be a payment in lieu. A payment in lieu is you pay out the system. Less than 25 spaces would be the development review, sorry the Development Services Director would review that administratively, and then more than 25 spaces that would require the conditional use process. So just to explain. You can do option 1, always that's not changing. You can provide your required parking on site, but this is remote parking, so you could have some parking on site, but you're trying to encourage the use of our parking that's already built in our city, which we have a lot of parking that's being underutilized. And then payment in lieu is only if your remote parking falls through, there's no way you could try and get that anywhere else or you have such a little amount, a handful that's not worth the city's time to follow your covenants. So, this is a diagram that explains the process, we are trying to clarify the process. So, you start with the remote parking request, right. So, you go up for the more than 25 spaces, that require the conditional use process, that's going through Planning and Zoning, through the Commission for approval, and then get that approved. If you have less than 25 spaces its reviewed administratively, and if you have less than 10 spaces and you could if you want to do payment in lieu. And if you're approved spaces for remote parking falls through and you cannot figure out a way to have that accommodated, that could be reviewed administratively and figure out if that makes sense to do the payment in lieu. So, I hope that clarifies something. We're here to answer any questions.

City Manager Iglesias: Let me just clarify the payment in lieu is also a cure and its double the cost.

City Planner Garcia: Right.

City Manager Iglesias: If you were to pay \$12,500, payment in lieu would be \$25,000.

Vice Mayor Mena: Is that typical for other types of programs to have that kind of...between the price and the payment in lieu option.

City Manager Iglesias: And Vice Mayor that goes to our parking fund, so it would help with our Smart Parking Plan and our future of Coral Gables Parking Authority. So, it's very similar, yes.

Vice Mayor Mena: Is that fee structure where you're saying it double the amount, what do you see out there as other similar types.

City Manager Iglesias: Its very similar because you're removing the necessity to go out and lease parking, so you are removing that cost. This does not affect our parking on street which is 42,000.

City Planner Garcia: And it really depends on what the municipality wants to encourage. If they want to encourage remote parking and utilizing the available parking that you have already built, then you want to incentivize remote parking. If they want a very, very urban area and they want to incentivize payment in lieu, then that's a decision they can make.

Vice Mayor Mena: So here the remote parking is half the cost of the payment.

City Planner Garcia: Yes. But we're trying to push the remote parking so we can use our Smart Parking Plan.

City Manager Iglesias: Yes.

Vice Mayor Mena: The only other question I had was, I know when we've had sort of similar changes to requirements, like how are we dealing with projects that are already sort of in the pipeline? Where do you kind of cut that off whether its design review whether its BOA. I know we talked about that in other contexts in the past.

City Attorney Ramos: I don't think there is anything in it now. In the past the Commission has decided either first BOA or final BOA.

Mayor Lago: If I could, just to go off the Vice Mayor's, I think we need to consider that between first and second reading. I'd like for staff through the Manager, the Manager to present to us some sort of kind of guidance or a cut-off point. I just want to be fair. I don't want people to come back and say, hey listen, I was on the precipice, or I had just passed this board, I'm moving onto this next phase, now I have to start from scratch. So, whatever the board recommends, whatever staff recommends, the Manager recommends, but I think there has to be some point so that people can have an even playing field. Your opinion is welcome. Let us know what you think.

City Planner Garcia: Right now, like Miriam said that is that the BOA preliminary approval. I can't think of any that have preliminary approval that are in the pipeline to go to Planning and Zoning and Commission, they are all kind of stuck at the BOA process. I can't think of a project that that applies to.

City Manager Iglesias: We do have precedent that we use for the Building Code, the final BOA approval from a building code perspective, because that's a requirement of the city, it's a

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substantial requirement, and so, technically speaking the building code would be the application for the project. We look at the final BOA approval because there is a substantial requirement as a final BOA – as the final application from the building code perspective. You can look at this as a final application. We can look at it as a preliminary, an approved preliminary review, but I think we need to have something set like that and what we've looked at before was for zoning the preliminary review, approval of a preliminary review and for the building code, a final BOA approval, because you've got state statute to deal with. So, if that's acceptable, that's something we can put in for second reading.

