

**City of Coral Gables City Commission Meeting**  
**Agenda Items E-4 and E-5**  
**January 28, 2025**  
**Police and Fire Headquarters**  
**2151 Salzedo Street, Coral Gables, FL**

**City Commission**

**Mayor Vince Lago**

**Vice Mayor Rhonda Anderson**

**Commissioner Melissa Castro**

**Commissioner Ariel Fernandez**

**Commissioner Kirk Menendez**

**City Staff**

**City Attorney, Cristina Suárez**

**City Manager, Alberto Parjus**

**City Clerk, Billy Urquia**

**Planning and Zoning Director, Jennifer Garcia**

**Public Speaker(s)**

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Agenda Items E-4 and E-5 [10:01 a.m.]

E-4: An Ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code by amending Article 14, “Process,” Section 14-212, “Zoning Code Text and Map Amendments,” and Section 14-213, “Comprehensive Plan Text and Map Amendments,” to create a conceptual review by the Planning & Zoning Board for applications proposing land use or zoning changes prior to the preliminary Board of Architects approval; and providing for a repealer provision, severability clause, codification, and providing for an effective date. (01 15 25 PZB recommended approval, Vote 5-2) (Sponsored by Vice Mayor Anderson)

E-5: A Resolution of the City Commission amending Ordinance No. 2015-17, as amended, to create a Planning and Zoning Board zoning conceptual review fee; providing for severability clause and providing for an effective date. (Sponsored by Vice Mayor Anderson) (This Resolution is not for consideration at this time and will be included with the above related ordinance on Second Reading if approved on First Reading.)

Mayor Lago: Moving to E-4 and E-5.

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*Agenda Items E-4 and E-5 are related – Ordinance providing for text amendments to the Official Zoning Code by amending Article 14, “Process”*

City Attorney Suarez: E-4 is an Ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code by amending Article 14, "Process," Section 14-212, "Zoning Code Text and Map Amendments," and Section 14-213, "Comprehensive Plan Text and Map Amendments," to create a conceptual review by the Planning & Zoning Board for applications proposing land use or zoning changes prior to the preliminary Board of Architects approval; and providing for a repealer provision, severability clause, codification, and providing for an effective date. E-5 will not be on for consideration at this time, but I will read it. It will be considered if E-4 is adopted on second reading at a subsequent meeting. E-5 is a Resolution of the City Commission amending Ordinance No. 2015-17, as amended, to create a Planning and Zoning Board zoning conceptual review fee; providing for severability clause and providing for an effective date.

Planning and Zoning Director: Good morning again. Jennifer Garcia, Planning and Zoning Director. This is a follow-up, basically on our discussion back in December about requiring a zoning conceptual zoning review by the Planning and Zoning Board. As to this Commission, we did meet with the Planning and Zoning Board with these changes to the process for land use and zoning changes. We did have a representative from the Board of Architects there at that meeting to be able to discuss their point of view and their feedback with the Planning and Zoning Board. Before you today is recommendation for approval, I believe unanimously, no, I'm sorry, 5-2 approval, for this change. So, as you can see on the PowerPoint here, the middle timeline is the site plan approval that involves the architecture in the proposed building and the one on the bottom, which you probably can't see very well, because there is text in the way, but you can see that the Planning PZB conceptual zoning review is the first step in the change of land use and zoning before it goes to Planning and Zoning Board, which you can't see because its behind that text. So again, these are two separate processes in our zoning code, there are two separate processes anyway, because it's a site plan versus a change of land use and zoning and that's the way to address it in the zoning code to not try and crisscross and tie up these two processes and that's why they are separated. So as discussed with the Board of Architects and also the Planning and Zoning Board, they recommend that the Planning and Zoning Board conceptual review happen before the conceptual review by the Board of Architects to review the change of land use and zoning before the building actually goes to the Board of Architects.

Vice Mayor Anderson: So, I have a simple slide, and I'll explain a little bit how we got here, and it does involve again listening to the residents. Before I've ever done any major change in zoning, I've had to like have a Sunshine meeting with the conceptual review and I'm going to ask Mr. Urquia to bring up this simple hand drawing that I did in one of the presentations. It needs to be turned; you have it on its side. If you can turn it to where the top of the building is there. This goes back a couple of years; we had the industrial area that we have right now our design and development area where the existing building is what appears to be a green box, and you see a

