

1 CITY OF CORAL GABLES
2 LOCAL PLANNING AGENCY (LPA)/
3 PLANNING & ZONING BOARD MEETING
4 VERBATIM TRANSCRIPT
5 WEDNESDAY, DECEMBER 10, 2025, COMMENCING AT 6:01 P.M.

6 Board Members Present at Commission Chamber:

7 Robert Behar, Chairman
8 Felix Pardo
9 Alex Bucelo
10 Nestor Menendez
11 Ignacio Alvarez
12 Gonzalo Sanabria

13 City Staff and Consultants.

14 Jill Menendez, Administrative Assistant/Board Secretary
15 Craig Collier, Special Counsel
16 Craig Southern, Planning Official
17 Jennifer Garcia, City Planner
18 Arceli Redila, Zoning Administrator

19 Also Participating:

20 Susan Geiger

1 THEREUPON:

2 CHAIRMAN BEHAR: It's six o'clock. We're
3 going to get started.

4 Good evening. I will call the meeting to
5 order.

6 This Board is comprised of seven members.
7 Four Members of the Board should constitute a
8 quorum, and the affirmative vote of four
9 Members should be necessary for the adoption of
10 any notion. If only four Members of the Board
11 are present, an applicant may request and be
12 entitled to a continuance to the next regularly
13 scheduled meeting of the Board. If a matter is
14 continued due to a lack of quorum, the
15 Chairperson or Secretary or the Board may set a
16 Special Meeting to consider such matter. In
17 the event that four votes are not obtained, an
18 applicant, except in a case of a Comprehensive
19 Plan Amendment, may request a continuance or
20 allow the application to proceed to the City
21 Commission without a recommendation.

22 Pursuant to Resolution 2021-118, the City
23 of Coral Gables has returned to traditional
24 in-person meetings. However, the Planning and
25 Zoning Board has established the ability for

1 the public to provide comments virtually. For
2 those members of the public who are appearing
3 on Zoom and wish to testify, you must be
4 visible to the court reporter to be sworn in.
5 Otherwise, if you speak, without being sworn
6 in, your comment may not be of evidentiary
7 value.

8 Lobbyist Registration and Disclosure, any
9 person who acts as a lobbyist must register
10 with the City Clerk, as required pursuant to
11 the City Code.

12 As Chairperson, I now call the City of
13 Coral Gables Planning and Zoning Meeting of
14 December 10th to order. The time is 6:01.

15 Jill, can you please call the roll.

16 THE SECRETARY: Ignacio Alvarez?

17 MR. ALVAREZ: Present.

18 THE SECRETARY: Alice Bravo is excused.

19 CHAIRMAN BEHAR: Is she -- she has an
20 absence. She requested an absence waiver?

21 THE SECRETARY: Yes.

22 CHAIRMAN BEHAR: Okay. Great. Thank you.

23 THE SECRETARY: Alex Bucelo?

24 MR. BUCELO: Here.

25 THE SECRETARY: Nestor Menendez?

1 MR. MENENDEZ: Here.

2 THE SECRETARY: Felix Pardo?

3 MR. PARDO: Here.

4 THE SECRETARY: Gonzalo Sanabria?

5 MR. SANABRIA: Here.

6 THE SECRETARY: Robert Behar?

7 CHAIRMAN BEHAR: Here.

8 Thank you.

9 Notice Regarding Ex Parte Communication,
10 please be advised that this Board is a
11 quasi-judicial board, which requires Board
12 Members to disclose all ex parte communication
13 and site visits. An ex parte communication is
14 defined as any contact, communication,
15 conversation, correspondence, memorandum or any
16 other written or verbal communication, that
17 takes place outside the public hearing, between
18 a member of the public and a member of the
19 quasi-judicial board, regarding matters to be
20 heard by the Board. If anyone made any contact
21 with a Board Member regarding an issue before
22 the Board, the Board Member must state, on the
23 record, the existence of the ex parte
24 communication and the party who originated the
25 communication.

1 Also, if a Board member conducted a site
2 visit specifically related to the case before
3 the Board, the Board Member must also disclose
4 such visit. In either case, the Board Member
5 must state, on the record, whether the ex parte
6 communication or site visit will affect the
7 Board Member's ability to impartially consider
8 the evidence to be presented regarding the
9 matter. The Board Member should also state
10 that his or her decision will be based on
11 substantial, competent evidence and testimony
12 presented on the record today.

13 Does any Board Member have such
14 communication or site visit to disclose at this
15 time?

16 MR. PARDO: No.

17 MR. MENENDEZ: No.

18 MR. SANABRIA: No.

19 MR. ALVAREZ: No.

20 MR. BUCELO: No.

21 CHAIRMAN BEHAR: Thank you.

22 Swearing In, since this is not a
23 quasi-judicial matter, I don't think we need
24 any swearing in today, is that correct,
25 Mr. City Attorney?

5

1 MR. COLLIER: That's correct. This is a
2 legislative item, not quasi-judicial, because
3 it's a Comprehensive Plan Amendment. Comp Plan
4 Amendments, even if they are relating to a
5 number of properties and not to the entire
6 City, for example, still is determined by the
7 Courts to be legislative, not quasi-judicial.
8 So it's a legislative item this evening.

9 CHAIRMAN BEHAR: Okay. Thank you very
10 much.

11 Zoom Platform Participant, I will ask any
12 person wishing to speak on tonight's agenda
13 item, to please open your chat and send a
14 direct message to Jill Menendez, stating that
15 you would like to speak before the Board and
16 include your full name and address. Jill will
17 call you when it's time for you to speak. I
18 also ask to be concise, for the interest of
19 time.

20 Phone Platform Participant, after the Zoom
21 platform participants are done, I will ask
22 phone participants to comment on tonight's
23 agenda, as well. I'll also ask to be concise,
24 for the interest of time.

25 At this time, I'm going to ask for the

6

1 approval of the minutes of November 19, 2025.

2 MR. BUCELO: So moved.

3 MR. MENENDEZ: Second.

4 THE SECRETARY: I'm sorry, that was
5 Mr. Alvarez and seconded by Mr. Menendez?

6 Oh, I'm sorry.

7 CHAIRMAN BEHAR: Mr. Bucelo.

8 THE SECRETARY: Alex Bucelo?

9 MR. BUCELO: Yes.

10 THE SECRETARY: Nestor Menendez?

11 MR. MENENDEZ: Yes.

12 THE SECRETARY: Felix Pardo?

13 MR. PARDO: Yes.

14 THE SECRETARY: Gonzalez Sanabria?

15 MR. SANABRIA: Yes.

16 THE SECRETARY: Ignacio Alvarez?

17 MR. ALVAREZ: Yes.

18 THE SECRETARY: Robert Behar?

19 CHAIRMAN BEHAR: Yes.

20 Thank you.

21 The procedure we will use tonight, we will
22 first identify the agenda item by Mr. Collier.
23 There's going to be presentation by the
24 applicant or agent, a presentation by Staff.
25 We're going to open it up to the public

7

1 comment, first in the Chamber, followed by
2 Zoom, and finalized by the phone platform. We
3 will close the public comment. We will have
4 Board discussion. We will, at that time,
5 entertain a motion and discussion for a second,
6 and then we will have Board final comment,
7 before we take the vote.

8 At this time, Mr. City Attorney, can you
9 please call the first item, but before you do,
10 I want to just, for the record to be -- state
11 for the record, we're looking at not one
12 particular site, we're looking at an area, is
13 that correct, on the University?

