

1 CITY OF CORAL GABLES
2 LOCAL PLANNING AGENCY (LPA)/
3 PLANNING & ZONING BOARD MEETING
4 VERBATIM TRANSCRIPT
5 WEDNESDAY, AUGUST 13, 2025, COMMENCING AT 6:00 P.M.

6 Board Members Present at Commission Chamber:

7 Eibi Aizenstat, Chairman
8 Robert Behar
9 Felix Pardo
10 Sue Kawalerski
11 Alex Bucelo
12 Javier Salman

13 City Staff and Consultants.

14 Fengqian "Grace" Chen, Principal Planner,
15 Jill Menendez, Administrative Assistant/Board Secretary
16 Craig Collier, Special Counsel
17 Arceli Redila, Zoning Administrator
18 Craig Southern, Planning Official
19 Catherine Cathers, Arts and Culture Specialist

20 Also Participating:

21 Joe Jimenez, Esq., on behalf of Item E-1
22 Christopher Kouke
23 Thor William Bruce
24 Laura Russo, Esq., on behalf Item F-1 Gillian Gaggero
25 Gillian Gazzolo
Debra Register
Pamela Pierce
Carlos Carta

1

1 THEREUPON:

2 (The following proceedings were held.)

3 CHAIRMAN AIZENSTAT: Let's go ahead and
4 start the meeting, please. I'd like to call
5 the order meeting to order. I'd like to ask
6 everybody to please silence their phones or
7 beepers, if you still have any.

8 This Board is comprised of seven members.
9 Four Members of the Board shall constitute a
10 quorum, and the affirmative vote of four
11 members shall be necessary for the adoption of
12 any motion. If only four Members of the Board
13 are present, an applicant may request to be
14 entitled to a continuance to the next regularly
15 scheduled meeting of the Board. If the matter
16 is continued due to a lack of quorum, the
17 Chairperson or Secretary of the Board may set a
18 Special Meeting to consider such matter.

19 In the event that four votes are not
20 obtained, an applicant, except in the case of a
21 Comprehensive Plan Amendment, may request a
22 continuance or allow the application to proceed
23 to the City Commission without a
24 recommendation.

25 Pursuant to Resolution Number 2021-118, the

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1 City of Coral Gables has returned to
2 traditional in-person meetings. However, the
3 Planning and Zoning Board has established the
4 ability for the public to provide comments
5 virtually. For those members of the public who
6 are appearing on Zoom and wish to testify, you
7 must be visible to the court reporter to be
8 sworn in. Otherwise, if you speak without
9 being sworn in, your comments may not have
10 evidentiary value.

11 Lobbyist Registration, any person who acts
12 as a lobbyist must register with the City
13 Clerk, as required pursuant to the City Code.

14 As Chair, I now officially call the City of
15 Coral Gables Planning & Zoning Board Meeting of
16 August 13th, 2025 to order. The time is six
17 o'clock.

18 Jill, please call the roll.

19 THE SECRETARY: Robert Behar?

20 MR. BEHAR: Present.

21 THE SECRETARY: Alex Bucelo?

22 MR. BUCELO: Present.

23 THE SECRETARY: Sue Kawalerski?

24 MS. KAWALERSKI: Present.

25 THE SECRETARY: Nestor Menendez requested

3

1 to be excused.

2 Felix Pardo?

3 MR. PARDO: Here.

4 THE SECRETARY: Javier Salman?

5 MR. SALMAN: Here.

6 THE SECRETARY: Eibi Aizenstat?

7 CHAIRMAN AIZENSTAT: Here.

8 Notice Regarding Ex Parte Communications,
9 please be advised that this Board is a
10 quasi-judicial Board, which requires Board
11 Members to disclose all ex parte communications
12 and site visits. An ex parte communication is
13 defined as any contact, communication,
14 conversation, correspondence, memorandum or
15 other written or verbal communication, that
16 takes place outside the public hearing, between
17 a member of the public and a member of a
18 quasi-judicial board regarding matters to be
19 heard by the board.

20 If anyone made any contact with a Board
21 Member regarding an issues before the Board,
22 the Board Member must state on the record the
23 existence of the ex parte communication and the
24 party who originated the communication. Also,
25 if a Board Member conducted a site visit

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

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

15 MR. BEHAR: No.

16 MR. SALMAN: No.

17 CHAIRMAN AIZENSTAT: Thank you.

18 Swearing In, everyone who speaks this
19 evening must complete the roster on the podium.
20 We ask that you print clearly, so the official
21 records of your name and address will be
22 correct.

23 Now, with the exception of attorneys, all
24 persons physically in the City Commission
25 Chambers, who will speak on agenda items before

5

1 us this evening, please rise to be sworn in.
2 (Thereupon, the participants were sworn.)
3 CHAIRMAN AIZENSTAT: Thank you.
4 Zoom platform participants, I will ask any
5 person wishing to speak on tonight's agenda
6 item, to please open their chat and send a
7 direct message to Jill Menendez, stating you
8 would like to speak before the Board and
9 include your full name. Jill will call you
10 when it's your turn. I ask you to be concise,
11 for the interest of time.

12 Phone platform participants, after Zoom
13 platform participants are done, I will ask
14 phone participants to comment on tonight's
15 agenda item. I also ask you to be concise, for
16 the interest of time.

17 First we have the approval of the minutes
18 of July 2nd, 2025. Is there a motion?

19 MR. BEHAR: I'll make a motion to approve.

20 MR. BUCELO: Second.

21 MR. PARDO: Second.

22 THE SECRETARY: Who seconded?

23 CHAIRMAN AIZENSTAT: Any discussion?

24 Jill, you want to call the roll?

25 THE SECRETARY: Alex Bucelo?

6

1 MR. BUCELO: Yes.
2 THE SECRETARY: Sue Kawalerski?
3 MS. KAWALERSKI: Yes.
4 THE SECRETARY: Felix Pardo?
5 MR. PARDO: Yes.
6 THE SECRETARY: Javier Salman?
7 MR. SALMAN: Yes.
8 THE SECRETARY: Robert Behar?
9 MR. BEHAR: Yes.
10 THE SECRETARY: Eibi Aizenstat?
11 CHAIRMAN AIZENSTAT: Yes.

12 The procedure we'll use tonight, first
13 we'll have the identification of agenda item by
14 Mr. Collier. Then we'll have the presentation
15 by applicant or agent, presentation by staff.
16 Then I'll go ahead and open it for public
17 comment, first in Chamber, then Zoom platform
18 participants, then the phone line participants.
19 I'll go ahead and close the public comment.
20 We'll have a Board discussion, a motion,
21 discussion, and second of motion, if necessary,
22 Board's final comments and a vote.

23 Mr. Collier, would you like to proceed?

24 MR. COLLIER: Yes.

25 Item E-1, which is a discussion item,

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1 Conceptual zoning review for the properties at
2 637 and 635 Anastasia to revert the zoning from
3 Special Use (S) to Multi-Family 3 (MF3) and
4 change the land use from
5 Religious/Institutional designation to
6 Multi-Family Low Density.

7 CHAIRMAN AIZENSTAT: Okay. And this is a
8 discussion item only; is that correct?

9 MR. COLLIER: Right. Well, you will recall
10 -- I'm going to take -- Craig will explain the
11 -- the other Craig here will explain where we
12 are with this one.

13 MR. SOUTHERN: Thank you, Craig.

14 Good evening, Planning and Zoning Board.
15 Craig Southern, Planning Official, City of
16 Coral Gables.

17 An Ordinance went in front of the Planning
18 and Zoning Board back in January of this year,
19 and was approved, for a conceptual review
20 component to be added for any kind of proposed
21 land use or zoning changes, prior to
22 Development Review. It was approved by the
23 City Commission, on Second Reading, February
24 25th. So this will actually be our very first
25 conceptual review in front of the Planning &

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1 Zoning Board.
2 As Craig was just mentioning, this is just
3 a discussion item, it will not have any votes,
4 but it will create a dialog between the
5 applicant. The applicant is here -- or the
6 applicant's agent is here, Joe Jimenez, to give
7 a brief presentation.

8 CHAIRMAN AIZENSTAT: Welcome, Mr. Jimenez.

9 MR. JIMENEZ: Thank you very much, and
10 there's nothing like being first.

11 As Craig said -- thank you very much,
12 Craig.

13 Joe Jimenez, JMC Group, with offices at
14 2020 Salcedo Street, here in Coral Gables,
15 joined by my colleague, Lisa Palomino, on
16 behalf of the applicant.

17 The way that I understand this process, and
18 what the Code says, is that there will be no
19 vote, there will be no decision made. We do
20 have an application -- or we will, in the next
21 couple of days, have an application to come
22 before you next month.

23 As I understand, the purpose of this is
24 kind of like -- kind of like DRC with Staff,
25 let's get some comments out of the way, so if

9

1 I've got to make any changes for next month,
2 I'll know what you're thinking, even though
3 there's no actual vote today.
4 Notices are required. I know that there
5 are some people here who have received it.
6 There were 731 notices sent, to a 1,500 radius.
7 It's a dense parcel out there. 627 and 635
8 Anastasia have a lot of neighbors.

