

MR. SANABRIA: I'm an economist by education. I've been in land use and zoning my entire life, since I left college. I have my own firm called Real Estate Works, REW, Inc. I do lot entitlements throughout the whole State of Florida. I have no issues, nor any kind of conflicts with the City of Coral Gables, since I don't engage in Coral Gables real estate whatsoever.

And, also, I served for nineteen years in the Planning Advisory Board of Miami-Dade County, as Chairman, and we did a lot of work there, including the master plan and the concurrency status, et cetera. And I also served on the Board of Directors of Miami-Dade Expressway Authority as Chairman. So transportation is also a second nature to me.

Thank you.

MR. BEHAR: Thank you.

MR. SANABRIA: Also, I'd like to send my respect to Eibi Aizenstat, who spent a lot of time here in the Board and was very helpful, as well. Thank you.

MR. BEHAR: Thank you very much. Thank you.

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At this time, I want to, for the record, acknowledge that Alice Bravo has come to the meeting and is present.

THE SECRETARY: Noted. Thank you.

MR. BEHAR: Okay. Thank you both.

Mr. City Attorney, can you please start with the agenda items?

MR. COLLIER: Yes.

Agenda Item E-1, an Ordinance of the City Commission providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Appendix A, "Site Specific Zoning Regulations," Section A-67, "Mahi Canal," requiring additional review and approval for all mooring piles, docks, wharves, davits, boat lifts, and similar structures located in MF and MXD districts that abut the Mahi Canal; providing for a repealer provision, severability clause, codification, and providing for an effective date.

Item E-1, public hearing.

MR. BEHAR: Thank you.

MR. SOUTHERN: Good evening, Vice Chair and fellow Board Members.

So tonight's first item is a text --

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MR. COLLIER: Introduce your name, for the record.

MR. SOUTHERN: Craig Southern, Planning and Zoning Division, City of Coral Gables.

So tonight's first text amendment is a portion of the Appendix A, Section A-67 of the Zoning Code, focused specifically on the Mahi Canal.

The purpose here is relatively straight-forward. It's a text amendment that adds water quality review requirements for new or modified docks, mooring piles, boat lifts and similar over water structures within the MF and MXD zoning districts.

The Mahi Canal is a narrow waterway, averaging about 90 feet in width or in average, where even small changes to any kind of structures can alter circulation, flushing benthic conditions and vessel movement, and when navigation potentially drops, with new structures being added, water quality is usually the first thing to be affected.

So the proposed text amendment tonight that we're taking a look at doesn't -- doesn't change any allowed uses, intensities or

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anyone's existing rights. It simply requires applicants to provide a water quality analysis, and it ensures that the Waterways Advisory Board and the City Commission review those findings, before approving projects.

Applicants must also show compliance with the Florida DEP, which is within Chapter 62-302.

The proposed text amendment is basically just keeping the existing framework, but adding an ecological or a science-based check, to protect water quality, navigation and public safety, as redevelopment continues along the canal.

Staff finds that this text amendment does satisfy all five criteria for a text amendment and recommends approval. If you'd like, we can go in or discuss the text amendment.

MR. BEHAR: I don't see a need for it, unless once I open it to the Board. So thank you very much.

I will conclude the presentation by Staff. I'm going to open it up to the public comments, first in Chamber. I don't see any. So we will close the public comment in Chambers.

Jill, do we have any in Zoom platform?

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1 THE SECRETARY: No, we don't.  
 2 MR. BEHAR: How about in the phone  
 3 platform?  
 4 THE SECRETARY: No.  
 5 MR. BEHAR: We will close the --  
 6 MR. SANABRIA: I have comments, Mr.  
 7 Chairman.  
 8 MR. BEHAR: I'm sorry?  
 9 MR. SANABRIA: I have comments on this  
 10 item.  
 11 MR. BEHAR: Let me open it up to the Board.  
 12 MR. SANABRIA: Thank you.  
 13 MR. BEHAR: Okay. So at this time, I'm  
 14 going to close the public comment. We're going  
 15 to open it up for Board discussion.  
 16 Gonzalo, I'll start with you, then.  
 17 MR. SANABRIA: Thank you.  
 18 I know that property well, 'cause I do  
 19 navigate that area every once in a while, and  
 20 as you know, on the other side of that bridge,  
 21 there are some homes, and they do have  
 22 navigable waters and navigable kayaks and so  
 23 on, that transit through that area.  
 24 One of the things that concerns me is this,  
 25 there's forty current slips, as I understand

