

**City of Coral Gables City Commission Meeting  
Agenda Item H-5  
May 8, 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 Speaker(s)**

**Robert Ferguson**

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Agenda Item H-5 [3:03:50 p.m.]

A discussion regarding Edgewater Drive Parking.  
(Sponsored by Commissioner Keon)

Mayor Valdes-Fauli: Commissioner Keon, parking on Edgewater Drive.

Commissioner Keon: Some time ago, I came before this Commission and had an item on on the parking on Edgewater Drive and discussed with you the fact that there was three buildings on

East Edgewater had applied for residential parking and the signs were -- apparently was moving forward and they limited that parking along East Edgewater Drive to just the buildings across from it. I remember in our discussion, all of you -- because you've all lived on that drive -- that street, at one time or another, recognized that there is limited available public parking and it's all residential. It isn't commercial. It's all residential parking. And I don't think you should assign the public parking places to anyone in particular, that they are open and available to the people that live in that area. So, there has been some concern raised by other residents along Edgewater over that designation of residential parking for that one particular group. And I know there's someone here from East Edgewater that I'm sure will want to talk about it, and there's someone else here from the other parts of the neighborhood that will also want to talk about it. But I think that it has been worked on and there is some other proposal that you were going to put forth on this issue.

Parking Director Kinney: We had a public meeting last Tuesday with the neighbors at Sunrise Harbor Park. And the purpose of the meeting was for Tim Plummer & Assoc. -- or David Plummer & Associates, Tim Plummer and Juan Espinosa, to share with the neighborhood their findings after a parking study of the area, and their initial proposal for resolving what they saw as parking issues. Now, that was an initial proposal. What we committed to at the meeting last Tuesday was to take the comments that we received from the neighbors, go back, review that and the consultant would come up with a final proposal or final report with the final recommendations. At this point, we are in the process of doing that. In fact, we've responded to a couple of neighbors who have asked to send us some information, and we've given them until the end of the week to do that. And the plan is, after conversations with the consultant, is to probably have the final recommendation and report next week. I do have Mr. Espinosa here if there's questions about their findings or their initial proposal. But the proposal that we discussed with the neighbors was the initial proposal from the consultant, and we did make it that way so that we could get the final comments from neighbors before they made their final recommendations.

Commissioner Keon: (INAUDIBLE) proposal...

City Manager Swanson-Rivenbark: I know that there's (INAUDIBLE)...

Mayor Valdes-Fauli: I'm sorry. I can't hear you.

City Manager Swanson-Rivenbark: I'm not sure why the mike is -- now, it is. Thank you, CGTV. I know that there are iterations that are being evolved. I think the goal -- it was a very -- I attended the meeting. I know, Commissioner, you attended the meeting as well. The goal is how to come together with a solution that works for everyone, and there were some suggestions that were actually referenced at that meeting that is -- you're going to see incorporated in the study.

Commissioner Keon: If you weren't prepared to tell me what you were going to do, I wouldn't have put this item on the agenda.

City Manager Swanson-Rivenbark: That's fine. It's a discussion regarding Edgewater Drive.

Commissioner Keon: Yeah, because I wanted to know what you were going to do. If you can't tell me what you are going to do -- and when I spoke to you, I thought you did have recommendations that you were going to make. And if you weren't going to, I wasn't going to put it on the agenda because I wouldn't take up people's time to sit here and talk for no good reason.

City Manager Swanson-Rivenbark: Well, I know exactly where the recommendations are going, and I think that he's giving some people some additional time to comment from the public, the residents that are in the area, to make sure that before he finalizes his conclusion.

Commissioner Keon: And so, when are you going to -- when will you get to that? How much longer is it going to take? How long has it been since you did this?

Parking Director Kinney: The study took place in November. The actual counts took place in November.

Commissioner Keon: That's the study. How long before that did you put up the residents parking signs?

Parking Director Kinney: They went up just before the hurricane, in the summer.