9 I think the presentation is up. What
10 the -- if we can get -- there.

11 So the application is to revert the zoning
12 from Special Use to Multi-Family 3 and to
13 change the Land Use Designation from
14 religious/institutional to Multi-Family Low
15 Density. The reason we say, "Revert," in 1983,
16 the City -- and it's highlighted there. It's
17 in your packet, and I think you have the
18 application -- the City did change it, because
19 the property was owned by a church. So that
20 they could use it for general church purposes,
21 they made it a Special Use District. So we
22 would just like to revert it back.

23 Now, what those Special Use District -- the
24 use that they put on it, and what is currently
25 on there, and as you can see, what it's

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1 surrounded by -- this is both, an aerial, to
2 show you the location, just northwest of the
3 Youth Center, surrounded by Multi-Family 3.
4 The property immediately to the south is
5 actually the church, and the other religious or
6 institutional is also owned by the church. So
7 this would pretty much complete the block.

8 Now, what they've been doing with these,
9 two 1949 buildings, four units each,
10 occupying -- each of the addresses is a 10,000
11 square foot parcel. So the entire project
12 here, that will eventually go to DRC and
13 eventually go -- excuse me -- for site plan
14 approval, would be a 20,000 square foot parcel,
15 also with eight units. It will be townhomes.
16 There is no increase in density here. So each
17 of these buildings is free-standing, each with
18 four units.

19 They asked for pictures, so I wanted to
20 show you what's there. Like I said, it's a
21 post war 1949 building, with wall units, and,
22 unfortunately, some -- the windows are not in
23 great shape, as I saw. I was out there today
24 for a little while.

25 There are -- I'm sure you're all familiar

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1 with the neighborhood. This is a product --
2 what my clients intend to develop there is a
3 product that is consistent with the
4 neighborhood. It's low scale. It is an
5 improvement in that it's a higher end
6 residential product of the different townhome
7 communities that have -- community is a strong
8 word, but different townhome projects that have
9 sprung up around this area for the last ten to
10 twelve years.

11 This is a preliminary -- we're not here to
12 discuss site plan. Because of the size of
13 this, I don't think the site plan comes back to
14 you, but I do want you to see it, so you
15 understand what is intended. I'd want the
16 neighbors to see it. This is very preliminary.
17 We're not there yet. But like I said, it's
18 eight units. It corners out on Cardena.
19 There's a driveway around the back. Each unit
20 would have a two-car garage, on the driveway,
21 and then exit back onto Anastasia from the east
22 side of the property.

23 Some preliminary massings, they don't have
24 any dimensions, but like I said, it's about the
25 same height as it is now, completely consistent

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1 with the neighborhood, and, obviously, not as
2 high as the church directly across the street.
3 That's really what I have, and if -- I know
4 I didn't do anything wrong, because I'm the
5 first one to do it. So you could tell the
6 future people, "Don't do what Joe did" or
7 "Okay, whatever Joe did, that's what we're
8 going to do," but I'm happy to answer any
9 questions and I'm looking forward to hearing --
10 I know that there's been some curiosity from
11 the neighbors, from what's going to happen
12 there.

13 Now we've got the mailings out for the Town
14 Hall. So -- my daughters are stuffing these
15 envelopes, so they're very grateful to the City
16 for the extra money, because I'm paying them to
17 do it. So I would take happily take any
18 questions on what we've discussed, but this is
19 a simple revert to the FLUM, and a simple
20 change in zoning, consistent with the
21 surrounding area.

22 CHAIRMAN AIZENSTAT: Since this is just a
23 review, there is no presentation by the City on
24 this, correct?

25 Okay. Before I open it for the public,

13

1 does anybody have a brief question for
2 Mr. Jimenez? No?

3 Let's go ahead and open it for the public,
4 and then you reserve the right to --

5 MR. JIMENEZ: I'm here for any questions
6 from either any Member of the Board or any
7 member of the public.

8 CHAIRMAN AIZENSTAT: Thank you, Mr.
9 Jimenez.

10 How many speakers do we have?

11 THE SECRETARY: We have four.

12 CHAIRMAN AIZENSTAT: Could you please call
13 them?

14 THE SECRETARY: Sure. Pamela Pierce.

15 CHAIRMAN AIZENSTAT: Could you speak into
16 the speaker -- one of the microphones, please?

17 MS. PIERCE: My pleasure to be here.

18 I'm Pamela B. Pierce, and my father was
19 the --

20 CHAIRMAN AIZENSTAT: Could you state your
21 address, for the record, please?

22 MS. PIERCE: Oh, okay. 724 Camillo Avenue,
23 704 Camillo and 701 Aledo.

24 CHAIRMAN AIZENSTAT: Thank you.

25 MS. PIERCE: Okay. I'm a long time

14

1 resident of Coral Gables, a few blocks from the
2 area that we're talking about for the
3 eight-unit, one building, townhome, and that
4 gives the -- just saying, townhome, it means,
5 what, steps right down to the sidewalk? And it
6 will be right besides and kitty-corner to
7 single-family homes. There needs to be a
8 better step down.

9 And the other thing is, I just circled the
10 block today, like, you know, was checking
11 things out, and two older buildings that are
12 there now have a lot of green and open space.
13 What is the green and open space going to be on
14 this giant building, with all of the extra
15 parking, and all of the amenities, which may be
16 great, but right next to single-family homes?
17 It's a very bad precedent.

18 And let me see. I had a -- that was one of
19 my -- okay, let's see if I have anything else.
20 Let's see.

21 I guess that's about it. I think that you
22 need to look carefully at the actual, more than
23 a conceptual, okay. You need to see the final
24 site plan, in detail, and I'd be interested in
25 seeing what is the equivalency of the open and

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1 green space from the old building site, next to
2 single-family homes -- that's really the big
3 deal. We're talking about a -- it may be the
4 same height as these two other buildings, but
5 it will be a massive, looming building, right
6 next to single families.

7 I mean, I think Coral Gables usually prides
8 itself on a step down in the aesthetics from
9 something very large to the single-family home.

10 Okay. Thank you very much.

11 I'm going to add, if you didn't catch my
12 last name, but my dad, William B. Pierce, he's
13 the Pierce of Pierce Park.

14 CHAIRMAN AIZENSTAT: Thank you, ma'am.

15 MS. PIERCE: So I give myself a little pat
16 for that. Thank you very much.

17 CHAIRMAN AIZENSTAT: Thank you for taking
18 the time to come.

19 Next person, please.

20 THE SECRETARY: Chris.

21 CHAIRMAN AIZENSTAT: Chris, you were sworn
22 in?

23 MR. KOUKE: Yes.

24 CHAIRMAN AIZENSTAT: Thank you.

25 MR. KOUKE: Thank you all.

16

1 Good evening, Chair, Members of this Board.
2 My name is Chris Kouke. I live at 3667
3 Riviera. I'm here tonight as an individual,
4 not to speak for or against the merits of the
5 application, but to raise just two procedural
6 questions, just in this new format.

7 First is, I appreciate the intent of this
8 review, before the review, however, what this
9 now means is that the process to inform the
10 public is misaligned. So, previously, it
11 required that a public information meeting
12 occur at least two weeks prior to the PZB
13 review. Now this comes before the PZB first,
14 then the public meetings, then it comes back to
15 the PZB.

16 So I would put it to this Board to consider
17 having the public information meetings be
18 required earlier in the process, prior to
19 coming in front of the PZB for the first time,
20 rather than midway through the process now.

21 Second, and I'll defer to you all, because
22 you all know this better than I do, but just
23 as this is considered to be reverting back to
24 MF3, consider what MF3 allowed back in 1983,
25 versus what MF3 allows today, and how the Code

17

1 has changed since that time, since they're
2 asking to be reverted back to MF3 from Special
3 Use.

4 Thank you.

5 CHAIRMAN AIZENSTAT: Thank you, sir.

6 THE SECRETARY: Carlos Carta.

7 MR. CARTA: Good evening, Carlos Carta, 715
8 Anastasia Avenue. I certainly appreciate the
9 drawings that you guys have provided for us to
10 see, but I would like for this Committee to
11 give us a 30-day delay. We have a settlement
12 agreement with the school, and -- which is part
13 of the church, and that piece of land. So I
14 don't know if you're familiar with the
15 restrictive covenant that's on that.

16 So what I need is my attorney to review it.
17 So my ask of this Board is to delay this vote
18 or moving it forward, until we have a chance
19 for our attorney to review it. That's really
20 it.

21 CHAIRMAN AIZENSTAT: Thank you, sir.

22 THE SECRETARY: Thor Bruce.

23 MR. BRUCE: Good evening. Thor William
24 Bruce, 3252 Riviera Drive. I've been a
25 resident there since 1970.

18

1 I agree with the previous speakers. I
2 believe that we've got excessive massing and
3 loss of open space, which is highly desirable
4 in Coral Gables, and we need more of it, rather
5 than less of it, but I would like to take a
6 historic look at this.