14 MR. COLLIER: That's correct, and we're not
15 actually approving a specific development
16 tonight. This is the Comprehensive Plan, not
17 zoning or site planning or any of that nature.

18 CHAIRMAN BEHAR: And the reason I'm stating
19 that, because I have a project that is within
20 that area.

21 MR. COLLIER: We've looked at it, and given
22 the circumstances, and that this is a
23 legislative item, we don't believe you have a
24 conflict.

25 CHAIRMAN BEHAR: Thank you very much.

8

1 With that, we're ready to start. Can you
 2 please read the first item on the agenda?
 3 MR. COLLIER: E-1, an Ordinance of the City
 4 Commission of Coral Gables, Florida, granting
 5 approval of proposed amendments to the text of
 6 the City of Coral Gables Comprehensive Plan
 7 pursuant to expedited state review procedures
 8 (Section 163.3184, Florida Statutes) and Zoning
 9 Code Article 14, "Process," Section 14-213,
 10 "Comprehensive Plan Text and Map Amendments,"
 11 to modify the required mix of uses when
 12 developed within the "University Station Rapid
 13 Transit District Overlay," to allow a maximum
 14 floor area ratio (FAR) of 3.5, and to provide
 15 for policies to implement the "University
 16 Station Rapid Transit District Overlay;"
 17 providing for a repealer provision, providing
 18 for a severability clause, and providing for an
 19 effective date.
 20 Item E-1 is a public hearing.
 21 MS. GARCIA: Jennifer Garcia, Planning and
 22 Zoning Director.
 23 CHAIRMAN BEHAR: Good evening.
 24 MS. GARCIA: Thank you.
 25 Could I have the PowerPoint, please? Thank

9

1 you.
 2 So, as many of you know, September 3rd, the
 3 County adopted, on Second Reading, the Gables
 4 University Station Subzone. So the County
 5 expanded their Rapid Transit Zone to include
 6 Coral Gables within that RTZ zone.
 7 So, with this, was a particular property,
 8 on the corner of Mariposa and US-1, and it
 9 granted the County regulatory jurisdiction over
 10 this property right now, but as more properties
 11 would be added into the subzone, it would also
 12 apply to those -- any future properties added
 13 to the subzone, and that will specify allowable
 14 uses, that some of them are not permitted in
 15 the City of Coral Gables, and also development
 16 standards and criteria and procedures for
 17 reviewing these projects within the County's
 18 jurisdiction and the County's review and
 19 County's approval.
 20 So this first began on May 6th of this
 21 year, that Board of County Commissioners
 22 adopted on First Reading this expansion of the
 23 RTZ, creating this subzone in their Code. The
 24 Commission -- the City Commission, then
 25 discussed this RTZ, and invited the County

10

1 Commissioner to come to a May 20th, 2025
 2 Commission Meeting to discuss the expansion,
 3 the intent of it, the reasons behind it.

4 As you know, July 2nd, this Board, most of
 5 the Board Members that are still here, did
 6 review the maps and zoning changes related to
 7 the RTZ Overlay District that the City is now
 8 drafting, as a response to this expansion of
 9 the RTZ in the City of Coral Gables, and that
 10 was approved -- recommended approval by the
 11 Planning and Zoning Board.

12 A week after, the County Transportation
 13 Committee did go forward and they approved on
 14 their committee approval of their subzone.

15 Thereafter, the City Commission then
 16 sponsored an RTZ Resolution, where they asked
 17 for a certain of number of changes to the
 18 subzone that the County was going to adopt in
 19 the next few weeks, including clarification on
 20 open space, uses, signage, other different
 21 aspects that we had strong concerns about with
 22 the way that it was drafted at the time.

23 The County then adopted the RTZ subzone on
 24 September 3rd, and they did implement some of
 25 those recommendations or requests from the City

11

1 Commission, but not all of them.

2 The City Commission then moved forward with
 3 First Reading for a modified version of what
 4 this Board recommended approval of, and also
 5 the maps, changes to the Comprehensive Plan
 6 Future Land Use Map, as well as to the Zoning
 7 Code Map. And here we are today to look at
 8 Comprehensive Plan Text Amendments that will
 9 accompany this.

10 At the First Reading at the City
 11 Commission, the Commission, as you know, was
 12 very concerned about a particular property that
 13 has been put into the subzone of the County,
 14 and they then selected the Mayor, along with
 15 the City Manager and Staff, to meet with the
 16 applicant for the County, to discuss different
 17 ways of having them come back to the City, and
 18 having the City then have jurisdiction over
 19 this property.

20 So, as many of you may have remember, this
 21 Overlay District is along US-1, between Turin
 22 Street to the north and then Caballero to the
 23 south. This is looking Northwest. You can see
 24 US-1, that long corridor. You can see the
 25 yellow, which is the Overlay District,

12

1 University of Miami across US-1, and then
2 multi-family buildings along the outside edge
3 of the Overlay District, duplexes, and then
4 single-family neighborhood to the Southeast.
5 This is looking at the area again. This is
6 Tract A and Block 155 of Riviera Section Number
7 8, again, between Turin Street and Caballero.

8 As you saw in your July meeting, a proposed
9 map amendment to the Future Land Use Map would
10 include changing the land use to be commercial
11 high-rise intensity, as well as the Zoning Map
12 to be MX3, to be consistent with The Paseo
13 project, which is already MX3 in that area.

14 This is a massing diagram, that shows the
15 existing and what MX1 allows for today, and
16 then the proposed overlay, which is the bottom
17 image, that shows the MX3, with the commercial
18 high-rise intensity.

19 Today you're looking at three specific
20 Comprehensive Plan Text Amendments. The first
21 one is related to FAR. It would set the FAR at
22 3.5, if they're developed pursuant to the
23 University Rapid Transit District Overlay.

24 The second one is related to uses and mix
25 of uses. As many of you know, our

13

1 Comprehensive Plan dictates how many -- the
2 percentage of uses within a mixed-use building.
3 You can't have more than 85 percent of a single
4 use. To be consistent with the County's mix of
5 uses, this is being simplified, so that you are
6 required to have two uses in a single mixed-use
7 building at least. You can have more than just
8 two uses, but you have to have at least two
9 uses, so there wouldn't be a minimum or maximum
10 square footage -- a minimum or maximum
11 percentage of those uses.

12 And the last one is a policy, that we've
13 done for the Design and Innovation District, we
14 have done for all of our overlay districts, but
15 it is good practice to have policies in our
16 Comprehensive Plan that, you know, embellishes
17 and ascribes the reasoning and the purpose for
18 these Overlay Districts, and this one's about
19 mixed-use and having -- encouraging housing
20 next to the Metrorail station, next to
21 University Station, specifically, as well as
22 those mix of uses along US-1, and how it's
23 consistent with the Smart Plan of the County,
24 encouraging an increase in ridership. A lot of
25 these five points are mirrored in the intent

14

1 and purpose that's already in the proposed text
2 amendment to the Zoning Code.

3 So the time line is kind of stretched out.
4 As you know, you reviewed the map changes and
5 the zoning in July of this year, and then the
6 First Reading was, at the City Commission, in
7 October. Here we are today for the
8 Comprehensive Plan text amendments, that will
9 go to First Reading most likely in January, at
10 which point they'll be transmitted to the
11 Florida Department of Commerce. It's a
12 requirement. Any time you change the
13 Comprehensive Plan, it has to be transmitted to
14 the State, and upon receipt of that review, it
15 will then be reviewed with the City Commission,
16 for Second Reading, along with the map and
17 zoning changes. Those have not been adopted
18 yet.