Commissioner Keon: So, they went up last summer, and it's almost this summer. So, it's almost a year? It's taken a year to figure out what you're supposed to do there?

City Manager Swanson-Rivenbark: So, we know that it's an issue that we have all residential on this street. We know, to the north, not all of the occupants are back in because of the issues associated with storm and building.

Commissioner Keon: Right.

City Manager Swanson-Rivenbark: We know that we have had, I think, positive discussions with all different groups. And each one of those individual groups has items that they would like to see as a part of it, and I think he's trying to thread the needle so that, from a handicap standpoint, it's addressed; from the keeping commercial vehicles out of the area, it's addressed; from the ability to have residents not have assigned spaces but access to it and the people that are not commercial vehicles, but are there to service residents in the area, how it can all be addressed. It is a Rubik's cube, and I think what the -- I give the -- what the Parking Director doesn't want to do is cause more complication as a part of this residential zone rewriter. If we move forward and we say residential zones only after 5 o'clock will be enforced and weekends,

then clearly, we will reimburse or we will provide appropriate credit for those that have already waited -- paid for and waited. We've had the City Attorney look at it from a settlement agreement from a construction time. She has concluded -- I've seen the emails -- that a previous agreement related to the construction of the Gables Club does not -- the agreements that were entered into as a part of that settlement were for construction, and they didn't continue after construction. I think that there is some interest from a handicap accessibility standpoint that we want to make sure gets honored. I think that there is commercial vehicles that you're going to see -- and commercial vehicles, as you know, we have a definition in the Zoning Code as to what constitutes a commercial vehicle, and that is signs on the truck that clearly are identifying it as a commercial vehicle. It is not somebody that is there to -- it's not a caregiver. It is not a...

Commissioner Keon: It's not somebody's...

City Manager Swanson-Rivenbark: A house...

Commissioner Keon: Personal pickup.

City Manager Swanson-Rivenbark: It is a...

Commissioner Keon: Right.

City Manager Swanson-Rivenbark: But we would follow the zoning definition of commercial vehicle, and we can pull that.

Commissioner Keon: Okay.

City Manager Swanson-Rivenbark: So, you're going to see handicapped parking, if there's a need, we need to honor that. You're going to see resident parking, particularly on the evenings

and weekends, how we can preserve that so that people aren't coming into the area and using that as like free accessible space when the residents and the...

Commissioner Keon: Where would they come in from? You -- you know, unlike -- you were just talking about Antiquera and Calabria and those streets, where their neighboring properties are Ponce de Leon Boulevard and there are a whole group of businesses and things along there. And what you're trying not to do in the residential areas is to provide free on-street parking for people in the office buildings or in the doctor's offices and whatever else because you have the issue of the commercial and the conflict between commercial and residential. What you have done here is, in a residential area, you have assigned parking in a completely residential area to a particular building.

City Manager Swanson-Rivenbark: So...

Commissioner Keon: Even along Antiquera or along Calabria, I am going to tell you that there are not -- you know, you don't get a tag for three spaces in front of your building, do you? Is that what your plan is?

City Manager Swanson-Rivenbark: So...

Commissioner Keon: No. So, you don't plan to do that there, but that's exactly what you have done here.

City Manager Swanson-Rivenbark: So, what has happened...

Commissioner Keon: So, I'm asking you that -- I want you to hurry up, figure out what you're supposed to do and do it.

City Manager Swanson-Rivenbark: So, one of the questions you asked was why would somebody be coming into the area.

Commissioner Keon: Right.

City Manager Swanson-Rivenbark: It's my understanding that the consultants have not been able to document the renting of docks in those apartment buildings -- not -- I'm not saying the Gables...

Commissioner Keon: Right.

City Manager Swanson-Rivenbark: Club. I'm saying other private buildings that docks may be rented, and so, the people are bringing their vehicles to park on there that are not residents in the area.