7 We are in, perhaps, one of the most
8 beautiful buildings in all of Florida. It is
9 down the street from the Biltmore Hotel, which
10 makes Anastasia a historic street, in another
11 sense. Almost all of Anastasia is
12 single-family residences, 10,000 square foot
13 lots or larger. This particular site is across
14 the street from a single-family house, which
15 looks like a 10,000 square foot lot. It is
16 across another street from a house, that looks
17 like a 10,000 plus square foot lot, and
18 kitty-corner from a third house, which looks
19 like a 10,000 square foot house.

20 I think, in keeping with the historic sense
21 of this beautiful City, that when you change
22 the zoning from S, Special Use, you change it
23 to single-family, with either two houses there
24 or maybe four houses there.

25 Thank you very much.

19

1 CHAIRMAN AIZENSTAT: Thank you, sir.

2 Any other speakers?

3 THE SECRETARY: No.

4 CHAIRMAN AIZENSTAT: What about on the Zoom
5 platform?

6 THE SECRETARY: No one responded wishing to
7 speak.

8 CHAIRMAN AIZENSTAT: And the phone
9 platform, either?

10 THE SECRETARY: No.

11 CHAIRMAN AIZENSTAT: I'll go ahead and
12 close it for public comment.

13 Mr. Jimenez.

14 MR. JIMENEZ: Thank you.

15 So to take it -- if I could have the
16 presentation, so we can -- will they put the
17 presentation back up?

18 CHAIRMAN AIZENSTAT: Here it is.

19 MR. JIMENEZ: Oh, thank you.

20 So you want to -- she's signing up now. Do
21 you want her to go ahead and give her comments
22 now and I can just do this -- I'm happy to
23 defer. I know she walked in a little bit
24 later.

25 THE SECRETARY: She's going to speak on

20

1 another item.
2 MR. JIMENEZ: On another item, okay.
3 So, just to put the location in
4 perspective, and I'm happy to discuss the
5 historical use of this property, these two
6 multi-family buildings were built in 1949. So
7 this has been multi-family use since at least
8 then.

9 As you can see, it abuts, to its rear, a
10 multi-family building. Immediately to the
11 north, there is a townhouse community, on the
12 very next block. This is a step down. As we
13 all know, zoning does go down. And there is,
14 at one point, where there's always going to be
15 that line, where single-family starts, and,
16 hopefully, whether it's on Ponce, where you
17 have the duplexes, right behind, or the smaller
18 scale multi-family buildings, that's just what
19 we do, you know, and that's the way the City
20 was designed, as it goes into, to the east, the
21 CBD, and higher density. So this is no higher
22 density that has been there for a pretty long
23 time.

24 So, historically speaking, I think the
25 project before you -- not the project before

21

1 you, 'cause that's not what you're going to
2 hopefully give me some comments on, on what
3 you'd like to see next month, but the proposal
4 on what they're going to do with what they're
5 asking you, is consistent with the use there
6 from at least 1949.

7 With respect to the process, I understand,
8 and believe me, sir -- I think Chris was your
9 name -- there is nobody that finds this more
10 procedurally just -- it's one more step in
11 this, what we're doing here, and it is a favor
12 to me, because now I'm not coming in here when
13 you are voting, in a way that I have comments
14 from the neighbors, I have comments from you,
15 and then the process remains as it was before.
16 We've added something to the beginning, not the
17 middle.

18 So there is a Town Hall, our neighborhood
19 meeting, coming up, the required days before
20 the actual meeting, where you'll be making a
21 decision and a recommendation to the City
22 Commission. So I get it. It's one more for
23 me, and it's one more for my client, it's one
24 more for you. The only ones, like I said,
25 happy about it are my daughters, who are doing

22

1 the mailings, but other than that, the process
2 has stayed the same and it's what the
3 Commission wants to do, so here we are.

4 With respect to the settlement agreement, I
5 have no idea what that's about. This has
6 nothing to do with the school, so this will not
7 be an increase of the school. This was
8 purchased by a residential development, for
9 residential development, and that application
10 is in. So there's not much I can say to that.
11 If there is an issue between a third-party
12 church and the residents, I'm just not privy to
13 it at the moment, so I can't speak it to.

14 And the final comment, I think I've
15 addressed, the historical nature of this. This
16 has never been a single-family home in the last
17 75 years. So, to consider that now, it would
18 actually make it inconsistent with the rest of
19 the block, because the rest of the block is
20 multi-family. The green space, I appreciate
21 that. It is a small building, on a 10,000
22 square foot lot, but it's private property,
23 it's not a park.

24 So if the Code allows what has been allowed
25 in that neighborhood, I appreciate that, and

23

1 what you give up in green space -- it's not
2 right up to the sidewalk. There are setbacks.
3 There are landscaping requirements. There's --
4 the trees will remain. The swales will likely
5 be improved from what they are right now,
6 because they're not in great shape. Excuse me.
7 So I get the give and take there, but this is a
8 little concrete building, on a big overgrown
9 patch of grass. This is not public green
10 space, that the kids can enjoy, and that,
11 rightfully so, her dad has his name on a park,
12 and that's a different story. This is not
13 that. So this is just a question of
14 landscaping. The current owners could take
15 that grass and cover it with bushes all they
16 wanted, and it would be the same effect.

17 So I appreciate the concerns, but it is --
18 in the years that I've been doing this, this is
19 one of those that you like to bring, because
20 it's eight for eight, it's consistent with the
21 neighborhood, it's consistent with the block.
22 With the exception of the other religious and
23 institutional, which is also used for
24 residential, the entire block is used for what
25 they're processing. Is it a modern --

24

1 Mediterranean design, but it is a modern use,
2 with the townhomes, absolutely, it is,
3 consistent with what else has been happening in
4 that neighborhood.

5 So, again, I know we're not here to talk
6 about the site plan, but you all have a lot of
7 experience there. If that affects your
8 decision, when it comes to the Zoning, I'd be
9 happy to answer questions about it, even though
10 we won't be voting on it or you won't be voting
11 on it, but, again, I'm here to answer any
12 questions, and anything that you'd like to hear
13 more about or less about, next month, I'm happy
14 to listen.

15 CHAIRMAN AIZENSTAT: Thank you.

16 Sue, would you start us off by providing
17 some input?

18 MS. KAWALERSKI: Yeah, thank you.

19 I just have one question, Mr. Jimenez.
20 What is the setback?

21 MR. JIMENEZ: It's 10 feet.

22 MS. KAWALERSKI: It's 10 feet.

23 MR. JIMENEZ: It's 10 feet.

24 MS. KAWALERSKI: And let me ask maybe the
25 attorney, because we have an item on our agenda

25

1 today, about like 25-foot setbacks for
2 single-family houses and multi-family. How
3 does that affect a project like this?

4 MR. COLLIER: I don't know. I'm going to
5 ask the Department if they want to address
6 that. There's -- for this townhouse
7 development, I assume that the ten-foot setback
8 is what's required. I don't know -- what item
9 has a 25-foot setback, that's single-family?
10 Is it the same size lot, everything is the
11 same?

12 MS. KAWALERSKI: Well, it's for
13 single-family and multi-family.

14 CHAIRMAN AIZENSTAT: If you can talk into
15 the mic, please.

16 MS. KAWALERSKI: It's for single-family and
17 multi-family. To my understanding, when I read
18 the County Ordinance and we're trying to align
19 with the County Ordinance, and the descriptors
20 in the packet that we received, it said,
21 25-five foot frontal setback.

22 MR. COLLIER: Where are we aligning with the
23 County Ordinance? Are you talking about the
24 previous --

25 MS. KAWALERSKI: No. I'm talking about --

26

1 there's an agenda item today that we're going
2 to be discussing and voting on.

3 MR. SOUTHERN: If I can add some clarity to
4 it. That's the last item on the agenda
5 tonight, and that is in relation to text
6 amendments for impervious structures,
7 stormwater management component.

8 MR. COLLIER: Oh, okay.

9 MR. SOUTHERN: So it's not affecting any of
10 the existing setback requirements for Zoning
11 Districts. So it wouldn't --

12 MS. KAWALERSKI: Okay.

13 MR. COLLIER: I'm sorry, I didn't --

14 MS. KAWALERSKI: Okay. Maybe I framed it
15 wrong, but the examples used in the packet were
16 all 25-foot setbacks.

17 MR. SOUTHERN: You're talking about the
18 other item?

19 MS. KAWALERSKI: Yeah. Yeah. So that's
20 why I asked about the setback question. How --
21 what's the setback on this project?

22 MR. SOUTHERN: For this conceptual item, it
23 wouldn't be related, other than looking at
24 single-family residence and MF1 --

25 MS. KAWALERSKI: And multi-family, right?

27

1 MR. SOUTHERN: -- duplex properties --

2 MS. KAWALERSKI: Okay.

3 MR. SOUTHERN: -- and then the City
4 basically amending our existing Zoning Code, so
5 the Miami-Dade County, we don't have to
6 actually start sending reviews for pervious and
7 impervious. So if we actually implement our
8 own text amendments, then we'll be able to keep
9 that authority, reviewing impervious and --

10 CHAIRMAN AIZENSTAT: Sue, what I'd would
11 like to do is stick -- this is just conceptual.
12 Nothing is being brought before us.

13 MS. KAWALERSKI: Right. Okay.

14 CHAIRMAN AIZENSTAT: And then we can tackle
15 that item, when it comes up, and just have a
16 discussion and a vote, if necessary.