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1 it, from meeting with Jennifer and Craig this  
 2 afternoon. We counted about forty current  
 3 slips, correct? I'm sorry.  
 4 MS. GARCIA: Well, so per the -- Jennifer  
 5 Garcia, Planning and Zoning Director.  
 6 I did double-check that just now. We don't  
 7 have an application from this property. I'm  
 8 going off of minutes from an old Advisory Board  
 9 meeting, and they indicated 22 to 26 slips, so  
 10 not 40.  
 11 MR. SANABRIA: 26 to 28, not 40, as --  
 12 MR. COLLER: Would you identify yourself?  
 13 MR. BEHAR: Yeah, please.  
 14 MS. GARCIA: Jennifer Garcia, Planning and  
 15 Zoning Director.  
 16 MR. BEHAR: Thank you very much.  
 17 MR. SANABRIA: Okay. So being around 28 to  
 18 30 current slips --  
 19 MS. GARCIA: 22 to 26 is what they said.  
 20 MR. SANABRIA: Yes. My concern is, if this  
 21 project goes the way of an RTZ development, how  
 22 could that affect the number of slips that  
 23 could be in place in the Mahi Canal? Do we  
 24 know that answer?  
 25 MR. SOUTHERN: Well, we know, on the west

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1 side of the canal, it's 900 feet, give or take.  
 2 It's about 900 feet. So we would also need to  
 3 like -- depending on the size of the slip  
 4 requirements, that's all that it would really  
 5 be dependent upon. So it would all be  
 6 dependent upon the measurements within that 90  
 7 linear feet.

8 MR. BEHAR: But that's not necessarily,  
 9 because that particular site has a maximum  
 10 allowable slips that they could go. So it's  
 11 not like you could get 900 feet and divide it  
 12 by twenty-foot and do so many. They have a  
 13 maximum number of slips that they are entitled  
 14 to, and that's not going to change.

15 So I don't think that's -- at this time,  
 16 Mr. City Attorney, is that something that we  
 17 could get involved with or -- because we don't  
 18 know what's happening there anyways?

19 MR. SOUTHERN: Well, I just want to remind  
 20 the Board that this particular amendment is  
 21 specifically for a water quality analysis for  
 22 any kind of development that would happen  
 23 within the MF and MXD zoning districts within  
 24 the Mahi Canal site specific.

25 MR. SANABRIA: I understand what you're

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1 saying, but it precludes us from expanding that  
 2 into a more generic issue with slips and the  
 3 number of slips.

4 So, quite frankly, Mr. Chairman, I think we  
 5 can add some language regarding the number of  
 6 slips that could be in place on this property,  
 7 because otherwise --

8 MR. BEHAR: I don't think we could control  
 9 that.

10 MR. COLLER: Yeah. I would be concerned  
 11 with -- sorry, pardon my interruption.

12 MR. SANABRIA: One more thing.

13 MR. COLLER: Sure.

14 MR. SANABRIA: One other thing that  
 15 concerns me is the beam of these boats. I go  
 16 to Sunrise Harbor, and I see some of these  
 17 catamarans that are about twenty-feet wide in  
 18 beam. If you create that kind of situation,  
 19 where that can be in place on that canal, it's  
 20 going to impair navigation to the other side of  
 21 that bridge, and that's something that we  
 22 should address at some point soon.

23 MR. BEHAR: Yeah, but Gonzalo, with all due  
 24 respect, I don't think this item has to do with  
 25 any of what you're saying. You know, I mean --

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1 MR. COLLER: The number of slips, the size  
2 of the boats, anything like that, would be  
3 beyond the scope of this title. This title  
4 only relates to water quality and the impact of  
5 any additional slips that would be built, and  
6 the water quality.