19 So the properties were mailed and notified
20 within 1,500 feet of the mixed-use overlay
21 district. That's beyond the one thousand feet
22 requirement. And that was done one time, for
23 this meeting, in addition to the meetings of
24 July and October, as well. The website was
25 posted once, for today's meeting, as well as

15

1 newspaper advertisement.

2 Staff has determined that this was
3 consistent with the Comprehensive Plan, as it
4 is encouraging that mixed-use and
5 development -- redevelopment near multi-modal
6 stations and transit corridors in our City and
7 it complies with the findings of fact, which
8 you can see that in your Staff report, and
9 recommend approval.

10 Thank you.

11 CHAIRMAN BEHAR: Jennifer, I have a couple
12 of questions for you.

13 MS. GARCIA: Yes.

14 CHAIRMAN BEHAR: Go back to the exhibit
15 that shows the properties that are being -- the
16 area that we're looking at.

17 MS. GARCIA: Sure.

18 CHAIRMAN BEHAR: This goes up to Caballero.
19 It doesn't go south of -- you know, the
20 yellow -- yeah, put the yellow exhibit.

21 MS. GARCIA: Okay.

22 CHAIRMAN BEHAR: It goes up to Caballero,
23 to the existing building that is there. It
24 does not go beyond -- it doesn't encompass
25 anything related to the Gables Waterway

16

1 property?

2 MS. GARCIA: No, it does not go that far

3 south, correct.

4 CHAIRMAN BEHAR: Okay. So what will happen

5 to that property? Can they go, themselves, to

6 the County?

7 MS. GARCIA: They could today, yes.

8 CHAIRMAN BEHAR: They could do that, and

9 they could do whatever the County will allow

10 them to do?

11 MS. GARCIA: Yes.

12 CHAIRMAN BEHAR: Which is my concern for

13 that.

14 And, then, the other question, we are

15 capping at 125 units per acre?

16 MS. GARCIA: Yes.

17 CHAIRMAN BEHAR: Right, 125 units.

18 MS. GARCIA: Standard.

19 CHAIRMAN BEHAR: Because the RTZ in the

20 County really doesn't have any --

21 MS. GARCIA: Yeah. According to the CDMP,

22 125 units an acre, as well.

23 MR. SANABRIA: It's the same.

24 MR. BUCELO: It's the same as the County?

25 CHAIRMAN BEHAR: Okay. All right. Thank

17

1 you. That's it.

2 I guess now we could open it up -- since we

3 have no public input --

4 MR. COLLIER: No, we do have -- we have

5 someone in the public. I don't know if they've

6 signed up to speak.

7 CHAIRMAN BEHAR: Then we'll open it up to

8 the public.

9 Jill, do we have members of the public that

10 would like to -- yes, come up, please.

11 MR. COLLIER: Can I -- before she speaks --

12 CHAIRMAN BEHAR: Sure.

13 MR. COLLIER: -- just to clarify? The

14 County -- an applicant can already go to the

15 County, and I believe has gone to the County,

16 and they can develop, under the County's --

17 because the County essentially has taken

18 jurisdiction over this, and -- based on their

19 transit justification.

20 Their proposal is a little bit more

21 aggressive than what Coral Gables would want.

22 Coral Gables is hoping that there is an option

23 that may not completely be what the County has,

24 but would be an offer to them, that they would

25 choose to develop in accordance with the City,

18

1 and the City has control over all of the

2 decisions. There's no guarantee, obviously,

3 but if you don't have these things in place,

4 then they don't even have the option to go to

5 the City.

6 So have I accurately portrayed that?

7 MS. GARCIA: Yes.

8 CHAIRMAN BEHAR: We went through that -- we

9 talked about it.

10 MR. COLLIER: We talked about that. Yes,

11 exactly.

12 MR. ALVAREZ: Well, Mr. Chair, I wasn't

13 here. I would love these explanations, so I

14 can better understand it, as well.

15 MR. COLLIER: Yes, and there's a benefit to

16 the new people that they know. So because the

17 County took the jurisdiction, developers in

18 this area can just simply go to the County and

19 say -- now, we do have a couple of seats at the

20 table, the City does, but we're not the

21 majority. So we would not have the kind of

22 control that we would have, if they were going

23 to apply to the City.

24 MR. PARDO: Through the Chair.

25 CHAIRMAN BEHAR: Sure.

19

1 MR. PARDO: Specifically, when I look at

2 the time line, which is, you know, this started

3 back when it was The Mark project, which was

4 quite some time ago. At no point did Staff

5 ever say that this was an option or even a

6 threat. The only thing that was said, in

7 passing, was the Live Local Act. That was all.

8 MR. COLLIER: Well, I don't think Staff --

9 to be fair, I don't think Staff was aware that

10 the --

11 MR. PARDO: Neither were the Board

12 Members --

13 MR. COLLIER: Of course.

14 MR. PARDO: -- including me, where I have

15 been brought up by name, by several people,

16 saying specifically that this was an option and

17 we should have known better. So I take

18 exception to that.

19 The second -- if I may finish.

20 MR. COLLIER: Yes. Understood.

21 MR. PARDO: The second thing is, because of

22 that, now we all know what can happen, because

23 it had to be legislatively adopted by the Dade

24 County Commission, which it was, and getting a

25 seat at the table to limit certain things to --

20

1 and if you look at the Staff report,
2 specifically, for example, normally the impact
3 fees for this area would go back to the County,
4 but in this particular case, the impact fees
5 are staying in Coral Gables, correct?

6 MS. GARCIA: That's the request, and the
7 County can determine that as they see it, but
8 the request from the City is, yes, those impact
9 fees that were provided come to the City.

10 MR. PARDO: Right. So this was part -- I
11 mean, I would imagine you were there during the
12 negotiations, because there were -- there were
13 two designated people from the County
14 Administration, and I would imagine, you, being
15 the Planning Director, you would have been
16 there also during these negotiations, correct?

17 CHAIRMAN BEHAR: Were you there at the --

18 MS. GARCIA: Negotiation with the
19 applicant --

20 CHAIRMAN BEHAR: The County.

21 MS. GARCIA: -- with the County, as part of
22 their pre-application conference, yes, but no
23 negotiations as far as I think what you're --

24 MR. PARDO: With the County, in certain --
25 in setting certain limitations. I just want to

21

1 be clear.

2 MR. COLLIER: I don't think that's accurate.

3 MS. GARCIA: It's not (unintelligible) --
4 it's reviewing their proposed project that's
5 going to the County as we speak.

6 MR. COLLIER: But the enabling legislation
7 by the County --

8 MR. PARDO: Mr. Chair, the reason I'm
9 bringing this up is because now you asked a
10 very important question. What about the others
11 project down US-1, across the way? Where does
12 this Rapid Transit component -- where does it
13 end, within 1,500 feet?

14 MR. SANABRIA: Mr. Chairman, I can answer
15 that myself.

16 CHAIRMAN BEHAR: No. No.

17 MR. SANABRIA: If you'll allow me to
18 answer.

19 CHAIRMAN BEHAR: I'll give you in one
20 second.

21 There is a limit of, I believe it's 250
22 feet.

23 MR. SANABRIA: 1,320 feet.

24 MS. GARCIA: A quarter of a mile.

25 CHAIRMAN BEHAR: A quarter of a mile?

22

1 MR. SANABRIA: 1,320 feet, to be exact.

2 MR. PARDO: Mr. Chair, what you brought
3 up -- what you brought up is a very important
4 question. So if it's a quarter of a mile, as
5 Mr. Sanabria said, then physically where is the
6 quarter of a mile going south and where is the
7 quarter of the mile going north, and is it from
8 the exact center point of the Rapid Transit
9 Station at University Station?