dashed line and some trees at the bottom there. That's what was allowed by our zoning code to be built. A developer came to me and said, listen, I'd like to allow some green space, but I want to do some more height. Their original request was for 35 feet in the way of more height or 37 and-a-half more feet in the way of height. What was actually approved was 17 and-a-half feet, which is basically three of me standing on top of each other. We had a meeting, we had a Sunshine meeting, the Mayor showed up, I showed up, and we went out and we listened to the residents. There were some boards with this type of diagram on it, and it showed what the possibilities were. Are you willing to have a little taller building in order to gain some green space. So, the dashed line is an indication of that 17 and-a-half more feet of height. Half of that FAR, half of that box is what was put on top of the building. The dashed line on the top of that building shows what the residents didn't approve, and it wasn't approved for building purposes. This new conceptual review process formalizes this same type of thing that happened at that Sunshine meeting. Let's listen to the residents. Let's see if they want these types of zoning changes done in order to get a benefit for their area – I want a park. I want trees. I want shade. I want a nice place where I can enjoy myself as opposed to wall-to-all cement. That particular site was previously permitted for a hotel from lot line to lot line, from sidewalk to sidewalk. They now will have a shaded park with three existing trees being moved from that site, mature trees down there into that park. This is the type of thing that this conceptual review process can allow people to see. I know there was some discussion during the Planning and Zoning meeting about doing 3D buildouts or 3D drawings versus 2D drawings. This is an example where a 2D drawing works just fine. I've tried 3D drawings; my husband is one of those folks that just cannot grasp 3D drawings. It doesn't work for everybody, so that piece of how to present, I think is a discretionary action that staff can make that determination what is going to demonstrate for folks the benefits and the distractions or the non-benefits of doing a particular change. They are the only people that know the difference between the height of that particular 17 and-a-half feet or probably the pigeons that roost on top, because there is a setback involved on a building. In the meantime, there's going to be a plaza, and area for people to enjoy. So, I'm glad that we're going to be able to get this codified for every zoning change that there is. There is a choice that people can make, and they can see what it's going to look like through drawings like this or more graphic drawings or even 3D models, when necessary, based upon what staff feels is necessary to show that and people have a choice in the future. So, the perfect time to do that is before everybody has to spend a ton of time, the residents or the developers in developing a large set of plans, because the last thing we want people to do is get entrenched or baked in on a particular design and then we have less flexibility in the future. So, I'm hoping this is something that again, we can have full support for going forward, so the residents will have more participation in this process where the zoning change is requested. Okay. I'll move it. If anybody wants to second.

Commissioner Fernandez: I'll second.

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Commissioner Castro: Can I say something.

Vice Mayor Anderson: Absolutely.

Commissioner Castro: Since I got elected, I've been working on reducing permitting time when you go for permitting and the only thing that gives me a little heartburn is adding another step to this process. I think it's a great idea what you're proposing, phenomenal. I would like to know if you would accept the friendly amendment of doing it for properties over 20,000 square feet.

Vice Mayor Anderson: No.

Commissioner Castro: Why is that?

Vice Mayor Anderson: Why is that because there are height differences and choices that residents need to make. If you are going for these types of changes and this has been a process, it's been going for four years for me to get here, I think if you're doing that type of a zoning change it needs to be something that's just notices. Its not going to be any skin off of anybody to go and do this type of a diagram and show people what they are planning. Its going to take you 30 more days.

Mayor Lago: If I may, Madam Vice Mayor. This is not currently law, that's why we are here today, but this has already been applied and I can give you five examples in the downtown where before any of my colleagues were on the Commission, we were negotiating this to ensure that we would go from having one open space in the downtown to having five additional open spaces. Its already been applied and it works and I can give you multiple examples from Armando Codina's building, which is an additional 17 feet which gives you the neighboring park next-door, to the John Marquez Project on Sevilla, which gives you a 15,000 square foot park, to the project in front of Nordstroms, which gives you, I think its about 6,000 square foot park or so, 5,500 to 6,000, please feel free to correct me.

Planning and Zoning Director: 5,000.

Mayor Lago: 5,000 - perfect, that's why you're here and I appreciate that. Publix is a little bit of a different scenario. We are having a 20,000 square foot park there, but we were able to over four years work with the developer to ensure that those projects were deeded over to the city and one that was actually completed already is the Villa Valencia Project, which has a little bit of a taller building by one floor, but at the end of the day, you end up with I think its 8,000 square foot park on the corner. These examples already exist, they've been applied. You will see these parks, except for the Villa Valencia one, because its already done, start popping up all over our downtown. I think it adds value, it increases property values. I think it adds value in regard to quality of life, as our downtown becomes more residential, which I think is great. It gives people an opportunity to really enjoy our downtown, especially if you have animals, dogs, opportunities for children to play.

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They don't have to go to Ponce Circle Park which is a difficult location or to the Youth Center. You can go to a nice park in your own backyard. I'm in favor of this. I think its smart. I think its great to codify it and provide it as an option so that people can see the difference between what's allowed by the code and what we could potentially do that would open up some green space on the first floor. At the end of the day, its an option just to be able to visualize what we have before you and correct me if I'm wrong, Madam Vice Mayor, it just provides other options, so you can see where we stand.