7 Another item could be drafted, and I think  
8 it's up to the Commission, if they want to  
9 address this, and you could make a  
10 recommendation to the Board, if you -- if you  
11 were to recommend approval of this, that your  
12 recommendation is, you should look at the size  
13 of the boats and the number of slips. I would  
14 caution you, that when you make changes in the  
15 Zoning Code, when people have -- think they  
16 have certain rights, it's possible that those  
17 rights could be impacted, but the Board, if the  
18 Board wants to direct -- wants to request the  
19 Commission to take a look at that, that could  
20 be part of your recommendation, if that's what  
21 you wish to do.

22 MR. SANABRIA: I agree.

23 Now, also, I want to confirm that, that  
24 water of body is under the sole jurisdiction of  
25 the City of Coral Gables?

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1 MR. SOUTHERN: That's correct. Right. Yeah.

2 MR. SANABRIA: Therefore --

3 MR. SOUTHERN: That portion, where the  
4 Zoning Districts are MF and MXD.

5 MR. SANABRIA: I understand. Therefore, I  
6 recommend that we do add some language that the  
7 Commission should consider.

8 MR. BEHAR: Well, we could make a  
9 recommendation, on a motion, you know, to do --

10 MR. SANABRIA: Yes, sir.

11 MR. BEHAR: -- separate to this, right,  
12 Mr. Attorney?

13 MR. COLLER: Yes. It would be a --  
14 basically a comment, that your recommendation  
15 for approval --

16 MR. BEHAR: Okay. Okay.

17 MR. COLLER: So it would be viewed as a  
18 comment to the Board, as you've commented on  
19 other items that are not necessarily related to  
20 the item, but you've asked the Board -- excuse  
21 me.

22 MR. BEHAR: The Commission.

23 MR. COLLER: The Commission. I'm used to  
24 Board of County Commissioners, even though I  
25 haven't worked there for ten years.

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1 MR. BEHAR: Okay.

2 MR. COLLER: But the Commission.

3 MR. BEHAR: Okay. Gonzalo, is that it?

4 MR. SANABRIA: That's it regarding this  
5 item, yes, sir.

6 MR. BEHAR: Ms. Bravo?

7 MS. BRAVO: Hi. So, to clarify, this item,  
8 in and of itself, does not approve additional  
9 slips?

10 MR. SOUTHERN: No. No. This is only about  
11 the water quality analysis requirement.

12 MS. BRAVO: I'm fine.

13 MR. BEHAR: Okay.

14 MR. BUCELO: What is a water quality  
15 analysis? Like what does that entail? Is that  
16 very burdensome on the homeowner?

17 MR. SOUTHERN: It would be an ecological  
18 study, that would be done looking at the  
19 benthic component. Usually benthic consists of  
20 the sediment and any kind of ecological or the  
21 like, fish nurseries, crabs, all of that kind  
22 of stuff that's living in that area. There  
23 would be a benthic study that would be  
24 conducted.

25 I'm sure they would look at the depth, as

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1 well, but --

2 MS. BRAVO: And so that would take into  
3 account shading from the vessels and that type  
4 of environmental analysis?

5 MR. SOUTHERN: Yeah.

6 MR. SANABRIA: Mr. Chairman.

7 MR. BEHAR: Yes.

8 MR. SANABRIA: It also is a manatee zone.

9 MR. SOUTHERN: Yes.

10 MR. SANABRIA: It's a well-known manatee  
11 zone.

12 MR. SOUTHERN: There's already signs posted  
13 on the site now, as well, on both sides of the  
14 canal, as a manatee zone, yeah, by Fish and  
15 Wildlife.