10 In other words, I'd like to know, is this
11 just a little bit, and it's going to go this
12 way and go that way, and -- I think it's
13 important to understand what those design
14 constructs are, because the impact is going to
15 be much greater than what we're discussing
16 tonight, because it seems like -- if you're
17 saying, this is the area, we're not going past
18 Caballero, we're not going past this other
19 street, that's great, but right now, if it's a
20 quarter of a mile, I don't know where the
21 quarter of the mile is.

22 MR. SANABRIA: Mr. Chair, if you will allow
23 me.

24 MS. GARCIA: Well, the County --

25 CHAIRMAN BEHAR: Gonzalo, go ahead.

23

1 MR. SANABRIA: Thank you very much.

2 My firm has actively been involved with
3 three RTZs specifically, but outside of the
4 Gables. So I'm very knowledgeable about RTZs.
5 So the 1,320 feet is basically an arbitrary
6 number. It's not a specific number. It's a
7 number they put out there, that they can maybe
8 apply to some other properties, other than the
9 one that we're talking about.

10 I feel very comfortable with what the Staff
11 has prepared, in terms of this comprehensive
12 development master plan, from the concept that
13 we're bringing the horse back into our stable,
14 in the sense that we can retain some control
15 over this, and we can retain some other fees
16 and permitting issues and processes.

17 If the developer options not to go this
18 route, they can. They can do that. But I
19 don't think they will, because this one is a
20 pretty nice setup, that they have offered to
21 the developer, and if I was a developer, at
22 this point, I would propose that they adopt it,
23 but that's up to them, of course. So this a
24 semantic play of what it could be, but I feel
25 very comfortable with what's written at this

24

1 point.
 2 CHAIRMAN BEHAR: Thank you.
 3 MR. SANABRIA: Also, if we don't mind
 4 hearing from the public.
 5 CHAIRMAN BEHAR: I'm going to do that.
 6 MR. SANABRIA: Thank you.
 7 CHAIRMAN BEHAR: Let me go ahead and hear
 8 from -- can you come up and state your name and
 9 address, for the record, please?
 10 MS. GEIGER: I'm Susan Geiger. I live in
 11 36 Manati Avenue. I live in the neighborhood,
 12 a few blocks away, and I just had some
 13 questions about what's happening with the
 14 project, and, I guess -- you know, I'm
 15 wondering, do we have any input, legal input,
 16 into what Dade County wants to do or what they
 17 do? I mean, we don't even have two members,
 18 other than to negotiate some side agreement, I
 19 guess.
 20 And then the other thing I'm concerned
 21 about is this Rapid Transit Zone and the fact
 22 that, you know, they have a quarter of a mile
 23 now. What's keeping the County from doing a
 24 half a mile at some point in the future? I
 25 mean, it seems to me a real overreach by the

25

1 County.
 2 The other issue I had was -- I'm looking at
 3 myself. Very funny -- has there been any
 4 citizen input on this, other than, you know,
 5 these meetings here? I know there were many
 6 meetings when the original developer for this
 7 site came in -- came in to the neighborhood. I
 8 heard them. Their plan sounded pretty good. I
 9 would have changed some setbacks or whatever,
 10 but it sounded good.
 11 So what's the difference between what they
 12 had originally proposed, and if, in fact, Coral
 13 Gables could end up, you know, changing what
 14 Dade County wants to do, is this going to be a
 15 whole different project than what had initially
 16 been structured as?
 17 CHAIRMAN BEHAR: I'm going to let the City
 18 Attorney answer the question. What
 19 possibilities do we have, what options we have,
 20 with the County.
 21 MR. COLLIER: Well, we don't have a lot of
 22 options with regard to the County assuming the
 23 authority for the zoning. When this was
 24 first -- when the ordinance of the County was
 25 first done, I don't believe -- there was no

26

1 formal representation on a board by
 2 representatives of the County. The ordinance
 3 provided for, that two members of the City
 4 would sit with the rest of the RTZ Board in
 5 making the recommendation to the County
 6 Commission, but the original language of the
 7 ordinance, which provided the uses, which
 8 provided that there be no setbacks, all of the
 9 things that are a little bit more extreme than
 10 what the City would do, was already decided.

11 The hope is, as it was -- Mr. Sanabria
 12 explained, the hope is that the developer will
 13 see that it's worth going to the City to get
 14 this done, and there may be some advantages of
 15 getting to the City, that, you know, the City
 16 tends to be -- and it hurts me to say this,
 17 because I was a County employee for thirty-six
 18 years, tends to be a little bit more efficient
 19 than the County on certain things. The
 20 developer may find that attractive.

21 You're right, there could be an expansion
 22 by the County, and in order for the County to
 23 expand it, they'd have to change -- they'd have
 24 to modify their ordinance to do that. They are
 25 very quick to add properties to their RTZ

27

1 zones. Hopefully we get notice of it. We
 2 could potentially express some concerns, if the
 3 expansion is into areas that are, for example,
 4 single-family homes, it might not be
 5 appropriate, but what we have before us is, the
 6 County could steamroll us or, more likely -- I
 7 think the County will take into consideration
 8 the concerns of the City, but I think we have
 9 much more control if the -- if they apply to
 10 the City for their zoning approval.

11 CHAIRMAN BEHAR: And that's what we're
 12 hoping for a developer to do, but because, yes,
 13 we're going to have a little bit more control
 14 than the County. The truth of the matter is,
 15 to answer your question, no, unfortunately we
 16 have no jurisdiction or influence, you know,
 17 other than what the Commissioner of the
 18 district, Commissioner Regalado, tried to work
 19 with us.

20 MS. GEIGER: Yeah, it's very concerning
 21 that we have like one representative of nine
 22 Commissioners.

23 MR. SANABRIA: Thirteen.

24 MR. COLLIER: Thirteen. That's when we get
 25 to single member districts.

28

1 MR. PARDO: And most of them -- I'm sorry,
2 Mr. Chair.

3 CHAIRMAN BEHAR: No. No. Go ahead.

4 MR. PARDO: Most of them don't even have a
5 Rapid Transit location in their district, which
6 is absurd. And the other thing, as a
7 clarification, Mr. Sanabria, the quarter of a
8 mile, is that radius or linear only on US-1?

9 MR. SANABRIA: I have no clue on that. I
10 have no clue.

11 CHAIRMAN BEHAR: No, it's only affects --
12 applies to US-1. It doesn't go into the
13 residential neighborhood.

14 MR. PARDO: But you see why I mention that.

15 CHAIRMAN BEHAR: In the Commercial. So,
16 you know, and it's measured from the entrance
17 of the station, not the platform.

18 MR. PARDO: Correct.

19 CHAIRMAN BEHAR: Okay. It's measured --

20 MR. PARDO: And this is something -- I
21 mean, we have -- there may be very few people
22 here, but everybody gets affected in a negative
23 way. We get affected in a negative way. And
24 the whole point is that, if you're selling, we
25 want to use rapid transit. My concern is, how

29

1 are we affecting people that have had their
2 single-family homes there? How do we protect
3 them? How do we get that --

4 CHAIRMAN BEHAR: Mr. Pardo, unfortunately,
5 we cannot do that. If the County deems that
6 they want to do it, we have no control.