17 MS. KAWALERSKI: Yeah. I just wanted to
18 give some guidance. Also, if that was
19 something that we were voting on later, and it
20 did involve setbacks, you know, that's
21 something, I think, that you would want to
22 know.

23 MR. JIMENEZ: Sure. And, of course, I
24 don't see -- I haven't seen the ordinance.
25 Having an application in, I don't think it

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1 would apply to us with the application, but I
2 can't imagine a 25-foot setback on this
3 property, because that's half the site.

4 MS. KAWALERSKI: Okay.

5 MR. JIMENEZ: So, you know, I think -- so
6 you got my attention, but I said, "Okay, no,
7 I'm misunderstanding."

8 MS. KAWALERSKI: All right. But what
9 you're saying --

10 MR. JIMENEZ: I think these ten feet are
11 pretty much consistent with the rest --

12 MR. SOUTHERN: His zoning district is MF3,
13 if I remember correctly --

14 MR. JIMENEZ: Well, I'm hoping.

15 MR. SOUTHERN: Yeah. That's the proposal.

16 But for the last item, it's only with the
17 single-family residential 1 and MF1 zoned
18 properties. So it wouldn't be relative to
19 his --

20 MS. KAWALERSKI: All right. But it's
21 basically a 10-foot setback is what you're
22 proposing here?

23 MR. JIMENEZ: Yeah. Well, it's what's
24 required, best of my recollection, but -- and
25 then it's landscaping. I think you can put

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1 some stairs -- you know, some steps up, things
2 like that, but there is landscaping in the
3 front. It's not right up to the sidewalk.

4 MS. KAWALERSKI: Okay.

5 MR. JIMENEZ: That's not the case.

6 MS. KAWALERSKI: Thank you.

7 MR. JIMENEZ: You're welcome.

8 CHAIRMAN AIZENSTAT: Felix -- Sue, do you
9 have anything more to add?

10 MS. KAWALERSKI: No, thank you.

11 CHAIRMAN AIZENSTAT: Thank you.

12 Felix.

13 MR. PARDO: So would you be able to go back
14 to your -- the last exhibit you had up there?

15 MR. JIMENEZ: The massing or --

16 MR. PARDO: No. It was the overall, where
17 you showed the zoning. There you go.

18 So it's very interesting, the way that this
19 has gone. Unfortunately for the neighbors, all
20 of this area was single-family, except for that
21 particular area where you had eight units. You
22 say that there's no increase in density, you're
23 referring to the Comprehensive Land Use Plan,
24 you're not referring to the amount of units
25 that exist there now, which are only eight.

30

1 MR. JIMENEZ: And we're proposing eight,
2 right.

3 MR. PARDO: Except, when you look at the
4 density of the amount of square footage and the
5 size of the units, it is possible to
6 understand, that based on the massing, that
7 you're going to have more people living there,
8 more cars. So the impact, really, is not just
9 the numbers of the units that you have there.
10 Comparing eight apartments to, let's say, eight
11 single-family mansions, it's a different
12 animal.

13 The second thing that you said is, the
14 consistency with the neighborhood. Can you put
15 that back on, please?

16 THE SECRETARY: CGTV, can you please --

17 MR. PARDO: Maybe it timed out. There you
18 go.

19 So when you look at -- you say it's
20 consistent with the neighborhood. From Segovia
21 to the west, most of what I see are
22 single-family homes. I don't see apartment
23 buildings. I don't see three-story townhouses.
24 I see single-family homes, that are limited to
25 25 feet and two stories.

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1 So, right now, those particular -- the
2 proposed building that you would come in with,
3 the massing is not necessarily compatible, in
4 my opinion, with the neighborhood. One of the
5 neighbors said, the open space. We can't
6 ignore the open space, because although those
7 old eight little apartments there are there,
8 they had side yards, they have front yards,
9 they have backyards, and they had more green
10 space than what you're proposing.

11 We've seen the same example already, which
12 is currently under construction, in Segovia,
13 and, then, some of them, that have already been
14 built, abutting the north side of the ball
15 fields there at the Youth Center.

16 The public information meeting that will
17 come in, obviously, is going to come in at a
18 later date, but this is basically, also, the
19 opportunity of a public information meeting for
20 the neighbors. So you get two cracks at the
21 ability to have discussions with the developer.

22 The MX3, and the way that it has changed
23 since 1983, again, brought up by one of the
24 neighbors, is a very valid point.

25 MR. JIMENEZ: MF3, I think you mean. Not

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1 MX, MF.

2 MR. PARDO: I mean, MF3.

3 MR. JIMENEZ: Okay.

4 MR. PARDO: So the validity of how it's
5 changed in the last fifty years is substantial,
6 and the intensification that I see with these
7 products cause two things. First of all, you
8 have a heat island issue, where if you take a
9 block, and you have all of these trees between
10 these two-story apartment buildings, but you
11 have fully matured trees on the inside, once
12 you develop all of the way to the back, then
13 the only place you have to place trees is in
14 the front or in the side, in other words, the
15 streetscape.

16 The biggest problem that you have there is
17 that normally it just doesn't fit. So you lose
18 tree canope any way you cut it. I just don't
19 think it's a wonderful idea to put money into
20 tree fund, when, really, you're impacting
21 certain areas.

22 The settlement agreement, for me, it does
23 mean something, because, right now, we have an
24 issue that we have Special Use that was granted
25 and bound many, many years ago to a church, and

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1 a church is a church use, which has a certain
2 amount of intensity. The intensity that we're
3 talking about now is not the same, comparing
4 one housing product to another housing product.

5 The excessive massing is really alarming,
6 because it is totally incompatible with the
7 great majority, exempting yourself and removing
8 yourself from the church. When you look at all
9 of that single-family residential area, the
10 massing is just not in keeping with the
11 neighborhood. The Special Use that I see,
12 compared to single-family, is way over the top.
13 The ten-foot set back, per Code, for this
14 proposed zoning change, was intended to be used
15 in other areas.

16 This creeping of these areas into -- from
17 duplex areas, right on Segovia, westward, into
18 the single-family residential area, is changing
19 the single-family composure of that, all for
20 profit. I really have a real problem with this
21 application, and I think it's incompatible with
22 massing, with scale, with traffic and uses.

23 Those are all of my comments.

24 CHAIRMAN AIZENSTAT: Thank you very much.

25 Alex.

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1 MR. BUCELO: Mr. Chairman, I just have a
2 few comments.

3 I personally think the project is very
4 compatible with the neighborhood. I just have
5 a few questions. In the block behind it, and
6 I'm seeing it from the sheet, there are
7 townhomes, correct, and then the block
8 immediately behind it?

9 MR. JIMENEZ: That gentleman in the corner
10 was actually around -- you're in the property
11 directly to the north of it, correct? He -- we
12 saw each other this morning, and said hi to
13 each other, and I said, "Come on down." That's
14 multi-family. Immediately to the north of
15 that, that's multi-family townhome.

16 MR. BUCELO: Got it.

17 MR. JIMENEZ: This product.

18 So, as I said at the beginning, I do not
19 dispute that there is single-family to the
20 west. I think every zoning district ends, and
21 then a new one begins. And as you go east from
22 here, and you see the MF3 of the historic
23 building, triangular building -- I can't
24 remember the name of that building -- and,
25 then, obviously, to the north, the CBD and the

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1 higher buildings, all of the way to Ponce. We
2 step down in the Zoning Code. This is the
3 first block. It is.

4 My point is that, it's consistent with the
5 neighborhood isn't only looking to the west,
6 Mr. Pardo. It is also looking to the east, how
7 filling out that last block, with this color,
8 that's where I deem it consistent. That you
9 are finishing out a block, with the exact same
10 zoning as its neighbors, from street edge, to
11 the rest of the block circularly.

12 Now, yes, to the west, there are, which is
13 why we wouldn't allow an eight-story building
14 there, like you do have in some places not far
15 from here, close to single-family homes. I
16 don't think that's the same thing. I think,
17 reverting back -- and the design is different.
18 I get it. It's a smaller building, just like
19 sometimes we replace a smaller home, in Coral
20 Gables, with is a much larger one, and we lose
21 green space, as well, but an old home in the
22 North Gables, on a 7500 square foot lot, that,
23 now, all of a sudden, they build a two-story
24 5000 home, is not what was replaced. They can
25 do it. They can do it as of right, obviously.

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1 it's a single-family home under every
2 definition.

3 I admit, this is the last street, but it is
4 the last block, the last parcel, on a block
5 that is otherwise exactly what we're asking
6 for, and that's why I said it's consistent with
7 the neighborhood, not exclusively to the west,
8 but also to the east, and that's why I said
9 what I said.