16 MR. BUCELO: Thank you.

17 Mr. Chairman, no further questions.

18 MR. BEHAR: Okay. Nestor.

19 MR. MENENDEZ: The proposed studies are at  
20 a cost to, who, to the property owner?

21 MR. SOUTHERN: To the applicant that would  
22 propose any kind of development on the canal,  
23 yeah.

24 MR. MENENDEZ: No further questions.

25 MR. BEHAR: Ignacio.

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1 MR. SOUTHERN: Within those zoning  
2 districts.  
3 MR. MENENDEZ: Right.  
4 MR. ALVAREZ: Those were my two questions  
5 so far.  
6 MR. BEHAR: Okay. Mr. Pardo, last but not  
7 least.  
8 MR. PARDO: I have a few questions about  
9 the water quality. What is the existing water  
10 quality level -- thank you.  
11 What are the existing water quality levels  
12 of this particular canal? Do we know?  
13 MR. SOUTHERN: I personally can't tell you  
14 that, but I would say it's healthy, because we  
15 have manatees within it. Well, I mean, I've  
16 walked around the property or the canal, and  
17 I've seen quite a few fish, but I can't say on  
18 a professional --  
19 MR. PARDO: With all due respect, let's  
20 think about this scenario. So someone owns a  
21 property there on this particular canal, and  
22 the canal, unbeknownst, although there are  
23 manatees -- there's all sorts of manatees in  
24 that waterway -- and all of a sudden, it just  
25 so happens that that canal, right now,

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1 would not be able to do anything, simply  
2 because the current level -- environment level  
3 of that particular canal may not comply with  
4 the levels that the State and the County and  
5 anyone else has established, correct?

6 MR. SOUTHERN: Well, I mean, we do have --  
7 there's already a seawall. I mean, it's  
8 already a hardened shoreline. There's no  
9 natural shorelines there at all. Everything  
10 has already been hardened. The north side of  
11 the canal is University of Miami. So the -- I  
12 think it's Dixie that, you know, crosses over  
13 the Mahi Canal now.

14 I would say that -- I mean, it's a  
15 disturbed canal. It's not in its original, you  
16 know, what was there probably hundreds of years  
17 ago. So it's a relatively urban area, but  
18 that's the thing, whatever is there now, we  
19 just want to make sure that maybe we don't  
20 impact it any more than --

21 MR. PARDO: So it is possible that that  
22 canal right now doesn't comply with any of  
23 these requirements that -- minimum requirements  
24 that they have to comply with, from an  
25 environmental standpoint, a water quality

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1 presently, doesn't comply with any of these  
2 levels. So, therefore, by adding this to it,  
3 without understanding what the current levels  
4 are, it is possible that someone that doesn't  
5 have a boat lift on their home, would not be  
6 able to build a boat lift, if they don't comply  
7 with this, correct?

8 MR. SOUTHERN: Well, it's not -- this does  
9 not include single-family. I just want to  
10 reiterate.

11 MR. PARDO: Okay.

12 MR. SOUTHERN: And there's -- if I remember  
13 correctly, I think it's like maybe six or seven  
14 properties, in total. You know, on the west  
15 side, like I said, it's 900 liner feet. I  
16 think there's like three parcels, but they're  
17 all kind of unified already.

18 MR. PARDO: So it would only affect the MF  
19 and MXD?

20 MR. SOUTHERN: Correct. Nobody that's  
21 south of those zoning districts, as  
22 single-family, would be required to do that.

23 MR. PARDO: So, again, it wouldn't be a  
24 taking, but it is possible that people -- that  
25 the people that would develop anything there,

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1 standpoint?

2 MR. SOUTHERN: I wish I could talk  
3 intelligently about the ecology of the canal,  
4 but I can't, you know, professionally, you  
5 know -- other than we already know that it's a  
6 hardened shoreline. There's already existing  
7 mooring piles out there. There's already  
8 docking that's there, but it is --

9 MR. PARDO: Right.

10 MR. SOUTHERN: -- but it is dedicated as a  
11 manatee --

12 MR. PARDO: But although -- if there's any  
13 type of mooring or someone wants to go in there  
14 and improve and enhance it, replace it, any of  
15 those things, they would have to comply with  
16 this?

17 MR. SOUTHERN: That's correct.

18 MR. BEHAR: But don't forget, no matter  
19 what, they have to go to DERM. They have to go  
20 to all of those agencies, you know, that are  
21 going to be probably more strict than this.  
22 This is really -- from my experience, this is  
23 really a problem -- it will be a problem if you  
24 were like down in the Keys, where you have  
25 seagrass and all, that you could impact it.

24

1 That canal, which is really at the end of  
2 the property which Gonzalo was trying to refer  
3 to, which I think it's called the Gables  
4 Waterway property, so that canal --

5 MR. PARDO: Right.

6 MR. BEHAR: You know, there's no --

7 MR. PARDO: Yeah. And there are seagrasses  
8 in this canal. That's why we have the  
9 manatees.

10 MR. BEHAR: But further down, not at --

11 MR. PARDO: No, I understand, but that's  
12 the reason we have the manatee there, because  
13 they're not starving. They're eating those  
14 grasses.