7 MR. SANABRIA: That's right.

8 CHAIRMAN BEHAR: This is giving us an
9 opportunity --

10 MR. SANABRIA: That's right.

11 CHAIRMAN BEHAR: -- that if they come and
12 try to work with the City, we're going to have
13 a little bit more control than if they go
14 directly to the County, and get that -- that is
15 a factual. We have zero input with the County.

16 MR. PARDO: I am not in disagreement with
17 what is being done, as far as having a place at
18 the table. My concern is that, the erosion of
19 home rule, with Live Local, and then, all of a
20 sudden, even the County now is actually trying
21 to buffer that complete frontal attack on home
22 rule by trying to place certain limitations
23 that are below Live Local.

24 So I understand that clearly. My concern
25 is that, how does it affect continuing in that

30

1 quarter of a mile down the road? Do we have
2 the ability, sitting at that table, of saying,
3 no, it's too much?

4 CHAIRMAN BEHAR: I'm sure we do have the
5 ability to say, no, but --

6 MR. SANABRIA: We got outvoted.

7 CHAIRMAN BEHAR: Yeah. We're going to be
8 -- there's how many members on that Committee,
9 you know, that is going to say, sorry --

10 MS. GEIGER: I'm going to throw one thing
11 out. The City of Miami has sued Miami-Dade
12 County because of the home rule aspect, that
13 they do not want the County to control the
14 property around the station areas. Craig, I
15 don't know if you know about that lawsuit.

16 MR. COLLIER: I was aware of that.

17 CHAIRMAN BEHAR: I'm very familiar.

18 MR. PARDO: Coconut Grove.

19 MS. GEIGER: Not that -- I mean, I am not
20 opposed to a good, nice development at
21 University Station, but I am really not happy
22 with Dade County controlling that site. I
23 mean, I like The Paseo development. That was
24 fine. We put another development like that,
25 and I'm sure the City would control that, and

31

1 do a good job of it.

2 CHAIRMAN BEHAR: I could tell you, from my
3 experience, I'm doing -- currently doing three
4 projects within the City of Miami, okay, that
5 are -- two of them are going for permitting,
6 and, yes, the City of Miami filed a lawsuit.
7 It's in litigation with the County. But the
8 reason they really did that is, they wanted
9 more control, like we're doing here.

10 MS. GEIGER: Yes.

11 CHAIRMAN BEHAR: Okay. And they wanted to
12 maintain and control the impact fees, because,
13 at the end of the day, the police, the fire
14 department are the ones that are going to
15 service those developments.

16 MS. GEIGER: Right.

17 CHAIRMAN BEHAR: That was the main
18 fundamental issue that they had, and they were
19 able to get that.

20 The three projects that I'm working on, the
21 County -- for permitting and everything, it's
22 going through the County. Yes, they're much
23 larger projects than what the City of Miami,
24 under the Miami 21 Code allows, but this, in my
25 opinion, is trying to do what Miami hoped they

32

1 would have done, is have more control, you
2 know.

3 Can we control what happens a quarter of a
4 mile? The answer is, I wish. That's why I
5 asked the question, what's going to happen,
6 because my concern is going further, but we
7 have no control over that.

8 MR. PARDO: That's why I asked Staff. I
9 mean, I would love to see where that quarter of
10 a mile from the door of the station reaches,
11 just for my conscience.

12 CHAIRMAN BEHAR: Well, I did -- a couple of
13 months ago, I tried to do it on Google Earth,
14 to measure, and it really goes, I think, to the
15 edge of Caballero, and that's why I want to
16 make sure, because when I went -- not from the
17 platform, from the entrance to the station,
18 then it will -- we'll be okay. If you -- and,
19 you know, that's how they measure, because I
20 had one of the projects, which was in the
21 Douglas Station, I wanted to be within 500
22 feet, for a reason, and I tried to measure from
23 the platform, and they said, no, you've got to
24 go to the entrance to the station. So that's
25 how they measure.

33

1 a number of meetings where there's been
2 sufficient notice, residents have definitely
3 come in. I don't know if you saw the July
4 meeting. It was very lively, to say the least,
5 and so -- unfortunately, I wasn't here for the
6 August one, but those meetings were very
7 lively. There was a lot of input, and --
8 excuse me -- I think the one common theme, that
9 at least I took away from those meetings was --
10 is, before, we were trying to work out the
11 issue that we're going to vote on tonight,
12 which is to adopt the overlay, you know, this
13 was going kind of out of our hands.

14 This was in our hands before the developer
15 left. They went straight to the County.
16 They're doing RTZ, and a lot of the residents,
17 I felt were here complaining or voicing their
18 concerns to the Board, saying, "Hey, what can
19 we do? What can we do?" And I think the
20 common thread was, this is kind of out of our
21 hands, and this isn't the venue to come and
22 voice your concerns. We really -- you know,
23 Board Members included, who want -- who share
24 the same concerns should go to the County and
25 voice their concerns there, because, really,

35

1 MR. PARDO: Look, I feel comfortable if you
2 say that -- Caballero is the quarter of a mile.

3 CHAIRMAN BEHAR: It's going to be based on
4 Google.

5 MR. PARDO: Based on Google, but it's close
6 enough, I would think.

7 MR. ALVAREZ: What's going on with the
8 lawsuit in the City of Miami? You said you
9 knew.

10 CHAIRMAN BEHAR: Nothing, and nothing's
11 going to happen. As a matter of fact, I --
12 they're going to try to litigate, maybe, in the
13 next five, ten years, because nothing's
14 happening. I was told, "Go ahead and follow
15 with your submission to the County for
16 permitting. We're not going to stop it."
17 So --

18 MR. ALVAREZ: Okay.

19 MR. MENENDEZ: Through the Chair, I just
20 want to address one of the questions that
21 Ms. Geiger asked. You said, has there been
22 notice? Has there been any resident input?

23 MS. GEIGER: Right. Right. Right.

24 MR. MENENDEZ: I can tell you, I've been
25 sitting on this Board since May, and we've had

34

1 they're the ones who are calling balls and
2 strikes right now.

3 And so I think what we're trying to do
4 here, and the way that I understand it is,
5 we're trying -- the developer is gone, who's
6 doing The Mark project. I think we're just
7 trying to get him back, to come over here.
8 Make it attractive enough, to where he says,
9 "You know what, my project is going to get
10 expedited. It's going to probably be easier.
11 I'll pay the impact fees. We'll come back,"
12 but, you know, as the City Attorney said, it
13 was -- the RTZ or the Zoning Code that is a
14 little more aggressive, I'm assuming, that, you
15 know, we're just trying it to make it a little
16 bit more streamlined for them to come back and
17 say, you know, pretty close to what the
18 County's offering, not exactly the same, and
19 you mentioned setbacks. I think that's one of
20 the things that we had discussed here, was
21 increasing setbacks, trying to get a little bit
22 more of that control, but to answer your
23 question, I feel that there's been enough -- a
24 lot of public input on this, but the public
25 input -- and I think that the public has felt

36

1 that their inputs have fallen on deaf ears, but
2 the reality is, is that it's out of our hands.
3 So that concern should be directed to the
4 County.

5 MS. GEIGER: Right, and with that, I'm
6 asking Craig, who is a long time employee of
7 the County Attorney, who should we deal with in
8 the County, if we want to put some influence?

