

CITY OF CORAL GABLES

--MEMORANDUM--



The City Beautiful

TO: Mayor, Vice Mayor, and Commissioners
City Manager, Peter Iglesias
Assistant City Manager, Ed Santamaria
City Attorney, Miriam Ramos

FROM: Commissioner Michael O. Mena

DATE: February 10, 2021

SUBJECT: Alternative Proposal for Zoning Changes to Miracle Mile

For the past three years I have attended city meetings regarding the Zoning Code updates – including all of the City-hosted community meetings – and I have spent countless hours analyzing Miracle Mile and its future. I have listened as many of our residents have expressed their opinions and consistently conveyed that they do not want a “concrete canyon” lining our iconic street. I firmly believe that the future of Miracle Mile should be at a lower height than the six stories currently allowed by our code. I also feel strongly that we do not want parking garage pedestals fronting the Mile. In developing the proposal below, I relied on all of the information prepared by staff and the City’s consultants, the feedback consistently provided by residents and our small business owners, all of your feedback at our prior meetings, as well as the most recent alternative proposal prepared by the Vice Mayor which I found very insightful.

With those objectives in mind, the following is my alternative proposal for Miracle Mile which I previewed briefly for you at our February 9, 2021 City Commission meeting:

- Reduce the height of what is currently allowed to be built by code from six to four stories for properties fronting Miracle Mile.¹
- Mandate remote parking.²

¹ If we can also require a small step back above three stories without impacting the ability to realize the allowable FAR, I would also favor incorporating that requirement.

² We will need to flesh out the details on this issue, specifically as it relates to whether this can be “mandated” or needs to be presented as an “alternative” to current development rights. It is

- Disallow the use of Transfer of Development Rights (TDRs) on Miracle Mile.³
- Maintain the already allowable Floor Area Ratio (FAR), including Mediterranean Bonuses.⁴

This proposal represents a reduction in the height and scale of what is presently allowed. However, to balance this reduction in height by two stories, the current parking requirement will need to be changed to offsite. By allowing property owners that seek to develop their property on Miracle Mile to meet the parking requirements by offering remote parking, we eliminate the need for parking garage pedestals on the Mile. This – along with prohibiting the use of Transfer of Development Rights for projects on Miracle Mile – would permit for the reduction of the allowable building height from six to four stories. By maintaining the already allowable FAR, I believe that we will be in compliance with applicable Florida Statutes, namely the Bert Harris Act, and will not “inordinately burden” property owners on the Mile.

Please note this memorandum is intended as a one-way communication to memorialize my proposal in order to provide staff with the details necessary to draft an ordinance based on this proposal, and has been reviewed by the City Attorney’s Office prior to distribution. I look forward to discussing this further with all of you at or upcoming sunshine meeting and Commission meetings.

Please do not "reply to all" in order to maintain compliance with the Sunshine Laws.

cc: Development Services Director, Suramy Cabrera
Assistant Development Services Director, Devin Cejas
Planning and Zoning Director, Ramon Trias

my strong preference to mandate it so that we eliminate the possibility of six story buildings and parking garage pedestals along the Mile. Additionally, we will need to make a decision on whether to further reduce the current minimum parking requirements (or not). That is why I proposed that this issue be bifurcated from the broader zoning code update at our February 9, 2021 meeting.

³ The application of TDRs to a project is expressly “conditional” in nature and requires approval by the City Commission. Therefore, disallowing TDRs cannot be considered as placing an inordinate burden on property owners because it was never a vested property right. “Inordinate burden” means that the property owner is permanently unable to attain the reasonable, investment-backed expectation for the existing use of the real property or a vested right to a specific use of the real property, or that the owner is left with existing or vested uses that are unreasonable such that the property owner bears a disproportionate share of the burden imposed for the good of the public. (sec. 70.001(3)(e), F.S.)

⁴ Unlike TDRs, FAR and the currently available Mediterranean bonus based on an objective criteria and process by which such bonuses can be obtained. Moreover, as set forth in the body of this memorandum, maintaining the increased FAR (by use of the bonus) is the trade off for reducing the allowable height and mandating remote parking.