Exhibit D

City of Coral Gables
Local Planning Agency (LPA)/Planning and Zoning Board Meeting
Wednesday, October 19, 2011, 6:01 p.m.
Coral Gables City Commission Chambers
405 Biltmore Way, Coral Gables, Florida

MEMBERS	D9	J12	F9	M9	A27	M11	J8	J22	O12	O19	APPOINTMENT
	'10	'11	'11	'11	'11	'11	'11	'11	'11	'11	
Eibi Aizenstat – Chair	C	C	P	C	P	C	P	P	P	P	City Manager Patrick Salerno
Robert Behar	C	C	P	C	P	C	P	P	P	P	Commissioner Rafael Cabrera, Jr.
Jeffrey Flanagan – Vice Chair	C	C	P	C	P	C	P	P	P	E	Commissioner Maria Anderson
Julio Grabiel	-	-	-	-	-	C	P	P	P	P	Mayor Jim Cason
Pat Keon	C	C	P	C	P	C	P	P	E	P	Planning and Zoning Board
Vince Lago	-	-	-	-	-	-	-	-	P	P	Commissioner Frank C. Quesada
Javier Salman	C	C	P	C	P	C	P	P	P	E	Vice Mayor William H. Kerdyk, Jr.

P = Present
E = Excused
C = Meeting Cancelled

City Staff and Consultants:
Eric Riel, Jr., Planning Director
Scot Bolyard, Principal Planner
Jill Menendez, Administrative Assistant
Craig E. Leen, City Attorney
Dona Spain, Historical Resources Director
Cynthia Birdsill, Economic Sustainability Director
Jane Tompkins, Development Services Director

Court Reporter:
Joan Bailey

Also present: Patrick G. Salerno, City Manager

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1 CITY OF CORAL GABLES
LOCAL PLANNING AGENCY (LPA)/
2 PLANNING AND ZONING BOARD MEETING
VERBATIM TRANSCRIPT
3 CORAL GABLES CITY HALL
405 BILTMORE WAY, COMMISSION CHAMBERS
4 CORAL GABLES, FLORIDA
WEDNESDAY, OCTOBER 19, 2011, COMMENCING AT 6:01 P.M.
5

6 Board Members Present:

7 Eibi Aizenstat, Chairman
Robert Behar
8 Julio Grabiel
Pat Keon
9 Vincent Lago

10

11 City Staff and Consultants:

12 Eric Riel, Jr., Planning Director
Craig E. Leen, City Attorney
13 Scot Bolyard, Planner
Jill Menendez, Administrative Assistant
14 Dona Spain, Historic Preservation Officer
Cynthia Birdsill, Economic Sustainability Director
15 Jane Tompkins, Development Services Director
Patrick G. Salerno, City Manager
16

17 Also Present:

18 Laura Russo, Esq.

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1 CHAIRMAN AIZENSTAT: Any other discussion?
2 No?
3 Call the roll, please.
4 MS. MENENDEZ: Julio Grabiel?
5 MR. GRABIEL: Yes.
6 MS. MENENDEZ: Pat Keon?
7 MS. KEON: Yes.
8 MS. MENENDEZ: Vince Lago?
9 MR. LAGO: Yes.
10 MS. MENENDEZ: Robert Behar?
11 MR. BEHAR: Yes.
12 MS. MENENDEZ: Eibi Aizenstat?
13 CHAIRMAN AIZENSTAT: Yes.
14 The next application request is an
15 Ordinance of the City Commission of Coral
16 Gables, Florida, providing for a text amendment
17 to the City of Coral Gables Official Zoning
18 Code, Article 4, "Zoning Districts," Division
19 2, "Overlay and Special Purpose Districts,"
20 Section 4-201, "Mixed Use District," amending
21 ground floor office use provisions for Mixed
22 Use District projects; and providing for
23 severability, repealer, codification, and an
24 effective date.
25 Eric?

1 MR. RIEL: Just very briefly, what this
2 does -- In 2005, '6 and '7, the City created a
3 mixed use overlay district, which is basically
4 the south end of the City. We also revised the
5 mixed use provisions that allow mixed use
6 buildings throughout the City commercial and
7 industrial areas.
8 At the time of the development of the
9 ordinance, there was a limitation in terms of
10 what happens on the ground floor. It was
11 limited to retail sales and service,
12 restaurant, or basically plazas, courtyards and
13 open spaces.
14 Offices was not permitted unless it was
15 adjacent to a hundred-foot right-of-way. What
16 we're suggesting and recommending approval here
17 is to include office without that limitation of
18 a hundred feet, which would allow additional
19 flexibility for different types of ground floor
20 uses. And also understand that any mixed use
21 project needs to come through this Board, as
22 well as the Commission. So there's the ability
23 and discretion, as a conditional use, to
24 limit -- you know, to ensure that there's
25 animation and activity on the street. That was

1 the concern of Staff --
2 CHAIRMAN AIZENSTAT: But there's been --
3 MR. RIEL: -- at that time, so --
4 MR. BEHAR: I think this is a good idea. I
5 think it really makes the ground floor of a
6 building more diverse and more active with
7 different uses. I'm in total support of this,
8 so I make a recommendation for approval.
9 CHAIRMAN AIZENSTAT: Before we do that,
10 let's see if there's any input.
11 Laura, since you're our public?
12 MS. RUSSO: No, I just came to listen to
13 the discussion. Thank you.
14 CHAIRMAN AIZENSTAT: Okay. Thank you.
15 We'll close the floor to discussion.
16 MS. KEON: The only thing I have a question
17 about is -- but I agree with you, because when
18 I -- we were speaking about it, I said it's a
19 great opportunity for banks to locate branches
20 in ground floor spaces of buildings, of
21 residential buildings, and that's a good thing.
22 The only thing I wouldn't like to see, and it
23 happened with the building that the -- is it
24 Marshalls, the building at the end of the Mile,
25 on the corner of Miracle Mile and Douglas,