15 MR. BEHAR: So what -- my understanding of  
16 this item, it will make it a little more  
17 stringent to get approval.

18 MR. PARDO: Right.

19 MR. SOUTHERN: Yeah.

20 MR. PARDO: I don't disagree with that.  
21 I'm just finding it a little bit difficult to  
22 understand. We don't know what the standard  
23 is, but we're setting a standard of the  
24 existing canal quality -- water quality.

25 MR. BEHAR: To me, you know, as much as we

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1 want to put that we're going to have a saying  
2 or control, this is going to go to DERM, and  
3 DERM is going to tell you what you could do and  
4 cannot do. You know, as much as we want to say  
5 that the City of Coral Gables is going to  
6 control that waterway, not really, you know.

7 You know very well that if you want to do a  
8 mooring or something, you have to go to DERM,  
9 and you have to show, you know, your studies,  
10 that you're not affecting the bay bottom and  
11 there's no seagrass and all of that, you know,  
12 goodies that they ask for.

13 MR. PARDO: And there is no effect  
14 whatsoever on the site specific regulations?  
15 This is in addition to --

16 MR. SOUTHERN: This is in addition to the  
17 site specifics.

18 MR. PARDO: You're not taking away any of  
19 the restrictions that exist there now?

20 MR. SOUTHERN: That's correct.

21 Now, like I said, I mean, ecologically, I  
22 cannot intelligently talk about that, but when  
23 it comes to circulation or navigation, which  
24 would be another part of that analysis, you  
25 know, the traffic, I can speak, I would say, to

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1 some degree on that.

2 MR. PARDO: But in the site specific, it  
3 tells you minimum dimensions for navigable  
4 waters in the area, in all canals, in Coral  
5 Gables.

6 MR. SOUTHERN: Right. In Section 3-700, we  
7 actually have different canals.

8 MR. PARDO: Correct. Different widths,  
9 different --

10 MR. SOUTHERN: The Mahi Canal must have 30  
11 feet of navigable, unobstructed area.

12 MR. PARDO: Right.

13 MR. SOUTHERN: So, right now, it's at 90  
14 feet. That's where we're at right now.

15 MR. BEHAR: But since that -- in a case  
16 like this, since that canal terminates there at  
17 US-1, you're going to have to allow -- they're  
18 going to have to allow for boats to turn  
19 around. So that thirty feet increases. I  
20 don't know to what, but there are requirements  
21 that you're going to get -- you know, that you  
22 have to adhere to.

23 That's why, when Gonzalo mentioned the beam  
24 of the boat, you know, there's regulations that  
25 will dictate what you could do or not do.

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1 MR. PARDO: Right. And like our attorney  
2 said, you know, I felt uncomfortable, because  
3 we started talking about a specific project,  
4 which this is not a specific project.

5 MR. SANABRIA: Mr. Chairman, if I may just  
6 again --

7 MR. PARDO: Those are all of my questions.

8 MR. BEHAR: Okay. Wait. I have -- Ignacio  
9 had a question.

10 MR. SANABRIA: Go ahead.

11 MR. ALVAREZ: And I know I'm new here and I  
12 don't know this area, but who is this  
13 applicable to, when you said it is not  
14 applicable to single homes?

15 MR. SOUTHERN: Yeah. MF and MXD zoning  
16 districts only.

17 MR. ALVAREZ: Can you explain that a little  
18 bit? Again, I'm new to this --

19 MR. SOUTHERN: Yeah, multi-family and  
20 mixed-use properties, which -- I wish that I  
21 would have created a PowerPoint tonight to show  
22 you guys the location. Unfortunately, I did  
23 not.