Commissioner Keon: Right, but...

City Manager Swanson-Rivenbark: That's an example of preserving for the resident that actually lives there.

Commissioner Lago: But let me...

Commissioner Keon: Yes, but if somebody is renting their dock and they have a plaque that says it's residential parking and you have two of them, I will assure you that they will give that plaque to whoever is renting their dock because they can't rent their dock if the person can't be there. So, the whole issue of residential parking -- in that line -- is of no value. You can't enforce that. I -- whoever lives there and is renting their dock is absolutely going to give them a plaque so that they can park there. Otherwise, they're not able to rent their dock. I mean, that's why when this whole thing started and it first came to the Commission, I raised the issue and asked, and

everyone on this dais agreed -- having lived there -- that there is limited parking and it's a first-come, first-serve basis. I mean, now if you want to eliminate the commercial traffic related to, you know, trucks or workers or something like that, that's another story. I mean, if you want to eliminate that along there, I don't know that anybody has a problem with that because the street is very narrow and it's hard to access that street anyway. And when you have big trucks in there, it makes it very difficult to access that street. So -- but, I mean, other than that, what are you going to do?

Commissioner Lago: Well, I -- if I may just add a little bit of...

Commissioner Keon: Sure.

Commissioner Lago: Background. I lived on Edgewater for about four years. I know that Vice Mayor Quesada did also. His situation -- and you do. His situation was a little bit different than mine. But since you're talking about boat docks, in my building, one of the big problems that we were having was -- which is not a problem. It's just an issue for people who own units in that building, which I still do.

Vice Mayor Quesada: It sounded like you said Botox.

Commissioner Lago: I did.

Commissioner Keon: Botox.

Commissioner Lago: I'll get you a deal on that Botox, if you need. So, a big problem for certain people -- and obviously, certain people have an issue was that you were not allowed to rent your boat slips to anybody that did not live -- either own or rent in that building. I know that 90 Edgewater's different.

Vice Mayor Quesada: Yeah.

Commissioner Lago: It's different. So, that's why I told you it's a problem for certain people, and for certain people...

Commissioner Keon: Right.

Commissioner Lago: It wasn't. I'll tell you, in 100 Edgewater, you're given one parking space per unit. So, for example, my wife and I lived there for four years. I would allow her to park inside the building because we had very limited parking spaces. We have about eight visitor spaces because they foolishly, years ago, sold a sliver of that property and they built that residential home that abuts 100 Edgewater. It was a big mistake, and that building's paying for it. I would sometimes have to park all the way at the end of the street and just keep looking for parking. And if I couldn't find parking, I'd just have to wait. Wait in front of 100 Edgewater, wait in front of 90, wait in...

Vice Mayor Quesada: I've had to do the same thing.

Commissioner Lago: I mean, we're talking about -- sometimes it would be an hour waiting for parking until -- because there was no other options on Edgewater. There wasn't a surface parking lot. So, I understand the importance of this and there has to be some sort of common ground, but we have such limited space that we have to find an answer. Because, obviously, I don't live there anymore because I have children now and I have moved to a house, but I will never move back in that neighborhood unless I live, for example, in 90 Edgewater, which has an abundance of guest parking, where you can rent from people who don't need two parking spaces. But 100 Edgewater, which has 130, 140 units, those people are in serious, serious trouble every day. It's a battle to find a parking space.

Commissioner Keon: Right. So, I mean, they are very deficient in their parking and...

Commissioner Lago: Very.

Commissioner Keon: You -- you know, just like the other buildings, but you're adding to it by removing the residential parking stock on that street.

Vice Mayor Quesada: Yeah.

Mayor Valdes-Fauli: Okay. Thank you very much. Thank you.

(DISCUSSION CONTINUED)

Mayor Valdes-Fauli: I'm sorry, I -- before we -- on the last item, Robert Ferguson. I skipped over his card. Robert, you want to say a few words? I'm sorry.