10 MR. BUCELO: And there is a separation
11 from, I guess, where the property line ends?
12 There is a street before the --

13 MR. JIMENEZ: It's a street. It's a
14 street, yeah.

15 MR. BUCELO: Okay. I can't tell from the
16 map, because it's kind of blurry.

17 MR. JIMENEZ: To the west, it's
18 single-family.

19 MR. BUCELO: Understood, but there is a
20 street of separation, correct?

21 MR. JIMENEZ: Yeah. That's why I put here
22 the similar zoning, the land use. I mean,
23 obviously, you have the Youth Center. That's
24 the most special use we have, pretty much, and
25 then the church. So that's why I was saying,

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1 we can't be across from three single-family
2 homes, because there aren't three corners that
3 have a single-family home on it, and it's a
4 residential use, a hundred percent residential,
5 obviously, and exactly what you have to the
6 block to the north. I mean, pretty much. I
7 mean, not the same design, but the exact same
8 product.

9 MR. BUCELO: Correct. Thank you.

10 CHAIRMAN AIZENSTAT: Thank you.
11 Javier.

12 Excuse me --

13 UNIDENTIFIED SPEAKER: I don't know this
14 gentleman --

15 CHAIRMAN AIZENSTAT: We closed it to public
16 comment. I'd appreciate it.

17 UNIDENTIFIED SPEAKER: Okay. No problem.

18 CHAIRMAN AIZENSTAT: Thank you, sir.

19 UNIDENTIFIED SPEAKER: Yeah, no worries.
20 Thank you.

21 CHAIRMAN AIZENSTAT: Javier.

22 MR. SALMAN: Good evening, Mr. Jimenez.
23 How are you?

24 MR. JIMENEZ: How are you? Good. Thank you.

25 MR. SALMAN: I'm going to confine my

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1 comments basically to the schematic portion of
2 what this is. This is a schematic. This is a
3 rough massing. I think it's taller than the
4 existing buildings that are there. I think I
5 agree with Mr. Pardo, that your actual building
6 density, as a component of square foot per
7 acre, your FAR, is a bit higher than what was
8 there before, but, again, what was there was
9 just a land bank building enough to pay the
10 taxes. It was built in the '40s. There's a
11 bunch of them throughout the north end of the
12 Gables.

13 However, you have a unique situation here,
14 where you do have single-family residences
15 across the street. I would look at your site
16 planning and see where you can maybe rework the
17 entrances, so that it comes off Cardena, and
18 then you can slide the building closer to the
19 east, so you create a bigger setback on the
20 Cardena side.

21 I think that would go a long way to
22 establishing a little more street canopy along
23 that road and also setback your property a
24 little bit.

25 MR. JIMENEZ: The reason --

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1 MR. SALMAN: It will also make it more
2 compatible with what's across the street.

3 MR. JIMENEZ: The reason that I was out
4 there today was actually specifically to look
5 at the trees. None of the trees in the
6 right-of-way are affected by this, except one,
7 which we saw some pretty bad black olives, that
8 we can move oaks over. So the tree canopy --
9 there's no trees on the site, like not one, on
10 the site. There's just these two buildings.

11 So the tree canopy along the streetscape,
12 both on Anastasia and Cardena, remain. So
13 unless I misunderstand --

14 MR. SALMAN: That's not -- you're
15 misunderstanding.

16 MR. JIMENEZ: Okay.

17 MR. SALMAN: I'm looking at setting the
18 building back an additional ten feet along the
19 Cardena side, and rework the entrance, so that
20 the entrance is on Cardena. Look at it. This
21 is just a comment that is schematic.

22 MR. JIMENEZ: No. No. And I'll pass it
23 along.

24 MR. SALMAN: Look at it. I think it will
25 probably work. You may have to change some the

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1 parking portions of it. The garages may need
2 to move in a little bit, to get a little more
3 room to back around, but I think you still have
4 plenty of room. Look at it.

5 MR. JIMENEZ: I'll be -- I'm not -- I know
6 you guy are architects. I will pass it along.

7 MR. SALMAN: The point, you wanted
8 comments. That's what this is about.

9 MR. JIMENEZ: No. No, I'm happy to pass it
10 along.

11 MR. SALMAN: My comment, I think that an
12 additional ten feet on Cardena would give you a
13 greater setback, then you would have 20 feet to
14 then develop some real nice landscaping.

15 MR. JIMENEZ: I understand what you're
16 saying.

17 MR. SALMAN: To set back the building from
18 the housing, that is single-family, across the
19 street, across Cardena and across Anastasia,
20 from a scale point of view.

21 MR. JIMENEZ: Right. Across Anastasia is
22 exclusively the church, but --

23 MR. SALMAN: I understand.

24 MR. JIMENEZ: But I understand what you're
25 saying.

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1 MR. SALMAN: It's a one story building. It
2 looks like a house, okay.

3 MR. JIMENEZ: I understand what you're
4 saying about Cardena, and I understand now what
5 you're saying, to make --

6 MR. SALMAN: It's just --

7 MR. JIMENEZ: Are you basically saying to
8 make the alley two ways? Is that what you're
9 saying?

10 MR. SALMAN: One of the reasons we all live
11 in this City -- one of the reasons we all live
12 in the City is that we all have rules, okay,
13 and they're all about the rules of polite
14 behavior, and you're coming in to disrupt the
15 existing condition, which everybody else bought
16 into when they bought their properties or
17 inherited or whatever, and you're changing the
18 landscape. So you have to be attuned to those
19 people and what you're going to be doing and
20 the implications of what you're going to be
21 doing, as it will affect them.

22 Certainly, to go from a two-story to a
23 three-story building, ten feet from the
24 property line, is a change. What I'm saying
25 is, if you study it, perhaps your massing of

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1 it, maybe the end units, since you're bringing
2 them out forward, you change the shape of them
3 a little bit, so that you don't impact the site
4 lines as much, you know.

5 MR. JIMENEZ: I'm happy to pass that along
6 to the design --

7 MR. SALMAN: And that's what we're here
8 for.

9 MR. JIMENEZ: Of course.

10 MR. SALMAN: You're asking us for our
11 comments, and hopefully -- and the idea of
12 this, is that you get input on it, so that when
13 you come back, you don't have to do a major
14 redesign. So that you go away from this
15 meeting with some concrete ideas, that you can
16 take back and use in the development of your
17 project, to help it be more compatible with
18 what's around it, and that's what we're here
19 for.

20 MR. JIMENEZ: And thank you very much. And
21 I am happy to pass along the comments to the
22 designers, and --

23 MR. SALMAN: Do whatever you want with it.

24 MR. JIMENEZ: No. No. No. And now I'm
25 picturing it, so now I can communicate it --

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1 now it's not going to get lost in translation,
2 because you're an architect, and I'm going to
3 talk to an architect, and it's almost -- I
4 don't want to screw it up.

5 With respect -- and here's a question that
6 I have for this Board. We're not there yet on
7 the site plan.

8 CHAIRMAN AIZENSTAT: Before you do that,
9 why don't we finish, so you could ask --

10 MR. JIMENEZ: Oh, okay.

11 CHAIRMAN AIZENSTAT: Javier, are you done
12 with your comments?

13 MR. SALMAN: Primarily, yeah.

14 CHAIRMAN AIZENSTAT: Okay. Robert.

15 MR. BEHAR: Thank you.

16 CHAIRMAN AIZENSTAT: If that's okay and
17 then we'll --

18 MR. BEHAR: In principle, I don't have a
19 problem. And by the way, I do agree with
20 Javier's comment. Where I have a problem, and
21 this is why I voted against this process, to
22 come to this Board, and this was back in
23 January -- I remember, if we go back, I voted
24 against it. Why? Because this should have
25 gone to BOA to determine the compatibility to

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1 the project. We are not -- we may be
2 architects, but I don't think we should be
3 deciding whether this is compatible or not.
4 The Board of Architects should be doing that,
5 not us, and that's where I have the problem.
6 My concern is that -- it's, we're being put the
7 responsibility now to say, yes, we could look
8 into this, but, you know, is this really
9 compatible or not.

10 I would agree and -- that, to your north,
11 you have multi-family. To the north of that --
12 immediately to the north, you have a very
13 similar building type as you have here. So I
14 think the compatibility, from that aspect, is
15 there. I just don't like to be put in a
16 position that I'm determining whether this is
17 compatible or not. That should be the Board of
18 Architects.

19 I think that you heard some of the
20 comments, and if I would make a
21 recommendation -- you know, if I would -- we
22 cannot vote on anything. I do like to see what
23 one of the speakers asked for. If there is
24 something that is an agreement that may affect
25 this, I think that should be heard, before you

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1 come to us. I don't want to be put in a
2 position that I'm making a -- you know, at that
3 time, that even if we're making a decision,
4 with something floating out there that may
5 impact this or not. So those are my comments,
6 and I'll leave it at that.

7 CHAIRMAN AIZENSTAT: Thank you.

8 A lot of the comments were -- I echo a lot
9 of the comments that have been said. I agree
10 with Robert, in the process. I know there's a
11 gentleman that spoke about the request of the
12 delay, Mr. Carlos. I would encourage you, if
13 you wanted to, to speak to the City Attorney or
14 the representative. We can't control that. We
15 have no voice or vote on that.

16 I know that there was a lot of discussion
17 at the time when townhomes were being looked at
18 throughout the City, and part of that
19 discussion was the entrances for the cars were
20 through an alley, if that was available, and a
21 lot of the discussion was for the projects to
22 come close to the sidewalk, and that's up to
23 the Building Department, to take a look as to
24 what's best, and I agree. I mean, the Board of
25 Architects needs to go ahead and really look at

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1 this, as far as compatibility.