1 where they --
2 MS. RUSSO: Ross.
3 MS. KEON: Ross, where over their windows,
4 that were designed to be windows where you
5 would see activity, they --
6 CHAIRMAN AIZENSTAT: Closed them.
7 MS. KEON: They closed them off, and you --
8 all you see is a door, and you no longer
9 have --
10 MR. BEHAR: The interaction.
11 MS. KEON: -- the interaction with the
12 street, which I think is -- which that was what
13 I wouldn't want to lose --
14 MR. BEHAR: But this is different --
15 MS. KEON: -- so I'm asking you that.
16 MR. BEHAR: -- because this is to allow --
17 Let me tell you, this is to allow -- like my
18 office, I'm actually -- The reason we're there
19 in the ground floor is because we love the
20 interaction with the street.
21 MS. KEON: Right.
22 MR. BEHAR: And in the MDX -- you know,
23 MXD, we would not be able to have similar
24 offices to mine on the ground floor.
25 MS. KEON: Right, but so how do we also --

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1 Is there a provision that will encourage that
2 interaction, as opposed to them, you know,
3 sealing off the windows or making them blank
4 walls, so as you walk down the street, what you
5 have is wall after wall after wall, as opposed
6 to that experience of --
7 CHAIRMAN AIZENSTAT: Glass.
8 MS. KEON: -- you know, being able to see
9 or -- It is animation. So how do we protect
10 the animation and allow for offices to be
11 there?
12 CHAIRMAN AIZENSTAT: Eric, is there
13 anything in our Building Code?
14 MR. RIEL: There's nothing in the Code that
15 prevents someone from closing off, you know,
16 visually, a window. We don't have provisions
17 that deal with that.
18 MS. KEON: No.
19 MR. RIEL: We just don't.
20 MS. KEON: Right.
21 MR. RIEL: We did discuss this at the time
22 we did discuss the update of the sign code, in
23 terms of coverage of windows, but there's no --
24 MS. KEON: There isn't, and I think that's
25 really a very -- I mean, not directed at that

1 particular merchant, but I think it's a shame
2 that that has happened in that place.
3 MR. BEHAR: You're right, but that's
4 typically happened on a retail space --
5 MS. KEON: Right.
6 MR. BEHAR: -- where they need blank walls.
7 MS. KEON: Right.
8 MR. BEHAR: You know, they do it. In an
9 office, where you want -- The reason we do it
10 is to bring the natural light in. I don't want
11 to close it off. So --
12 MS. KEON: But is there verbiage that you
13 can -- you know, you can put in here that
14 preserves the, you know, animation?
15 MR. RIEL: That's certainly something we
16 can do, but I -- you know, we would need to do
17 that analysis. I would not suggest that you
18 put it as part of this.
19 MS. KEON: Okay. All right, then, I would
20 ask that you would do that.
21 CHAIRMAN AIZENSTAT: But we can suggest or
22 the Board can ask for you to look into that.
23 MR. RIEL: We can certainly look at that.
24 CHAIRMAN AIZENSTAT: All right, we can do
25 that.

1 MR. BEHAR: So I'd like --
2 MS. KEON: Okay, then, I have no problem
3 with it, as long as you -- as long as you
4 will --
5 MR. BEHAR: Any others?
6 CHAIRMAN AIZENSTAT: Any others? No other
7 discussion?
8 MR. BEHAR: I would make an amendment to my
9 motion or make a motion that we accept with the
10 condition that the Staff looks into a --
11 MR. RIEL: Let's do a separate motion.
12 Don't mix these issues up.
13 CHAIRMAN AIZENSTAT: Yes, agreed.
14 MR. BEHAR: Then I make a motion to
15 approve.
16 MR. GRABIEL: Second.
17 CHAIRMAN AIZENSTAT: First and second. Any
18 discussion?
19 Call the roll, please.
20 MS. MENENDEZ: Pat Keon?
21 MS. KEON: Yes.
22 MS. MENENDEZ: Vince Lago?
23 MR. LAGO: Yes.
24 MS. MENENDEZ: Robert Behar?
25 MR. BEHAR: Yes.

1 MS. MENENDEZ: Julio Grabiel?
2 MR. GRABIEL: Yes.
3 MS. MENENDEZ: Eibi Aizenstat?
4 CHAIRMAN AIZENSTAT: Yes.
5 MS. KEON: Okay, so, at this point, can we
6 make a request in how --
7 MR. RIEL: Basically, you were asking Staff
8 to look at the coverage of windows.
9 MS. KEON: We would like to look at --
10 MR. RIEL: Coverage.
11 CHAIRMAN AIZENSTAT: On the ground floor.
12 MR. RIEL: Ground floor coverage.
13 MS. KEON: On the ground floor, that
14 preserves the animation.
15 CHAIRMAN AIZENSTAT: And the interaction
16 between the street --
17 MS. KEON: Okay, thank you.
18 CHAIRMAN AIZENSTAT: Thank you.
19 The next item is an Ordinance of the City
20 Commission of Coral Gables, Florida, providing
21 for a text amendment to the City of Coral
22 Gables Official Zoning Code, Article 4, "Zoning
23 Districts," Division 2, "Overlay and Special
24 Purposes" -- "Special Purpose Districts,"
25 Section 4-201, "Mixed Use District," amending

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