Vice Mayor Anderson: Yes, just provide other options and through the discourse with residents we can get the best option that makes their neighborhood a nicer place to live.

Mayor Lago: And by the way, I'm happy you added that because those five projects that we just talked about that are additional, that add additional parks, which are by the way deeded to the city, that's an increase in value for the city, number one; and number two, we came to those agreements in regards to height and the park location, the amenities through discussions with the residents and getting approvals from the residents. So, I don't see an issue. I think its great to be able to put things more into context and understand what we're offering and what can be offered in the scenario, or if not, we just go setback to setback. If the residents don't want it, we go back to what's allowed in the zoning code and just go setback to setback, in my opinion. I think it's a good opportunity.

Commissioner Fernandez: Madam Vice Mayor, I want to make sure that we're clear on what we're voting on. I think there is a little misunderstanding. This is not about green space. This is about adding a conceptual review in Planning and Zoning so that there's that additional option for the developer to present their projects, so that Planning and Zoning can kind of give their comments early and residents have an additional space or opportunity to give their comments. We are not talking about green space, that's something that I've contemplated, and it still has not – it has been approved in projects and the Mayor is correct, we have five projects that have approved it, and they will be enhancing our ability, but what we are discussing here today is about conceptual review.

Mayor Lago: If I may Madam Vice Mayor. If you would be so kind just to put up the diagram that the Vice Mayor provided. What I am providing for you is, what is the outcome, the potential outcome of having this conversation. So, if you look to the Vice Mayor's conversation and to her drawing, you can see that the existing building rights, the setback to setback, and the approved versus not approved, and you see the trees on the right-hand side. The goal, the goal, while this legislation is about giving more conversation, the end goa here is to try to have as much green space on the first floor. That is what I believe sets our city apart and will add value and that's why I'm considering this legislation that the Vice Mayor is providing as something that is of value to the City Beautiful and we should add it to the building code. While this legislation, obviously does

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not provide green space, what it does is hopefully in the outcome of the conversation continue to add, not just five, but ten, fifteen large significant swaths of grass, shade to our downtown, which is again, very much needed. That's my intent.

Vice Mayor Anderson: So, I'm going to go back in time for you, before I was a Commissioner, I was a regular resident. Villa Valencia, three blocks from my home, we went through this process, we pushed back on the developer. We were at the Planning and Zoning Board meeting, my neighbors, okay, and we stood there, and we opposed the project. It was lot line to lot line, very big building, we wanted green space, okay, that's what we asked for, and that's what we got without this legislation, but because we were such an engaged set of residents, and I was proactively involved with my neighborhood, we got that result. The developer left in tears. This will avoid a lot of constant projects and people will be more willing to give residents what they want, if they don't have to spend. I remember the developer telling me back then, and this was a long time ago, how much money more that they would have to spend to redraw the entire project. I've been a lawyer for a long time, the more people get entrenched into what they have already spent money on, the less likely they are going to be flexible on that. My neighborhood was lucky. My neighborhood was lucky because the Planning and Zoning Board gave them a denial, and so did the Commission at that time. It was a discussion that I had with then Commissioner Lago, we wanted green space. We didn't want this building slammed up against the single-family homes or even the townhomes nearby. We wanted not to have a Brickell-type effect. We wanted to have green space and trees. We even pushed the building back into the alley more so that we had a nice swath of green space there. I don't want this to be dependent upon people constantly having to spend their time coming and fighting, meeting after meeting after meeting, early on before any pen was put to paper, before residents had to build diagrams of what it would look like, because I've spent time with some of those residents, explaining the zoning code. First 100 feet you have 45 feet, and you can go up to 77, and then you can go up to that, that's the way our building code is built to try to have a soften effect of the taller buildings coming in. We don't need to do that. These residents don't need to be wasting their time meeting after meeting after meeting worried what the Board of Architects is going to do, because the Planning and Zoning Board hasn't seen it yet, instead it comes to the Planning and Zoning Board first. They can provide their input there. They can say, listen, we don't want this right next to us, we want it pushed back. This is what we want to see. The Board of Architects can then take those comments and incorporate it to make something that is compatible with the community, that enhances the community, rather than makes our neighborhoods look more like Brickell. We don't want the Brickell effect. This is the hope and dreams of this, so people don't have to come every three months, every two months, every six months, a year later and worry what's happened with those architectural drawings next. It comes in at the front end. So, I hope I have your support for this. I've already made a motion.

