

City of Coral Gables City Commission Meeting
Agenda Item E-11
April 16, 2024
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Rhonda Anderson

Commissioner Melissa Castro

Commissioner Ariel Fernandez

Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez

City Manager, Amos Rojas, Jr.

City Clerk, Billy Urquia

Public Works Director, Hermes Diaz

Public Speaker(s)

Mario Garcia-Serra

Agenda Item E-11 [1:01 p.m.]

A Resolution of the City Commission amending Resolution No. 2023-196 which granted remote parking conditional use approval for the mixed-use project referred to as “The Avenue” Hotel and Residences on the property legally described as Lots 8 through 11, Block 9, Revised Plat of Coral Gables Industrial Section (351 San Lorenzo Avenue), Coral Gables, Florida, to replace the requirement that all overhead utilities along the entire alley be underground with a contribution toward public realm improvements in the vicinity of the project.

Mayor Lago: Moving onto item E-4, sorry, no E-4, I think they asked us to hold it back – E-11. Thank you for your patience, as always.

City Attorney Suarez: Mayor, E-11 is a Resolution of the City Commission amending Resolution No. 2023-196 which granted remote parking conditional use approval for the mixed-use project

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referred to as “The Avenue” Hotel and Residences on the property legally described as Lots 8 through 11, Block 9, Revised Plat of Coral Gables Industrial Section (351 San Lorenzo Avenue), Coral Gables, Florida, to replace the requirement that all overhead utilities along the entire alley be underground with a contribution toward public realm improvements in the vicinity of the project. Mayor, I have an updated resolution for you all that I will distribute to the Commission.

Mayor Lago: Thank you. Yes sir, sorry about. I apologize.

Mr. Garcia-Serra: Good afternoon, Mr. Mayor and Commissioners, Mario Garcia-Serra, with offices at 600 Brickell Avenue, here today representing San Lorenzo Property LLC. The owner and developer of The Avenue Hotel and Residences project, located at 351 San Lorenzo. As you will remember, this project was unanimously approved by the City Commission in May of last year. It was approved subject to a series of conditions, all of which my client has complied with, except for one condition which has proven to be unfeasible. What we are requesting is to replace that condition with another condition of approval that we have worked out with city staff. The existing condition of approval requires the underground installation of overhead utilities in the alley to the west of the site. What we have learned after meeting with FPL is that in order to relocate the transformers which serve each of the buildings to our north, each of those properties would need to grant FPL an exclusive ten by ten-foot easement at the ground level. These buildings to our north simply do not have the space to grant such an easement. They are all smaller, older buildings, most of which go lot line to lot line. Accordingly, working with staff, we have proposed a new condition of approval to undertake an offsite improvement along Laguna Avenue on the east side of the property, the east side of that block instead of the alley. The area would be – the work would involve replacing sidewalks and improving streetscape as indicated in a plan that we can show to you, and also replacement of sidewalk and replacement of trees. My client would undertake the work as part of the project and contribute \$50,000 towards the cost with the balance being contributed by the city, which has received monetary contributions from other recent projects in the area for these types of improvements. The sidewalk in this area is in worn-out condition and in need of improvement and we think that this is an appropriate replacement condition for a project which is relatively low-scale and low-impact which we want to try to encourage. With that said, we’re available here of course, for any comments or questions.

Mayor Lago: Mr. Clerk, do we have any public comments?

City Clerk Urquia: Yes, Mr. Mayor.

Mayor Lago: Okay. Can we hear some public comments.

City Clerk Urquia: Maria Cruz.

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Ms. Cruz: Mrs. Maria Cruz, 1447 Miller Road. I do not understand. I think for years we've been saying that we want all our utilities underground. Now, this was approved with a condition that that would happen, now it has become very expensive, so now we're going to fix sidewalks instead of putting the utilities underground. I thought we had made a commitment to get our utilities underground. I do not understand, maybe they can be moved to a different area, but I think changing utilities undergrounding to sidewalks is not what we've been discussing.