24 MR. PARDO: Can you just -- pardon me,  
25 Mr. Chair. Can you just narrow it down, so he

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1 understands where this zoning exists on the  
2 canal?  
3 MR. SOUTHERN: Yeah. So the canal  
4 terminates on the north side, where Dixie  
5 Highway. On the north side of Dixie is the  
6 University of Miami. So bringing us back down  
7 to where the canal terminates right now, just  
8 south of Dixie, you have a grouping currently  
9 of a couple of commercial properties, and on  
10 the west side, it's predominantly MF. There's  
11 a little bit of MXD zoning, as well. And,  
12 then, on the east side, it's MXD, mixed-use  
13 zoning. I don't know if this is helping or  
14 not, but --  
15 MR. BEHAR: Do you know, more or less, the  
16 location that we're referring to?  
17 MR. ALVAREZ: Yes.  
18 MR. BEHAR: The --  
19 MR. SOUTHERN: The Gables waterway.  
20 MR. BEHAR: Yeah, Gables waterway. On both  
21 sides, is the -- more of the mixed-use. The  
22 single-family starts further down to the east.  
23 MR. ALVAREZ: Thank you.  
24 MR. BEHAR: Mr. -- Gonzalo, you have  
25 another comment?

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1 MR. SANABRIA: Yes, Mr. Chairman.  
2 I just want to emphasize my fear. My fear  
3 is that, currently, as Jennifer Garcia and  
4 Craig have delineated, there's about 28 to 30  
5 boat slips there. Is that correct, more or  
6 less, the number, roundabout number?  
7 MR. BEHAR: 22 to 26, if I recall  
8 correctly.  
9 MR. SANABRIA: My fear is -- I don't know  
10 how many exact units or density are planned for  
11 this project, but I don't want that to  
12 translate into a greater multiplier of slips on  
13 that waterways, because that would really choke  
14 off and put a stranglehold on that waterway.  
15 So, somehow, we need to add this comment,  
16 please, for the Commission to consider, or  
17 within a Resolution.  
18 MS. BRAVO: Can --  
19 MR. BEHAR: Go ahead.  
20 MS. BRAVO: So, once again, Craig, in  
21 essence, we're creating an environmental  
22 regulation for this canal?  
23 MR. SOUTHERN: Correct. Right.  
24 I mean, in a way, any new impacts, we just  
25 want to make sure that we're analyzing those

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1 impacts, if any new proposed development is  
2 coming in on these zoning districts.

3 MS. BRAVO: Go through this process.

4 All right. Right. So I think, along the  
5 lines of what the Chairman said before, if we  
6 want to make a commentary about that, it would  
7 be separate from this item, since this is, in  
8 essence, creating an environmental process.

9 MR. SANABRIA: I think it can be added to  
10 this item as a comment, yes. I intend to do  
11 that.

12 MR. BEHAR: Mr. City Attorney, I mean, can  
13 we do it to this item? You know, if you --

14 MR. COLLIER: Well, I think the Board has  
15 the opportunity to make any recommendation that  
16 it chooses to. It's obviously beyond this  
17 title, and it's not really -- it couldn't be  
18 addressed in this item, but if the Board wants  
19 to suggest to the City Commission that you  
20 should look at the number of additional slips  
21 that may occur on the canal, I think you can  
22 say that to them, but it's separate and apart  
23 from the item. It's just a suggestion to the  
24 Board that -- excuse me, a suggestion to the  
25 Commission, that they should look at it, but

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1 that's only if you all agree with this comment.  
2 If you don't agree with the comment, then --

3 MR. BEHAR: We'll see what we get there.

4 I, personally, for me, I don't have a  
5 problem, because I know that there are greater  
6 authority, besides the City of Coral Gables,  
7 that are going to say what can be done and not  
8 be done here. Now, I'm not -- I don't have any  
9 fear of the increase in slips, because I know  
10 that DERM has a maximum that has been given to  
11 that property, but if you -- Gonzalo, if you  
12 feel that a comment, okay, not a condition, a  
13 comment, be made to the Commissioners, I'm okay  
14 with that.

15 MR. SANABRIA: Thank you.

16 MR. BEHAR: So, at this time, you know,  
17 we're going to close the Board's comment and  
18 we'll -- we will entertain a motion.

19 MR. PARDO: I wanted to just bring up one  
20 question, is that water quality was discussed,  
21 but the animals were not discussed, which I  
22 think falls short, and the reason is that, in  
23 any part of Florida, you could have issues with  
24 tortoises, bats. I mean, you name -- you know,  
25 burrowing owls. How about the manatees, which

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1 we're losing left and right in the State of  
2 Florida, because they're starving to death?