2 I agree with the comment that Felix made,
3 that basically said, you now have a second
4 comments -- meaning, the owners can come here,
5 and before -- you're going to have another
6 meeting with the neighbors, but they already
7 know what the project is, what's going on with
8 the interested neighbors.

9 Go ahead.

10 MR. JIMENEZ: And I was at the meeting
11 where you voted against that. I remember. I
12 was there for a different item. And that was
13 actually going to be the question that I had.
14 So I'm glad you brought up, because my question
15 to you all is, I still have to go to BOA. I'm
16 not asking you to approve the project,
17 because -- I'm showing you the project, because
18 I want the neighbors to understand what we're
19 looking to do with respect to uses. This has
20 nothing to do with the school. This isn't a
21 high story building. This is a -- it is a
22 townhouse development, consistent with the
23 zoning.

24 I've still got to go to DRC. I still --
25 like that all is done. So my question was

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1 going to be, wait, Guys. How much of this do I
2 have to have cooked, before I zone it, or
3 before I change the FLUM, and this, I would
4 happily bring in Staff or the City Attorney,
5 because what I'm here for is a land use and a
6 Zoning Code amendment. The Board of Architects
7 and the City's DRC will give me my comments,
8 the architectural comments, the impact and
9 everything else, absolutely.

10 Now, you're still a Board that I have to
11 appear before for this. So if you want to see
12 more than I've given you, it makes it a
13 different issue, because we're not cooked yet.
14 You know, it's like, let's get the Zoning and
15 then I know what to design.

16 So I agree with you, Mr. Behar and I was at
17 that meeting. I remember your comments. I
18 distinctly remember your comments. So that was
19 going to be my question. What do you want to
20 see next time around, from a design
21 perspective?

22 MR. SALMAN: Through the Chair.

23 CHAIRMAN AIZENSTAT: Yes, sir.

24 MR. SALMAN: What we're here to talk about
25 is a Zoning change. It's the reversion of a

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1 Special Use back to an MF3. So that's what
2 we're really here for. And how do we feel
3 about it? I think it's consistent with the
4 overall plan. I don't have an issue with that.

5 And I think that whatever aesthetic,
6 density, design, placement, comments that any
7 of us could have made are a bit out of turn,
8 because that's not what we're not here for, but
9 ideally you will -- you're getting them.
10 Whether you like it or not, you're getting
11 them.

12 MR. JIMENEZ: Absolutely. Which is why, if
13 you want more, then --

14 MR. SALMAN: The point of this whole thing
15 is that you get another bite at the apple,
16 both, you and the residents, so that when you
17 go to the Board of Architects, and you come
18 back here, you would have already gone through
19 the beginnings of one cycle, and we'll conform
20 your next cycles, so that it becomes more
21 linear. It's less of a back and forth, where
22 we would wholly object to the project, for
23 whatever reason, and that's what we're trying
24 to avoid.

25 MR. PARDO: Mr. Chairman?

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1 CHAIRMAN AIZENSTAT: Yes, sir.

2 MR. PARDO: I'd like to remind the Board
3 Members, also, the applicant, of exactly what
4 happened with the process. The process was, we
5 had the Chair of the Board of Architects
6 standing right there and told us that they had
7 been directed by the City Attorney's Office to
8 look only at -- as if certain changes of the
9 Zoning had already been approved, although they
10 weren't.

11 CHAIRMAN AIZENSTAT: Correct.

12 MR. PARDO: And to be crystal clear, what
13 this does is, it gives the ability for the
14 applicant to listen to, from a contextual
15 standpoint, what it is. In other words, if the
16 applicant goes to the Board of Architects now,
17 and the Board of Architects understands exactly
18 what we've been discussing and what our
19 concerns are and what the questions are, it
20 gives them the ability to do what they're
21 supposed to do, which is already in the Code,
22 and, then, it also gives the ability for the
23 City Attorney to understand that it's hand off,
24 Board of Architects does what they're supposed
25 to do, and they cannot be told, and you know

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1 this clearly, and that's the whole point.

2 The point is that they were being told, you
3 must considered this like if it was already
4 given, because their first question was, what
5 is the ask, and they were told, "You can't ask
6 what is the ask." This is why this process was
7 put in there, just to remind this Board.

8 MR. BEHAR: Mr. Chair, I have a question
9 for Mr. Pardo.

10 MR. PARDO: Sure.

11 MR. BEHAR: If they -- if they were coming
12 today with a conceptual approval, not a Zoning
13 approval, from the Board of Architects, where
14 they went back and they came and said, "No, we
15 don't think a massing of three stories is
16 appropriate, we're going to come in with a
17 massing -- we're only going to approve a
18 two-story," will you feel different than you
19 feel today?

20 MR. PARDO: Well, but keep in mind, the
21 question is not quite straight-forward as you
22 say. The question here is, keep in mind what
23 the Chair of the Board of Architects said. On
24 more than one occasion, in fact, numerous
25 occasions, they were being told that they could

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1 not ask what the ask is, and that has to do
2 with massing compatibility, siting, all of
3 these issues.

4 We have just given some input to the
5 applicant to be able to get together with the
6 neighbors and be able to discuss this. They
7 can do whatever they want, but what I'm saying
8 is, I stand by what we approved at that point,
9 because of the constraints that were being put
10 on the Board of Architects.

11 MR. BEHAR: Because the process was
12 different. They were asked to do something
13 without, you know -- and coming to the Planning
14 and Zoning Board for their approval or
15 recommendation before they made the decision,
16 but I -- I'll stand by my point. And you voted
17 for it. I voted against it. I think that the
18 process should have been, they go for
19 conceptual to the BOA, that says, you know
20 what, this is compatible. Before they make a
21 final determination or a decision, then it
22 would come to us.

23 Like I stated earlier, I am -- am I
24 approving just a conceptual change of Zoning,
25 that then goes to the BOA, and then it's going

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1 to come back to us? See, we're not.

2 MR. PARDO: Yeah, but Robert, I think the
3 clear picture here is that, the City Attorney's
4 Office cannot send one of their City Attorneys
5 to the Board of Architects and tell them, "You
6 can't ask for the ask." If fact, now what they
7 have to ask is, "Well, conceptually, what were
8 the comments? What was the input?" That's
9 what the -- the thing is here.

10 MR. BEHAR: Look, like I stated, I don't --
11 in principal, I don't have a problem with this
12 application. I just have a problem with the
13 process, that before it goes to the body that
14 is supposed to be making determination whether
15 it's compatible or not, it's coming to us.

16 MR. PARDO: And by the way, Robert, one of
17 the most important things about this is, that
18 normally, in Board of Architects, these
19 neighbors can't be heard by the Board of
20 Architects.

21 MR. BEHAR: Yes, they can. Yes, they can.

22 MR. SALMAN: Yes.

23 MR. PARDO: No. No. No. There are
24 certain restrictions.

25 MR. SALMAN: There's public comment at the

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1 beginning of the meeting, where they --

2 MR. PARDO: The public comment is at the
3 beginning of the meeting --

4 MR. SALMAN: Correct.

5 MR. PARDO: -- before the application even
6 comes up and it has to be given in writing, and
7 it has to be done in a certain way, et cetera.

8 In this particular case, they're -- under
9 sworn testimony, they're coming up here and
10 they're speaking their mind. I think it's a
11 win.

12 You know, Robert, you and I can disagree --
13 you know, respectfully disagree. I don't have
14 any problem with that. But I think that, at
15 the end of the day, the people -- you have a
16 developer that's developing, which is fine,
17 nothing wrong with that, but they will impact
18 with their decisions and their developments
19 people that have lived there for many years and
20 the value of their homes, which normally is
21 probably the largest investment in their life.

22 I have a real good problem when people
23 aren't given that right, and I think that this
24 system, right now, is the first one that's come
25 through here, and I don't think that it's

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1 damaging the applicant, because he's got the
2 ability to listen, but he can choose not to
3 listen, and that's fine. That's up to them.

4 CHAIRMAN AIZENSTAT: Thank you.

5 MR. PARDO: Thank you, sir. Sorry for
6 taking so long, but I think, being the first
7 one out of the shute, I think it was important,
8 and like I said, no -- you know, this is just a
9 difference of opinion.

10 CHAIRMAN AIZENSTAT: Mr. Jimenez, thank you
11 for being the guinea pig.

12 MR. COLLIER: Mr. Chairman --

13 MR. JIMENEZ: I didn't do it on purpose,
14 sir, so there is no need to thank me.

15 CHAIRMAN AIZENSTAT: Yes, sir.

16 MR. COLLIER: I just want to make one
17 comment about what the City Attorney's Office's
18 position was. The City Attorney's Office's
19 position is, you make the decisions on zoning
20 and land use. Board of Architects makes
21 decision on design. The thought here was for
22 you to get a -- for the Board of Architects to
23 be informed about what your thoughts were on
24 the zoning and the land use, but you added
25 about design, which I don't think is a terrible

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1 thing, and you've indicated the need for
2 certain sensitivity, given the surrounding
3 area.