Mayor Lago: Madam City Attorney, would you address that concern as we discussed earlier yesterday.

City Attorney Suarez: So, the condition required the undergrounding of existing utility lines along the entire alley. The applicant has met with FPL and in order to do that there would have to be transformers on each of the adjacent commercial properties, which are not their properties. They would have to grant FPL an easement for that, and the property owners have said that they've refused to grant that easement. So, the condition has become something that's not feasible for them to comply with, so for that reason the condition requires modification.

Mayor Lago: I asked the same question you did, and I stipulated that we were shooting to get the whole city undergrounded over the next ten years, we're shooting at around 70 percent was the number that we were kind of hoping for, and the City Attorney obviously clarified the fact that we needed approval from the adjacent parcel owners. So, moving onto the next individual, if there is one.

City Clerk Urquia: No, there is none.

Mayor Lago: Okay.

Commissioner Fernandez: I think, Mr. Mayor, this has been an issue, not just in this project, I think its an issue on the undergrounding in residential neighborhoods as well. I know FPL has had some issues finding property owners who are willing to give the land necessary for the transformers and in some areas, they just had to move on from one block to the other, because they haven't been able to find locations. So, I think it's something that we are starting to see that impact and I know the Vice Mayor has an item on the agenda that might help address that point later on.

Vice Mayor Anderson: I hope it will, but we can't force people to grant an easement. So, if there's no other comment, I'd like to move it.

Commissioner Menendez: I'll second.

Vice Mayor Anderson: I did talk to staff and the applicant about putting in, because the size of the trees that they are putting in, the width of them is narrow due to the conditions to putting in a little more robust number, so we can create a nice area to walk.

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City Attorney Suarez: Mr. Mayor, if I may just add that this resolution would authorize the City Manager and City Attorney to negotiate and execute an agreement with the applicant for the construction of those streetscape improvements and it does require waiver of the Procurement Code to the extent that, of course, they'd be using their contractors so that the Commission would have to find that its in the best interest of the city to waive the Procurement Code for this work, and it does provide that the city would have to approve any change orders, etc., that go beyond the current cost estimate.

Mayor Lago: That's fine.

Vice Mayor Anderson: I would concur that it is in the best interest because typically speaking the private industry can get a better price than the city can using the Procurement Code. So, when we have these types of opportunities we should embrace them.

City Attorney Suarez: And additionally, since they are doing the project, they have already mobilized they're there, so I think that's an added reason.

Commissioner Castro: I have a personal ask. If the city can go ahead and provide all the communications when it comes to sidewalks, if any are encroaching into any private property, have the city communicate with them instead of the developer with them.

City Attorney Suarez: I don't see staff here, but it's something we can certainly share with staff.

Mr. Garcia-Serra: That would be helpful, because there are some abutting neighboring property owners and if any issues come up, it would be good to have the city have a role in responding to them.

City Attorney Suarez: I do see, sorry, I do see the Public Works Director back there.

Commissioner Castro: That's possible?

Public Works Director Diaz: Good afternoon, Hermes Diaz, Public Works Director. Yes, absolutely, we can work with them, and we can work on the communication with the abutting property owners. It has only a handful of owners.

Commissioner Castro: Okay.

Mayor Lago: Thank you very much.

Mr. Garcia-Serra: Thank you.

Mayor Lago: Can I have a motion.

Commissioner Castro: I'll move it.

Vice Mayor Anderson: We did have a motion.

Commissioner Menendez: Second.

City Clerk Urquia: Correct.

Mayor Lago: Mr. Clerk.

Commissioner Castro: Yes

Commissioner Fernandez: Yes

Commissioner Menendez: Yes

Vice Mayor Anderson: Yes

Mayor Lago: Yes

(Vote: 5-0)

Mr. Garcia-Serra: Thank you very much.