

**City of Coral Gables City Commission Meeting**

**Non Agenda Item Ib – City Attorney**

**October 13, 2009**

**City Commission Chambers**

**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Donald D. Slesnick, II**

**Vice Mayor William H. Kerdyk, Jr.**

**Commissioner Maria Anderson**

**Commissioner Rafael “Ralph” Cabrera, Jr.**

**Commissioner Wayne “Chip” Withers**

**City Staff**

**City Manager, Patrick Salerno**

**City Attorney, Elizabeth Hernandez**

**City Clerk, Walter J. Foeman**

**City Clerk Staff, Yolande Davis**

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Non-**Agenda I** [Excerpt: Start: 11:23:06 a.m.]

Mayor Slesnick: Okay. We have something though that I asked Liz to look at and asked the City Manager, the City Manger’s Office, this is something that we need, we got a recent memo from Maria Jimenez, this is about a scheduled zoning, change of zoning in Little Gables. I don’t know if you all have had time to look at that.

City Attorney Hernandez: I think that the Planning, I think that the Planning Department pulled some documents on it, but I don’t have them with me, Mr. Mayor. I am not...

Mayor Slesnick: I have Maria’s very lengthy and complete submission to us. My only reason for brining this up is, is Maria? Mr. Manager, I don’t know, I just... If we are going to take a position on this, when do we have to do that, and how do we do it?

City Attorney Hernandez: If you want to, we can take a brief recess.

City Manager Salerno: The hearing is tomorrow.

Mayor Slesnick: Okay.

Commissioner Withers: I think it’s coming up pretty soon, isn’t it?

City Manager Salerno: Tomorrow is the hearing.

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Commissioner Withers: Tomorrow, yeah.

City Attorney Hernandez: So, we have to take a position pretty soon.

Mayor Slesnick: Well, well let me explain what I know, this... and this seems to be confirmed by the... This is Little Gables, it's not us, it's one of our bordering areas, it's... It is like the same type of positions we have taken before at the County, there is an attempt to change the zoning of a piece of property on LeJeune Road from RU3 which is a four unit apartment house to RU5(a), semi-professional office district. We have been asked, and I might say very nicely and politely by residents in the area to concern ourselves because they hope that some day we will be considering taking them in, but they feel like this is again another incursion of commercial into their residential and another change of the entire look and feel of their neighborhood and they are adamantly opposed to this and think it's going to crowd the neighborhood and change the character so, they have asked us to consider taking a position where we state our objections, and..

Commissioner Anderson: [inaudible -- off microphone]

Mayor Slesnick: Little Gables. It's 4200 and 4204 Southwest 15<sup>th</sup> Street.

Vice Mayor Kerdyk: Is that on the corner, it's LeJeune road would you say?

Mayor Slesnick: Yeah, 4200.

Vice Mayor Kerdyk: Yeah, right there.

Mayor Slesnick: It's going from multi-family housing to professional office, and they are asking, by the way in the same application, for you know, expansion of space and expansion of use in the districts and so on. Here is... the report from Eric Riel is a detailed description of the applications provided by the Planning and Zoning staff. The Department of Planning and Zoning itself is recommending approval, this is the County with six conditions and that is, you know, the same as we would ask for the site plan be approved by the Director of Planning and Zoning, the site plan to be submitted to be substantially and in accordance with that, that the use established and maintained in accordance with the approved plans; submittal of the landscaping plan, the applicant obtain a Certificate of Use and no medical or dental office be established. So, those are very typical planning and Planning Department requirements, but otherwise they are allowing the use to be changed despite the objections of the neighbors. So, it's up to you all. I, of course, take the position that I would like to see us express our concern over this kind of change. I look at, I look at LeJeune Road north of Southwest 8<sup>th</sup> Street, and look what's happened to that. And, you immediately cross 8<sup>th</sup> Street, and despite the fact that you still have to go through, and I mean, it's appropriate at the corner, Walgreens a gas station, and at McDonalds, and a Midas Muffler. As that disappears, it becomes very tree-lined and residential, so this would be one more step down the road, and this is way down. This is 15<sup>th</sup> Street, so this is not right next to Midas or anything, this is coming on down.

Vice Mayor Kerdyk: Right, and more and more of these little houses they are taking it and making it into professional usage, and I know this is not a small house, that's what is happening there, up and down there, but I agree with you.

Commissioner Withers: Let me, Let me... I agree to support the neighbors concern, but you know we have similar situation on Ponce with a service alley behind it. Have we, I mean, maybe if we can't totally stop it, is there a way that we can suggest some type of buffer like that Don, or no? What?

Mayor Slesnick: Well, I think that our Planning, I mean, if we send someone to take a position they could certainly have an alternate position ready for buffering from the neighborhood.

Commissioner Withers: I'll move that we support the neighbors request and send the resolution to whatever entity it is, County, Planning Board whatever, and our position to the change of zoning.

Vice Mayor Kerdyk: I'll second it.

Mayor Slesnick: Okay, it has been moved by Commissioner Withers, seconded by Vice Mayor Kerdyk. Any further discussion? Mr. Clerk.

City Clerk Foeman: Vice Mayor Kerdyk?

Vice Mayor Kerdyk: Yes.

City Clerk Foeman: Commissioner Withers?

Commissioner Withers: Yes.

City Clerk Foeman: Commissioner Anderson?

Commissioner Anderson: Yes.

City Clerk Foeman: Commissioner Cabrera?

Commissioner Cabrera: Yes.

City Clerk Foeman: Mayor Slesnick?

Mayor Slesnick: Yes. Mr. Manager, I hope someone will transmit that. I know it's going to be hard to get it prepared, by tomorrow, but if someone could verbally go there to do that.

City Manager Salerno: I will be glad to do that Mayor.

Mayor Slesnick: Mr. Manager, did you have any other items?

City Manager Salerno: Nothing, Mayor.

Mayor Slesnick: Okay.

[End: 11:18:34 a.m.]