3 The question becomes, should that also be  
4 added, and not just from a water quality  
5 standpoint, but at least that it should -- it  
6 should be mentioned in there, because  
7 sometimes, if you add enough watercrafts, it  
8 becomes a real problem, you know, for  
9 especially the manatees that we've lost through  
10 starvation of the seagrasses.

11 MR. BEHAR: I'm not -- I mean, unless I'm  
12 not understanding this correctly, this is not  
13 saying that we're going to have more  
14 watercrafts there. This is saying that it's  
15 going to require additional reviews for  
16 approval, if you wanted to do --

17 MR. SOUTHERN: So we do actually have  
18 benthic habitats. I know I like went through  
19 that pretty quickly. Benthic habitats is  
20 mentioned in here. Any impact --

21 MR. PARDO: Is it? Okay. I missed it.

22 MR. SOUTHERN: So that's the sediment.  
23 That's the jelly fish. That's anything that's  
24 within that, you know, underwater area, that  
25 would be affected.

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1 So we also referenced the Florida  
2 Department of Environmental Protection, Chapter  
3 62-302, and I know that they have quite a bit  
4 more, when it comes to habitats within the  
5 water. So we do actually have benthic  
6 habitats, and that is what is the intention of  
7 that.

8 MR. PARDO: Thank you. I feel comfortable now.

9 MR. BUCELO: Mr. Chair, I'm going to move  
10 to approve the City's recommendation.

11 MR. BEHAR: Okay. We have a motion.

12 MR. MENENDEZ: I'll second.

13 MR. BEHAR: And we have a second.

14 Do we have any other comments before we  
15 call the roll?

16 MR. SANABRIA: I'd like to add a comment on  
17 this motion. Am I allowed to do that at this  
18 time?

19 MR. BEHAR: The maker of the motion, will  
20 you entertain a friendly amendment?

21 MR. BUCELO: Yes. Yes.

22 MR. BEHAR: What is your amendment?

23 MR. SANABRIA: I would like to concur with  
24 Mr. Pardo on the manatee zone, because that is  
25 a very crucial environmental area for manatees

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1 procreating and they actually live there. I've  
2 seen them there, as well. So I'd like to  
3 mention manatees, per se, word-wise, the word  
4 manatees, that zone, to try to protect them as  
5 much as we can from the City juris prudence.

6 Also, the number of slips that can be built  
7 on that waterway, to me, is rather frightening,  
8 because once you build way above the number of  
9 the current slips, they will start taking up  
10 more water body, more water body, and  
11 strangling that waterway. So I'd like the  
12 Commission to consider that there be some sort  
13 of threshold, to protect against higher water  
14 density, per se, not just higher density of the  
15 building, but higher density, per se, on the  
16 waterway, plus protect the manatee zone.

17 MR. BEHAR: Okay. So essentially what  
18 you're saying, you're going to maintain  
19 whatever the maximum allowable today is for  
20 them to keep that number, not to increase those  
21 numbers?

22 MR. SANABRIA: The current number.

23 MR. BEHAR: Okay.

24 MR. COLLIER: So that's unrelated to the  
25 item, but it's a comment to the Board.

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1 MR. BUCELO: It's a comment, yes.

2 MR. BEHAR: It's a comment to the  
3 Commission.

4 Do you accept that friendly amendment?

5 MR. BUCELO: I accept it, yes.

6 MR. BEHAR: Nestor, do you agree with that  
7 also?

8 MR. MENENDEZ: Yeah.

9 MR. BEHAR: Okay. Jill can you please call  
10 the roll now?

11 THE SECRETARY: Alice Bravo?

12 MS. BRAVO: Yes.

13 THE SECRETARY: Alex Bucelo?

14 MR. BUCELO: Yes.

15 THE SECRETARY: Nestor Menendez?

16 MR. MENENDEZ: Yes.

17 THE SECRETARY: Felix Pardo?

18 MR. PARDO: Yes.

19 THE SECRETARY: Gonzalo Sanabria?

20 MR. SANABRIA: Yes.

21 THE SECRETARY: Ignacio Alvarez?

22 MR. ALVAREZ: Yes.

23 THE SECRETARY: Robert Behar?

24 MR. BEHAR: Yes.

25 Thank you.

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