Robert Ferguson: Thank you for the opportunity. My name is Robert Ferguson, I'm at 6815 Edgewater Drive. Just a couple of things. I have two letters to (INAUDIBLE) that I'd like to go into the record of the Commission meeting. One of them presents a solution, a comment on the - - based on the Plummer study of deficiencies on East Edgewater Drive, deficiencies of parking spaces per apartment as being considerably worse on East Edgewater Drive than Edgewater Drive and proposes a calc -- presents a computation of how in order to equalize the discomfort -- trying equalizing things for all residents, at a minimum, you should keep the original designation of Zone 6, as done by the Parking Director. So, that has the mathematics and the argument. The other letter simply talks about other issues concerning the Zone 6 and the background of the agreement between the City, the developer of the Gables Club and the neighbors, which are the three buildings along East Edgewater Drive, which is a dead-end cul-de-sac. And I'm not going to read. I just want to give you an idea of what's in it. You'll all have a copy since it'll be in the records. It covers things like the personal security issues because it is a dead-end, no sidewalks, not too much space and angled parking so that everybody that goes through there has to go

around the cul-de-sac, and therefore, there are issues of safety, of damage to landscaping and so on, especially by the commercial vehicles that service the Gables Club. It covers also some public safety issues. And it also covers things that the Gables Club could or refuses to do that would ameliorate the issue. But then also it goes into a little bit of the agreement. I know the City Attorney has disagreed with us on how to interpret that agreement. We think that the interpretation is too narrow and it covers some of that -- presents our case there. The end result is that quite a few things are presented that I think make the claims the Gables Club specious and make a claim for leaving Zone 6 as originally designated very strong so that the draft report should be corrected. Correcting the draft report so that Zone 6 is as it was originally designated still leaves East Edgewater Drive, the cul-de-sac at a severe greater deficiency per apartment than all of East Edge -- all of Edgewater Drive. So, who do I give these -- okay.

Mayor Valdes-Fauli: The City Clerk over there, sir.

Mr. Ferguson: And thanks very much.

Mayor Valdes-Fauli: Thank you very much.

Commissioner Mena: Thank you for your patience, sir.

City Attorney Ramos: I'd just like to state that I did review the settlement agreement. It has two very short provisions. One expressly talks about parking during construction and where workers are supposed to park. And the other one says that parking is supposed to be underground because it's in a garage. Those are the only two provisions that address parking in that settlement agreement...

Mayor Valdes-Fauli: Thank you.

City Attorney Ramos: From '94 and '97.

Mr. Ferguson: And you did address those, but I think there's an intent to the agreement and it speaks of no variance being sought. And what we have before the Zone 6 was a defacto variance.

Mayor Valdes-Fauli: Thank you, sir.

Commissioner Keon: I'd like -- you know, I...

Mayor Valdes-Fauli: The next item -- I'm sorry.

Commissioner Keon: I'd like to state for the record that Dr. McPherson (sic) refers to the Gables Club frequently, that I live at the Gables Club. I happen to live at the Gables Club. My concern is not for the Gables Club.

Commissioner Lago: I lived at 100 Edgewater.

Commissioner Keon: We have...

Commissioner Lago: Quesada lived at...

Commissioner Keon: A tremendous...

Commissioner Lago: 90 Edgewater.

Commissioner Keon: We have plenty of parking in general at the Gables Club. The concern I raised is 100 Edgewater and all of the units along the north side of Edgewater that also have that same deficiency. So, it is in no way related to me personally. But because I live there, I know it and I'm familiar with it.

Mr. Ferguson: I appreciate your comments, but the fact is, by the report of Plummer, the deficiency per apartment along those north apartments that you just mentioned is tiny compared to the deficiency per apartment on East Edgewater.

Mayor Valdes-Fauli: Thank you, sir. Thank you very much.

Commissioner Lago: Thank you, sir.