Commissioner Menendez: I'd like to make a comment before, I guess we vote. First off, I in agenda review and before, I just want to make sure that as we move forward that the conceptual review is very clear to everyone who is involved and especially the developer that its non-binding, because the possibility exist that they get suggestions, direction, they call back a few months later and the board at that time finds concerns and issues that perhaps weren't discussed previously and I don't want to find the city in perhaps a legal situation where the developer and the residents thought that the conceptual review was the final vote or the final advice and its not. So, I want to make it very clear that its non-binding, so we don't get sued as a city, and provide clarity. The other thing is, and I agree what this legislation does, besides obviously, I think helps avoid a lot of the conflict or a lot of the collision that we've had in the past with some projects. It provides the opportunity to have the residents sort of formulate what they want, but in reality, its project by project. There are some folks in the community that see some buildings that are going up that are going to be beautiful, but they are not happy with the extra height. So, we really don't know what's going to happen project by project if some folks may not want the extra height and don't care about the green space, but the reality is we give the opportunity for them to give us feedback and the developer feedback and one case might be different than the other. So, its not a given that its more green space, sometimes they just don't like tall buildings, and I understand that. Also, this is an opportunity because it happened with Allen Morris. They originally came to the project, the one on Ponce and University and the community didn't want it and it got turned back, and by doing it this way, not only the time that the residents spend in these types of meetings, but also helps the developers perhaps not spend extra money for their projects. It's a cleaner more efficient way. At the end of the day, I think it's a good legislation. It helps residents, it helps the projects, and it helps the city move forward, but I just want to make sure its non-binding because I don't want to go down that path and later, we find ourselves in some legal challenge.

Vice Mayor Anderson: I'm going to just add some comments. My first discussion, my first attempt to try to do this was essentially four years ago and that binding issue was part of it and there was a reason why this is not binding, okay, because we don't want it to become an as-of-right project. If it becomes an as-of-right project, then this Commission gets no say, okay. If its an as-of-right project it won't come back to Planning and Zoning, so there is a check and balance here. It can happen after it goes through the Board of Architects, after the architecture is done, comes back to Planning and Zoning. If it was a final vote by the Planning and Zoning Board at that time, it would never come back to them, so we'd lose those checks and balances.

Commissioner Menendez: And Vice Mayor, I totally agree with you. We all, I think we all understand its not binding, but once its out there between folks residents that here the conceptual review results or developer may later feel that he was misguided, I think we need to go above and beyond and it's not us, it's the administration to make sure that its clear notice that its non-binding for the folks out there we know its not, but sometimes things happen and we are playing catch-up.

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Vice Mayor Anderson: As this Commission has modified the notice procedures where developers have to give the notice, we have a ability for folks to sign up for future meetings on that item, either by URL or QR Code on there, so they'll automatically get the notices, not having to rely upon, did I miss it in the stack of junk mail that came into my mailbox or I was travelling, you are going to get it electronically as well as in paper format, so that you know when the subsequent meetings are on that particular parcel from this point forward. Okay. So, the likelihood of someone not knowing something is going on will decrease.

City Attorney Suarez: May I just.

Mayor Lago: Yes ma'am.

City Attorney Suarez: I just want to make it clear that this proposed ordinance would make this conceptual review before the Planning and Zoning Board a mandatory step for those projects seeking the land use or zoning changes and while of course that non-binding feedback would be provided to the Board of Architects. The criteria the Board of Architects applies is still the criteria in the zoning code for their design review.

Commissioner Menendez: Perfect.

Planning and Zoning Director: And one extra thing. Before second reading we can clarify and really make it very clear in the zoning code that it is non-binding, its just for them to get feedback.

Commissioner Menendez: Perfect. Thank you.

Mayor Lago: Mr. Clerk, do you have any public comment.

City Clerk Urquia: Yes, Mr. Mayor, Mrs. Maria Cruz.

Mrs. Cruz: Mrs. Maria Cruz, 1447 Miller Road. I am so glad that we are discussing this, because even though I live near the big buildings, I've been involved for many years and I'm glad that we discussed the Allen Morris because that's the perfect example of how we wasted residents' time, developer's money, because we didn't have this in place. My only problem with this is, when I see a diagram that has trees, people think that this is, we will have trees. Not everybody will be agreeable to having higher, taller buildings in exchange for a little park. Some of us still think that the height is very important, and it depends on where the building is. Maybe there is a park so close that we don't need another park, and we want a shorter building. So, as long as we know that this has nothing to do – I love the diagram, but the trees are a possibility, not a requirement. Thank you.

Vice Mayor Anderson: That was the result in an industrial district what people chose, that's why I used it as a diagram. It's a history of what occurred.

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Mayor Lago: Mr. Clerk.

City Clerk Urquia: That's it, Mr. Mayor.

Mayor Lago: So, we have a motion and a second, we do.

Commissioner Fernandez: Yes

Commissioner Menendez: Yes

Vice Mayor Anderson: Yes

Commissioner Castro: Yes

Mayor Lago: Yes

(Vote: 5-0)