9 MR. COLLER: My advice is, I would
10 definitely approach your representatives on the
11 Board of County Commissioners and say --

12 MR. BUCELO: Regalado.

13 MR. COLLER: -- we have some concerns.
14 We're in the neighborhood and we'd like to have
15 a conference with you, especially if there is a
16 proposal to expand, and I believe that the
17 Commissioner has always been receptive, from
18 what I understand, to getting people that she
19 represents to get their input.

20 Certainly, when she was here, she came to a
21 meeting and she was very receptive and listened
22 to input, and some of the input was kind of
23 harsh.

24 MR. MENENDEZ: Yeah, I think -- and just to
25 piggy back off of those comments, I feel that

37

1 Commissioner Regalado is sympathetic to the
2 plight of the residents. I mean, she was here
3 answering questions, and I'm not privy to those
4 conversations, but it seems like she's trying
5 to work with the City.

6 CHAIRMAN BEHAR: You're absolutely right,
7 she did try very much.

8 MR. MENENDEZ: Very. I mean, like she went
9 above and -- in my view, I'm just one person, I
10 think she went above and beyond to try to
11 listen to the residents and take their
12 concerns, and kind of keep the control a little
13 bit wrangled, but I do have to say that I do
14 share Mr. Pardo's concerns on, it would be nice
15 to have a definitive line, a boundary, because
16 I think it's a question, as a resident and as a
17 Board Member, when people ask what is the RTZ,
18 how far is it going to go, they're very
19 concerned about the Caballero, the waterway, if
20 there's any project. I think the property's
21 been purchased. I think there's a project
22 coming online, but I do -- I would love to find
23 out like where the line is.

24 CHAIRMAN BEHAR: Well, I'm going to let
25 Gonzalo say something, but I just measured

38

1 again. Okay. So from the center of that, if
2 you measure, it's just under 1,400 feet to the
3 property. From the center of -- the entrance
4 to the station, to Caballero -- you know, to
5 the edge of the property.

6 MR. MENENDEZ: But it doesn't cross the
7 canal?

8 MR. PARDO: No, it doesn't. Well, it's
9 closer --

10 MS. GARCIA: It clips it.

11 CHAIRMAN BEHAR: It's to the property.

12 MS. GARCIA: So I have an exhibit. If I
13 could have Coral Gables TV bring up the HDMI
14 connection laptop.

15 CHAIRMAN BEHAR: In the meantime, Gonzalo,
16 you want to say something?

17 MR. SANABRIA: Yeah, Mr. Chairman.

18 I understand the lady that just spoke and
19 her concern, as well as Felix Pardo's concern,
20 and we all share that concern. We all share
21 the concern about where is this going to end
22 and where is the limit to that 1,320 feet, but
23 that's not what's on our table. That's not
24 what we are discussing today.

25 What we're discussing today, I'm in total

39

1 agreement and in favor of this amendment, like
2 I said before, by use of a euphemism, keep the
3 horse in our barn, because that way we have a
4 little bit more control than just opposing
5 something that is really not even related to
6 what we're discussing today. What we're
7 discussing today is this CDMP proposed
8 amendment, and I feel very comfortable with it.
9 I don't want to like just give it to the County
10 and let them run with it and then all of this
11 is worthless.

12 MR. PARDO: Right.

13 MR. SANABRIA: In other words, we're just
14 wasting time, in that regard, so let's try --
15 Mr. Pardo, I'm sorry. Excuse me.

16 Let's try to finish this item up, and then
17 we can voice our concerns about the second --

18 CHAIRMAN BEHAR: Gonzalo, thank you very
19 much. He has the right to speak.

20 MR. SANABRIA: Yes, and so do I. Thank
21 you.

22 CHAIRMAN BEHAR: Okay. Thank you very
23 much.

24 MR. SANABRIA: Thank you very much.

25 CHAIRMAN BEHAR: Point well-taken. Thank

40

1 you.
2 Yes, Mr. Pardo.
3 MR. PARDO: And so I went ahead and --
4 that's -- Mr. Sanabria, that's what I was
5 concerned with, when you see the radius --
6 MR. SANABRIA: I know.
7 MR. PARDO: -- thinking that it was
8 bleeding in --
9 MR. SANABRIA: Yeah.
10 MR. PARDO: -- because it has not been
11 explained to us.
12 MR. SANABRIA: Yeah.
13 MR. PARDO: Okay. So, now, when you look,
14 from a linear standpoint, it goes from Maynada
15 to Caballero, and I got into Google Earth, and
16 I measured it, and you were very accurate in
17 your assessment. So, in the other direction,
18 it would be Maynada. And if you're looking at
19 that, as long -- as the resident had said, as
20 long as the County doesn't change the
21 requirement which exists today. Tomorrow, they
22 could make that requirement greater, but going
23 back to you, what you said, that is correct.
24 This is the item of limiting, but I wanted to
25 make sure that was what we were talking about

41

1 and not going up and down --
2 CHAIRMAN BEHAR: And Mr. Pardo, we all hope
3 that it doesn't go beyond what we have today,
4 but what I was saying is that, yes, what
5 Gonzalo said, we're here for this item tonight,
6 and I personally hope that it doesn't go beyond
7 that, and like all of us, I think, are going to
8 be in agreement, but unfortunately, One is, we
9 don't control it, and, Two, we're not dealing
10 with that, you know, tonight and we cannot go
11 beyond this.
12 So any other input from the public? Seeing
13 none, Jill, do we have any input on Zoom?
14 THE SECRETARY: No.
15 CHAIRMAN BEHAR: On the phone?
16 THE SECRETARY: No.
17 MR. SANABRIA: Mr. Chairman --
18 CHAIRMAN BEHAR: We're going to close the
19 public comment, and I'm going to bring it back
20 to the Board for discussion.
21 I'm going to start with Alex Bucelo.
22 MR. SANABRIA: Mr. Chairman, I'd like to
23 make a motion.
24 MR. BUCELO: Thank you, Mr. Chairman.
25 MR. SANABRIA: Mr. Chairman, I'd like to

42

1 make a motion.
2 CHAIRMAN BEHAR: I'm not going to entertain
3 it. I'm going to let the Board speak, and then
4 I'm going to come to you.
5 MR. SANABRIA: Okay. Okay.
6 CHAIRMAN BEHAR: With all due respect,
7 you've got to be respectful of the Board
8 Members, and you're not.
9 MR. SANABRIA: Of course.
10 CHAIRMAN BEHAR: And I'm really -- this is
11 the third time that I tell you tonight, okay.
12 Mr. Bucelo, you have the floor.
13 MR. BUCELO: Thank you, Mr. Chairman.
14 I just have a quick question for Staff, and
15 to everyone's point here, I think this is an
16 amazing amendment. I think it's an opportunity
17 to get the developer back to us, but I just
18 had -- based on your presentation, you had
19 mentioned that the City Manager and the Mayor
20 are in negotiations.
21 What are those negotiations? What has
22 transpired from that and what's going on in
23 that --
24 MS. GARCIA: Well, they met with the
25 applicant for the County once or twice, I

43

1 believe, after the October 28 meeting, and from
2 that, there were some requests for the -- you
3 know, I guess, compromises, right, and two of
4 those are the mix of uses, to simplify that, as
5 well as the 3.5 FAR, and that's why we're
6 looking at those --
7 MR. BUCELO: So this amendment is in
8 line with --
9 MS. GARCIA: Yes.
10 MR. BUCELO: Okay. And, obviously, there's
11 no certainty, but is there a notion that if
12 this passes, that they'll come back to us?
13 MS. GARCIA: It seemed that way. It seemed
14 that way. It's also going to change some of
15 the text amendments to the Zoning Code, as
16 well.
17 CHAIRMAN BEHAR: Nestor.
18 MR. MENENDEZ: I have no comments.
19 CHAIRMAN BEHAR: Okay. Ignacio.
20 MR. ALVAREZ: Two questions. And, again, I
21 wasn't here for the whole history since May.
22 Does this apply to every single train station
23 or every single --
24 MS. GARCIA: No, just University station.
25 MR. ALVAREZ: Just University station?