4 So I think it is -- you've accomplished
5 what you wanted to accomplish.

6 MR. PARDO: And it is non-binding.

7 MR. COLLIER: We're not even voting on
8 anything.

9 MR. PARDO: Exactly.

10 MR. COLLIER: There's no vote tonight.

11 MR. SALMAN: You get all of this for free.

12 CHAIRMAN AIZENSTAT: Thank you.

13 MR. JIMENEZ: No, it wasn't free. I had to
14 pay my kids, remember.

15 MR. BEHAR: Listen, take it and run.

16 CHAIRMAN AIZENSTAT: Let's go ahead -- any
17 other comments, Mr. Jimenez?

18 MR. JIMENEZ: No. My only other question
19 would be, because there is uncertainty, so I'm
20 sorry, I don't want to be surprised later or
21 accidentally surprise you. I don't know if we
22 would have been to BOA by the time we get back
23 here. It's not required by the Code. But like
24 I said, you guys are voting, so if you're going
25 to require it, then I've got to factor that in.

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1 I know we would not have been to DRC,
2 because there's -- one thing is the design, and
3 applying for a Zoning change and a FLUM change
4 is relatively easy. I can show you these
5 eleven slides and we can talk about
6 compatibility and that's that. The design is
7 not really part of this application. If you
8 want to make it more so, then if you have more
9 questions or if the neighbors -- like I said,
10 we are -- I think it's August 25th, 26th --
11 August 26th, at the office, right here on
12 Salzedo, we're having the neighborhood meeting.

13 Like I said, 731 mailing have gone out
14 twice, one for this one and one for that one.
15 So there has been -- I hope to have people show
16 up. I hope to answer their questions. But the
17 design, we're not -- I don't know if we're
18 there yet. Now there's comments that -- I
19 understand the alley. I understand all of
20 that. But how much do you want from a design
21 purpose next month --

22 CHAIRMAN AIZENSTAT: I can't speak for
23 anybody else --

24 MR. JIMENEZ: -- where there will be a
25 determination? That's why I'm asking.

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1 CHAIRMAN AIZENSTAT: Well, I can't speak
2 for anybody else on the Board. For me, this
3 Board is not here to look at your design and
4 tell you how to design it. This Board is a
5 zoning and planning. For myself, I would
6 rather you go before the DRC and the Board of
7 Architects prior to coming back here.

8 MR. JIMENEZ: Okay.

9 CHAIRMAN AIZENSTAT: We look -- what I
10 would encourage, and one of the things we've
11 always required, is a site plan, when you come
12 back. That's what we would look at.

13 Yes, Javier.

14 MS. KAWALERSKI: And If I could just make a
15 comment. I think this was a win-win,
16 truthfully. You have information that you
17 didn't know about. Javier had great
18 suggestions, for example. Felix had some good
19 comments. And you heard from neighbors. This
20 is a win-win.

21 MR. JIMENEZ: Uh-huh. No argument. No
22 argument. I'm going to -- as much as I got
23 questions from you, I'm going to have to ask
24 them myself, because, like we said, I'm the
25 first one, so I wanted to know what --

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1 CHAIRMAN AIZENSTAT: Javier, do you have a
2 question?

3 MR. SALMAN: Through the Chair, we're
4 really here to help you, and so among the
5 things you may want to look into, is the
6 historic nature of those buildings, and see
7 what it's going to take to get a Certificate of
8 Appropriateness for demolition.

9 MR. JIMENEZ: We have a determination
10 letter request in from Historic, and that's a
11 requirement --

12 MR. SALMAN: I'm not asking if you got it
13 or not. I just want to make sure that it was
14 included as part of what you're doing.

15 MR. JIMENEZ: We've asked for it. Thank you.

16 MR. SALMAN: That's it.

17 MR. BEHAR: And I agree with the Chairman's
18 comments. What I would like to see, DRC, BOA,
19 before coming back over here. That's me,
20 personally.

21 MR. JIMENEZ: Okay.

22 MR. BEHAR: Thank you.

23 CHAIRMAN AIZENSTAT: Thank you,
24 Mr. Jimenez.

25 MR. JIMENEZ: Thank you very much.

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1 CHAIRMAN AIZENSTAT: Thank you, sir.
2 Next item, please.

3 MR. COLLIER: All right. This is Item F-1.
4 An Ordinance of the City Commission granting
5 Conditional Use approval for a Building Site
6 Determination, pursuant to Zoning Code Article
7 14, "Process," Section 14-202.6, "Building Site
8 Determination," and Section 14-203,
9 "Conditional Uses," to separate -- excuse me,
10 sir -- sir --

11 MR. BEHAR: Excuse me, sir.

12 CHAIRMAN AIZENSTAT: We're still conducting
13 a meeting.

14 MR. BEHAR: Excuse me, can you guys go
15 outside, please?

16 MR. COLLIER: Let's see if I can pick up
17 where I left off.

18 UNIDENTIFIED INDIVIDUAL: I'm sorry. He
19 says there was no tree on that property --

20 CHAIRMAN AIZENSTAT: Sir --

21 MR. BEHAR: Sir --

22 CHAIRMAN AIZENSTAT: Sir, please, we're
23 trying to conduct a meeting. Afterwards, we'd
24 be glad to listen, please. Thank you, sir.

25 UNIDENTIFIED INDIVIDUAL: No problem. Sorry.

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CHAIRMAN AIZENSTAT: Go ahead.

MR. COLLIER: -- "Conditional Uses," to separate one existing building site into two single-family building sites on property zoned Single-Family Residential (SFR) District, legally described as 1/2 of Lot 9, all of Lots 10 and 11, and the west 25 feet of Lot 12, Block 233, Revised Plat of Coral Gables Riviera Section, Part 13 (1154 Alfonso Avenue), Coral Gables, Florida; one building site consisting of the east 50 feet of Lot 9 and all of Lot 10 (west parcel), and the other one building site consisting of all of Lot 11 and the west 25 feet of Lot 12 (east parcel); including required conditions; providing for a repealer provision, severability clause, and an effective date.

Item F-1, public hearing.

CHAIRMAN AIZENSTAT: Thank you.

Do we have the applicant?

MS. RUSSO: Good evening, Mr. Chairman, Members of the Board. For the record, Laura Russo, with offices at 2334 Ponce de Leon Boulevard.

I am here this evening representing Gillian

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Gaggero Gazzolo and her husband, Alvaro Gazzolo. Only Gillian is here this evening. They are the owners and residents of the property at 1154 Alfonso Avenue. They've lived there for 26 years, raised their family there, and they have been Coral Gables residents for the past 35 years.

For those of you that may not be familiar with Alfonso Avenue, I know certain of you on the Board are, it is located a few blocks south of Hardee Road, and 1154 Alfonso is located west of Maynada Street, and just north of the Maynada Bridge, and it is abutted by the Mahi Waterway on its south side. This property measures 225 feet wide by 160 feet deep.

If I could ask them to cue up the -- there we go.

So this is a view of the subject property, looking at it from Alfonso Avenue, and this is a view of the property from the Mahi Waterway, looking at it from across the waterway.

The property, as I said, is a 36,000 square foot property. The applicants are proposing to separate the property into two building sites; one site to consist of 20,000 square feet, and

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the other site to consist of 16,000 square feet, and here would be the division of the property.

The average building site in the immediate area is 12,300 square feet, and within a thousand linear feet, it increases a little bit more, to 12,685 feet. The average street frontage of the surrounding properties within the perimeter is 92 feet. And, here, you can see very faintly, but you should have it in your package, the map that shows the 1,000 linear feet.

So, the Zoning Code allows for a new house -- if this house were to be -- the existing house, to be demolished, a new house could be built there, following the Zoning Code, of a size of 11,950 square feet, would be allowed at this residence -- at this property. To give you an idea, it would be way out of scale and character for the surrounding neighborhood, since they are much more smaller building sites.

This slide gives you a real idea. This is an actual 11,880 square foot house, also located on a waterway, a different portion of a

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waterway, and it is on a 37,000 square foot lot, and you can see, that's a rather massive property.

Here is another example of a house that has been built way out of character for the property. It's on South Alhambra. Some of you may remember when Anthony Abraham did all of the Christmas decorations. This is across the street, south, and there is a house, on six lots, and it now is about -- let's see, it's almost a 30,000 square foot site, and the house is 10,475 feet, and it's about three times larger, both, in property and in size and square footage, than all of the surrounding homes in the area.

The granting of this request, of our proposal, for this lot separation, would end up with two properties substantially larger than the majority of the homes in the area, 20,000 and 16,000 square feet, and, also, proposed homes at 5625 feet and 5948 feet.

So there's a lot of discussion about the Board of Architects. This house was reviewed by the Board of Architects. The architect, Antonio Rodriguez, of Cad Studio Architecture,

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designed two homes, one for each of the building sites, and he presented these designs to the Board of Architects numerous times; May 1st, June 12th, July 10th, and final approve was received on July 17th.

Alvaro and Gillian had originally intended to only demolish the eastern portion of their lot, to bring it into conformity with the Zoning Code, and then renovate the balance of the house. However, when the architect started reviewing the original plans, the house was built in 1948, but in 1980, it was doubled in size, and so the house has four different foundation slabs, two different electrical systems, two air conditioning systems, two septic systems. So, in essence, it's two houses under the cover of one house. So a structural engineer, who reviewed it, recommended that it be demolished.