Commissioner Menendez: I have a suggestion. I know in resolutions we do. I would imagine ordinances we do. Can we put an effective date further down the road, so we don't come across this problem or this possible issue. Just make the effective date July 1st or September 1st, that way we clear whatever is in the pipeline and the people know ahead of time with proper notice that on this date we're going to move forward, and obviously, using that perhaps an effective date a little bit further down will clear up whatever confusion.

City Manager Iglesias: This ordinance should not affect the project itself. Its going to affect the payment, but it will not affect the project, whether if you remove parking – if you have remote parking for 50 cars, you'll still be able to get remote parking for 50 cars.

Vice Mayor Mena: Yes, but the economics always affect the price, right, so. Again, there are several options of sort of where you stick that stake in the ground, before and after, let's just on second reading come back with a few options that might make sense, given what's out there, I don't know what's out there.

City Planner Garcia: Right.

Vice Mayor Mena: And then we can just make a decision at that point.

City Manager Iglesias: Mr. Mayor, we will check to see what's out there and come back with a recommendation for second reading.

Commissioner Menendez: My only question and sort of global generic question. For those folks that are watching or will watch later on, how is this, in terms of, obviously I understand the parking, how does this benefit our community, in terms of, how does it take our where we are today to a better place, in terms of a global sense, because I know sometimes we focus very much on the details of what we're doing, but sometimes people appreciate sort of a global understanding. How does this benefit?

Vice Mayor Mena: So, I would just say, we talked about this in various contexts, but the biggest context I think in which we talked about it was when we were doing the zoning code rewrite and talking about Miracle Mile, etc., and bottom line is, a lot of the complaints we get over the years are the amount of development whether it's the Hyatt or whatever. All this does is its going to bring down and I think the visual you gave there was good, because you are going to bring down

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the size of the building by, because the parking pedestal is always what drives the height of the building, because you have to have a certain amount of parking and you just pushed the building up. In certain places that may matter more than others, that's why we talked about it in the context – that's the bottom line is that we have parking availability particularly I think in the CBD and some other areas too, I think, over by Merrick Park, also there are some options. If you have parking availability rather than continue to require verticality on the building with additional parking, you offset it to another site that already exists and now you have a smaller less intensive building. It's great.

City Planner Garcia: Right. And just to clarify, you're not using parking as needed for that building that you are remote parking to. They have to meet their parking requirements, this is nexus, for those who are listening at home.

Commissioner Menendez: What the Vice Mayor said, I think it's the community benefits, benefits the community embraces what a lot of people want is our efforts to help sort of contain the height of the building as much as possible. So, I think this is wonderful.

City Manager Iglesias: And Commissioner, because of circulation in parking, parking pedestals tend to be unattractive and to be rectangular, the full size of the building, because you must have circulation, and so, this helps with that; and as the Vice Mayor said also, helps with the verticality.

Commissioner Menendez: Thank you.

Commissioner Anderson: I think its an excellent measure to utilize the underutilized parking that we do have in the city and together with the Smart Parking Plan, where you are able to reserve a spot ahead of time, I think will help draw off more people in the Central Business District and have less frustration finding parking. I think it's an excellent measure.

City Manager Iglesias: And Commissioner, we're using the new technology in our new parking garage in Minorca, same technology that Walt Disney uses in their parking garages which is the top technology available now, so that you can actually have it on your app, reserve a spot, know where you're going and not be chasing a parking spot all the way around and conserving energy, and that will happen now in our new Minorca garage.

Commissioner Anderson: Right. Excellent. Thank you.

Mayor Lago: Can I entertain a motion.

Commissioner Anderson: I'll move it.

Commissioner Menendez: I'll second.

Commissioner Anderson: Yes

Commissioner Cason: Yes

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Vice Mayor Mena: Yes
Commissioner Menendez: Yes
Mayor Lago: Yes
(Vote: 5-0)

Mayor Lago: Thank you very much.