44

1 MS. GARCIA: Yes.
 2 CHAIRMAN BEHAR: In our case, it's only
 3 that one, in Coral Gables.
 4 MR. ALVAREZ: In the City of Coral Gables.
 5 No, don't you have the one on --
 6 CHAIRMAN BEHAR: Douglas is City of Miami.
 7 City of Miami.
 8 MR. ALVAREZ: That's City of Miami?
 9 CHAIRMAN BEHAR: Yes.
 10 MS. GARCIA: Yes.
 11 MR. ALVAREZ: Even westbound?
 12 CHAIRMAN BEHAR: Yeah, because the border
 13 is right there. So that one is City of Miami,
 14 a hundred percent guaranteed.
 15 MR. ALVAREZ: Okay.
 16 MR. PARDO: Right. And further south, you
 17 have South Miami.
 18 MR. ALVAREZ: Okay. I'm not arguing.
 19 Okay.
 20 The second question is, are we going to be
 21 back for the other sides, also, or is this a
 22 per property change? I'm not sure if I'm
 23 explaining my question correctly.
 24 You started in the beginning saying, does
 25 it affect that building all of the way on the

45

1 canal? So is the owner of that building going
 2 to come back and ask for similar changes or --
 3 MS. GARCIA: So it may. Right now, today,
 4 it's only what's shown in that red dashed line.
 5 That's the district today as proposed.
 6 CHAIRMAN BEHAR: I'm not sure how accurate
 7 that quarter mile radius that is shown there
 8 really is.
 9 Felix, do you have Google Earth? You
 10 measured it. Did it go that far?
 11 MR. PARDO: No.
 12 CHAIRMAN BEHAR: It didn't.
 13 MR. PARDO: The 1,400 feet went right --
 14 CHAIRMAN BEHAR: To the street edge, to the
 15 property.
 16 MR. PARDO: Right. So even if you figure
 17 the center line or the other side of the
 18 street, it doesn't touch it.
 19 CHAIRMAN BEHAR: It doesn't touch it.
 20 That's what I measured.
 21 MR. PARDO: Right. But, again, you would
 22 want a survey obviously.
 23 MR. ALVAREZ: So we're not going to be
 24 coming back and dealing with every single
 25 building wanting special exceptions?

46

1 CHAIRMAN BEHAR: No. So right now, the --
 2 and there was a reason why, if I remember from
 3 your previous presentation, you did not go
 4 north, because the zoning on that was
 5 different --

6 MS. GARCIA: Actually, the size of that
 7 parcel is complicated. It's a very narrow lot,
 8 with an alley down the middle of it. Most
 9 likely, they'd have to vacate the alley and
 10 create a much larger development, but the
 11 twenty-foot setback that's required on US-1, so
 12 most likely, if they decide to go with the RTZ,
 13 it would be part of a whole amendment of them
 14 vacating the alley, site plan approval and
 15 amendment --

16 CHAIRMAN BEHAR: But if we don't vacate the
 17 property, the alley, they can't --

18 MS. GARCIA: They can't really develop it.
 19 It's too shallow.

20 MR. ALVAREZ: Okay.

21 MR. PARDO: The County can trump that,
 22 also, I would imagine.

23 MR. COLLIER: Well, I'm not so sure.

24 CHAIRMAN BEHAR: I'm not so sure, because
 25 those alleys belong to the City.

47

1 MR. MENENDEZ: I'm sorry, just to piggy
 2 back -- I'm sorry -- through the Chairman,
 3 Ignacio made a very good comment.

4 Again, so the owner of the property, let's
 5 say, for arguendo, that the line does cross
 6 into the canal, right, so I think that the
 7 owner of the property owns one side, the side
 8 on Caballero, and the side on, I believe
 9 that's --

10 MS. GARCIA: Alhambra?

11 MR. MENENDEZ: Alhambra, thank you. South
 12 Alhambra.

13 Will the owner have to come -- if we adopt
 14 this overlay, we don't have to go through this
 15 process again, if they want to do the same type
 16 of project, the density, on the Caballero site,
 17 correct? Because I'm assuming, if it ends in
 18 the canal, dead ends halfway in the canal, it
 19 doesn't encumber the Alhambra side, so they
 20 won't be able to get the --

21 CHAIRMAN BEHAR: It doesn't, because
 22 there's one owner. So it's a contiguous
 23 property.

24 MS. GARCIA: Yes. We'd have to amend our
 25 map, to allow them to be within our overlay

48

1 district.
 2 MR. MENENDEZ: So we'd have to do a
 3 variance to --
 4 CHAIRMAN BEHAR: Not a variance.
 5 MS. GARCIA: Amend the map, yeah.
 6 MR. MENENDEZ: To amend --
 7 MS. GARCIA: We would have to amend the
 8 map. It happens a lot when the overlays
 9 expand, decrease.
 10 MR. MENENDEZ: Okay, but would they have to
 11 go through the same process with the County, if
 12 they wanted to go RTZ, if we didn't have this
 13 whole process? They would have to go and the
 14 County would have to amend their map, as well?
 15 MS. GARCIA: Yes, as well. They have to
 16 add them into the RTZ, as, you know, the
 17 previous --
 18 MR. MENENDEZ: But we are going to have to
 19 come back here and add them into our RTZ and
 20 our overlay like that?
 21 CHAIRMAN BEHAR: We don't have to. They
 22 could go straight to the County.
 23 MR. MENENDEZ: No. No. I'm saying, if
 24 they come. If they say, "I want to go through
 25 the City, because I want expedited" --

49

1 from the residential.
 2 MS. GARCIA: That would be part of the
 3 zoning, not the Comprehensive Plan Text
 4 Amendments.
 5 MR. PARDO: That's correct.
 6 MS. GARCIA: Yes.
 7 MR. PARDO: So that -- which is, you know,
 8 part of your recommendations, the first one and
 9 the second one, is that -- what I'm saying is
 10 that, the other bite at the apple comes at the
 11 buffering component to nullify the
 12 single-family residential.
 13 MS. GARCIA: If the City were to add that
 14 into the overlay, yes.
 15 MR. PARDO: Correct. So we still don't
 16 have that component?
 17 MS. GARCIA: Correct.
 18 MR. COLLIER: We have a -- wait a minute.
 19 We have setbacks for --
 20 MS. GARCIA: No, but I think he's asking
 21 for the condition that they're abutting
 22 single-family.
 23 MR. COLLIER: If they should get expanded,
 24 what would happen or are you saying what we
 25 currently --

51

1 CHAIRMAN BEHAR: Yes.
 2 MR. MENENDEZ: -- we're going to have to go
 3 -- so I think the answer is, yes, we are going
 4 to have to do it again, yeah.
 5 CHAIRMAN BEHAR: Mr. Pardo, before --
 6 anything else?
 7 MR. PARDO: My head hurts. So I looked at
 8 it again, and I verified that number. Unless
 9 Google Earth is off, that drawing is incorrect,
 10 which you and I know.
 11 CHAIRMAN BEHAR: Right.
 12 MR. PARDO: So the question here is, when
 13 you look at the limitations, you're talking
 14 about the amount of uses. This is what's
 15 before us today, the amount of uses. We're
 16 talking about the certain limitations on this
 17 particular thing, which includes other things.
 18 So there is an issue of setbacks, et
 19 cetera, but that would be coming in at the
 20 zoning component, correct, or would it be part
 21 of this legislation now?
 22 MS. GARCIA: Setbacks and heights, is that
 23 what you're asking for? Those would be part of
 24 the zoning --
 25 MR. PARDO: The buffering component of it

50

1 MR. PARDO: What is currently before us --
 2 CHAIRMAN BEHAR: We do have.
 3 MR. COLLIER: No, we have -- what's
 4 currently -- I thought there was a zoning item
 5 that provided for the setbacks.
 6 MS. GARCIA: In July, yes.
 7 MR. COLLIER: In July. So that's done.
 8 CHAIRMAN BEHAR: Yes. Yes.
 9 MR. COLLIER: So we have the setbacks.
 10 CHAIRMAN BEHAR: That's the one that we
 11 moved the height of the building from the front
 12 to the back.
 13 MR. PARDO: Right, with a fifty-foot
 14 setback on the back, where the residential is,
 15 et cetera.
 16 CHAIRMAN BEHAR: Right. So that's in
 17 this --
 18 MR. COLLIER: That's all done.
 19 CHAIRMAN BEHAR: Yeah. Right.
 20 MR. COLLIER: All this does is --
 21 MR. PARDO: And the reason that we're going
 22 in the Comp Plan, MX3 for a building that's
 23 already existing, is simply to emphasize it as
 24 part of the Rapid Transit Zone?
 25 MS. GARCIA: Correct.

52

1 MR. PARDO: Okay. I got it.
 2 CHAIRMAN BEHAR: Okay. Mr. Sanabria.
 3 MR. SANABRIA: Whenever I'm able to make a
 4 motion, I would like to make a motion.
 5 CHAIRMAN BEHAR: Okay. Since we have no
 6 more -- listen, I'm in favor. I think this is,
 7 you know, going to be the best case scenario
 8 for the City. I was more concerned, what
 9 happens beyond the quarter of a mile, and
 10 hopefully the County will support our request,
 11 but we cannot do anything about it. I'm in
 12 favor of this, and let's hope for the best.
 13 So with that, I'm going to close the
 14 public -- the Board comments. Let me open it
 15 to the Board Members for any motions.
 16 MR. SANABRIA: Mr. Chairman, I'd like to
 17 make a motion to approve.
 18 CHAIRMAN BEHAR: Okay. Do we have a
 19 second?
 20 MR. MENENDEZ: Second.
 21 MR. COLLER: That's in accordance with
 22 Department recommendations.
 23 MR. SANABRIA: That's correct.
 24 CHAIRMAN BEHAR: We have a motion and a
 25 second.

53

1 Ms. Menendez, can you please call --
 2 THE SECRETARY: Sure.
 3 Nestor Menendez?
 4 MR. MENENDEZ: Aye.
 5 THE SECRETARY: Felix Pardo?
 6 MR. PARDO: Yes.
 7 THE SECRETARY: Gonzalo Sanabria?
 8 MR. SANABRIA: Yes.
 9 THE SECRETARY: Ignacio Alvarez?
 10 MR. ALVAREZ: Yes.
 11 THE SECRETARY: Alex Bucelo?
 12 MR. BUCELO: Yes.
 13 THE SECRETARY: Robert Behar?
 14 CHAIRMAN BEHAR: Yes.
 15 MR. SANABRIA: Mr. Chairman, from
 16 everybody's concern about the quarter mile or
 17 the 1,320 feet radius -- the motion passed. I
 18 have --
 19 CHAIRMAN BEHAR: This matter is closed.
 20 MR. SANABRIA: I understand. So let's go
 21 on to discussion.
 22 CHAIRMAN BEHAR: Let's go to the discussion
 23 item.
 24 MR. SANABRIA: Thank you, Mr. Chairman. If
 25 you'll allow me --

54

1 CHAIRMAN BEHAR: Do we have any other
 2 discussion item?
 3 MR. SANABRIA: Mr. Chairman, I do have one,
 4 as I just told you. Thank you.
 5 MR. COLLER: I'm confused. What items are
 6 on the agenda for discussion?
 7 CHAIRMAN BEHAR: There's no --
 8 MR. SANABRIA: There's a open discussion
 9 forum.
 10 MR. COLLER: Well, I'd be a little
 11 concerned about getting beyond what's on the
 12 agenda. What I might suggest we do, if we want
 13 to have a discussion item, let's make a
 14 decision now, and for the next meeting, let's
 15 list the discussion item to be listed on the
 16 agenda.
 17 CHAIRMAN BEHAR: That's the proper
 18 protocol.
 19 MR. BUCELO: I agree, as well.
 20 MR. COLLER: So --
 21 MR. SANABRIA: Well, I understand. So you
 22 mean to tell us that we cannot discuss -- make
 23 some comments on some other things? Is that
 24 what you're saying?
 25 MR. COLLER: No, what I'm saying is, I

55

1 believe --
 2 MR. SANABRIA: No, that's what you're
 3 saying.
 4 CHAIRMAN BEHAR: Well, if that's what it
 5 is -- if we don't have it on the agenda, we
 6 cannot bring up any item that we don't notify
 7 the public.
 8 MR. PARDO: Mr. Chair, just to clarify. In
 9 my very small knowledge of how these Boards
 10 work, if it's advertised, you know, you have to
 11 be very careful to go into things that will be
 12 discussed here, not because of the Sunshine
 13 law, because they weren't advertised and
 14 properly noticed.
 15 MR. COLLER: Well, that's also part of the
 16 Sunshine law, but we saw an example recently
 17 about vagueness in an item that was for sale of
 18 a property, but it didn't list what the
 19 property was.
 20 So the best practice is to ask the Board to
 21 include an item at the next meeting, and then
 22 have it listed as a discussion item. That's
 23 the best practice.
 24 If it was a discussion item, like you would
 25 like to -- want to talk about, can we start

56

earlier or start later, and it was purely an administrative thing, sure, but if we're going to get into a substantive thing, then I think it should be something that should be at least listed on the agenda. Even if the agenda is posted, at least it's on the agenda.

CHAIRMAN BEHAR: Mr. Sanabria, if you want something to be discussed for the next meeting, please send it to, I guess, Jill, right, the Staff?

MR. COLLIER: You could send it to Staff, and Staff will make sure it's listed on the agenda. That would probably be the best way to do it. Or if you want to suggest tonight that you would like something on the next meeting, then --

CHAIRMAN BEHAR: We can do that tonight.

MR. COLLIER: -- then everybody's got knowledge.

CHAIRMAN BEHAR: If he wants to suggest something --

MR. COLLIER: Yeah, this would be a great time.

CHAIRMAN BEHAR: Since there's no -- I'm going to call, is there a motion to adjourn?

MR. BUCELO: I'll move.

57

MR. MENENDEZ: I'll second.

CHAIRMAN BEHAR: All in favor?

(Board Members voted aye.)

Thank you.

(Thereupon, the meeting concluded at 7:00 p.m.)

58

C E R T I F I C A T E

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

I, NIEVES SANCHEZ, Court Reporter, and a Notary Public for the State of Florida at Large, do hereby certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

DATED this 23rd day of December, 2025.



-----NIEVES SANCHEZ-----

59