This is the front of the replacement home. So this is the western parcel, 20,000 square foot parcel. This is the front of the home, and this is the back of the home.

The residence on the eastern parcel, which is the 16,000 square foot parcel, which is

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this, and this is the waterway view of that parcel.

So, now, the Zoning Code criteria for lot separation are numerous, as you guys probably know. One of the first things is that the lot size that are being proposed or the building sites being proposed have to be equal to or larger than the majority of the neighborhood. This application complies with that criterion.

The other criterion is unusual circumstances. It has to be a through block, two facings, different zonings on the block. Again, this application complies. We have double facing, the Mahi Waterway, which is a platted waterway, and Alfonso Avenue, on the front.

The other criterion is that it maintains open space, neighborhood compatibility, visual attractiveness, and this complies. The open space requirement for both homes that are being proposed exceeds the required open space that the City requires for single-family homes. There will be no canopy trees that are going to be removed on the eastern parcel, and on the western parcel, that has the existing home,

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there are two beautiful Japanese Orange Blossom trees, that are actually going to be moved to the front of the property. So there is no demolition of any -- or removal of any trees.

The following criterion requires that two of the following three be complied with; One, that the street or water front be equal to or greater than the majority within a thousand linear feet. That average is 92. We are proposing 100 and 125; that the building sites would not result in any existing structures becoming non-conforming, as it relates to setbacks, lot area width, ground coverage, et cetera; and the voluntary demolition of any portion of a house within the last ten years would negate that criterion. So we know, right now, we're going to propose demolition. We do not meet that criterion.

The last criterion, the subject property has been owned by the current owner continuously for a minimum of ten years. As I stated earlier, they've owned this house for 26 years and have lived there and will continue to live on the western parcel.

Gillian and Alvaro held a neighborhood

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meeting on May 1st and showed their neighbors their proposals for their homes, and I want to show you that they have immediate neighbor support, and I've listed the neighbors, not just told you, with their permission, and some of them had wanted to be here, but Sabater is out of town, someone else has school starting tomorrow. As you know, tomorrow is the first day of public schools, so they didn't want to spend their time here, when they're trying to get their kids ready, and one of the neighbors is still on vacation.

But as you can see, we have support on the west, immediate west, support on the immediate east, support on the north, and support across the waterway, and these are the people that are going to be impacted by the new homes, they're going to be impacted by the construction, and we have their support.

And here is a visual, a rendering, of the two homes side-by-side. So, just to be clear, the one on the right-hand side is the western parcel, because they're facing north, and the one on the left is the eastern parcel. So, on behalf of -- and this is the view from the

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1 waterway.

2 So, on behalf of Gillian and Alvaro, I
3 respectfully request your recommendation for
4 approval for this lot separation proposal --

5 CHAIRMAN AIZENSTAT: Thank you.

6 MS. RUSSO: -- and I'll be happy to answers
7 any questions, after you've heard from Staff.

8 CHAIRMAN AIZENSTAT: Thank you.

9 Next we'll go ahead and call the City.

10 MR. SOUTHERN: Good evening, Planning &
11 Zoning Board. Craig Southern, again, Planning
12 Official, with the City of Coral Gables.

13 If we could please have the Staff
14 PowerPoint presentation brought up, please.

15 All right. We're going to try to go
16 through this and just be concise. As
17 previously mentioned, the subject property is
18 at 1154 Alfonso Avenue. It's a conditional use
19 request and a building site separation.

20 If you take a look at our location map
21 here, as previously indicated by the
22 applicant's agent, the subject property lies
23 south of Alfonso Avenue, and north of the Mahi
24 Waterway. The existing subject property has
25 36,000 square feet, has 225 feet of frontage,

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1 and 160 feet of depth. It's a -- as you can
2 see on the slide, it consists of the east 50
3 feet of Lot 9, all of Lots 10 and 11, and the
4 west 25 feet of Lot 12, within Block 223 of the
5 Coral Gables Riviera Section Part 13.

6 The site currently contains a 3913 square
7 foot, two-story residence, that was built in
8 1948, along with a pool, patio, and existing
9 boat house.

10 If you take a look, you'll see the Future
11 Land Use and the Zoning Map designations, which
12 is similar to all of the surrounding
13 properties. Currently, it has single-family
14 low density Future Land Use Map designation,
15 and a Single-Family Residential Zoning
16 District. You'll take a look at the existing
17 survey right now of how the property currently
18 looks.

19 So, on to the request, if you take a look
20 at the proposed building site separation, the
21 applicants request a conditional use approval
22 under Section 14-202.6 (F) of the Zoning Code,
23 for a building site determination to demolish
24 the existing residence and to divide the
25 subject property into two single-family

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1 building sites. The west building site would
2 consist of 20,000 square feet, with a 125-foot
3 frontage, and it would be the east 50 feet of
4 Lot 9 and all of Lot 10. The east building
5 site would consist of 16,000 square feet, 100
6 feet of frontage, all of Lot 11, plus the west
7 25 feet of Lot 12.

8 So what is being proposed new, a 5625
9 square foot two-story residence is proposed on
10 the west building site, along with improvements
11 to the existing pool, patio, and boat house. A
12 new 5948 square foot, two-story home, is
13 proposed on the east building site. The
14 combined proposed floor area of 11,575 square
15 feet remains under the 11,950 square feet
16 maximum that's allowed for the existing unified
17 lot as is in its current configuration.
18 Individually, each proposed building site, if
19 approved, would still comply with the maximum
20 allowable floor area ratio for both, the west
21 and east building sites.

22 This may look slightly overwhelming, but
23 this is the building site information. This
24 table basically compares the proposed building
25 sites with the applicable Zoning Code

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1 requirements for a single-family residence.
2 This analysis shows the subject property can be
3 developed as proposed and meet the requirements
4 of the Zoning Code.

5 Once again, as previously indicated, the
6 cumulative floor area ratio that's permitted
7 currently, right now, of 11,950 square feet,
8 what is being proposed would be the combined
9 proposed floor area, if you add both proposed,
10 west building site, east building site, would
11 equal 11,573 square feet.

12 As previously mentioned in the applicant --
13 the applicant's agent's PowerPoint, it meets
14 all of our Zoning Code requirements, our site
15 development standards, and is also -- it meets
16 and exceeds the average, which the lot area
17 average within that thousand square feet
18 area -- let's see if I've got that here --
19 we'll get to it here in a second, but it
20 actually -- the averages is between 12,685 to
21 15,714. So you can see that the proposed
22 building sites are at 20,000 square feet and
23 16,000 square feet.

24 We'll take a look at the proposed
25 elevations, from both, the front and the rear.

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Here is the west building site, the front elevation; the east building site proposed front elevation.

As previously mentioned, this has gone through the whole entirety of the review process within the City. It went to the Development Review Committee March 21st of 2025, this year; the Board of Architects had four separate meetings, and the Board of Architects approved it last month, on the 17th. The mandatory neighborhood participation meeting was conducted on May 1st. And, now, tonight, we are at the Planning & Zoning Board, looking for a recommendation to the City Commission. This would require two City Commission hearings.

So public notification within the thousand foot radius, a total of 297 mailed notifications were sent out twice, during that May neighborhood participation meeting, and, then, previously, before the Planning & Zoning Board. City Staff has received a collective of ten letters of support from residents in the surrounding neighborhood.

Briefly, we'll let you know that two times

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we went -- as previously mentioned, letters to the property owners for the Neighborhood Participation Meeting and for this Planning & Zoning Board Meeting. The property has been posted three times, for the DRC Meeting, the Board of Architects meeting, and this Planning & Zoning Board Meeting. This item has also been posted twice on the City website, for the DRC, this Planning & Zoning Board Meeting. It's been advertised once in the newspaper, and has been sent out to e-mailed subscribers for this Planning and Zoning Board Meeting.

So Staff's recommendation is approval with conditions. As previously indicated, all conditional uses for building site determination must satisfy at least two of three items; so the street frontages, similar to the neighborhood, and the property owners have owned the property for more than ten years. They comply with those components. But due to the voluntary demolition due to the current property, it's straddling what would be the proposed lot lines.

The existing structures not falling into non-conforming, they will have to obviously

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demo the structure, so they would not satisfy that, but they do satisfy two of the three requirements.

So Staff has attached three conditions of approval. These three conditions are traditionally attached to any approval for a conditional use for a building site determination. This is pursuant to Section 14-202.6 (G). I'll try to briefly read the three of them.

The first one, the new single-family residence, both of them, constructed on separate building sites, shall meet all applicable requirements of the Zoning Code, and no variances shall be required or requested, which is currently the case.

Number Two, the plans depicting the site plans and elevations of the residence on the separated building sites and submitted as a part of the Conditional Use application, shall be made part of the approval, with any instructions or exceptions provided by the City Commission. Any changes to the plans are subject to Section 14-203.10 of the Zoning Code.

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And, finally, the third condition, a bond shall be required, as determined by the Building Official, if necessary, to ensure timely removal of any non-conformities as a result of the building site separation approval.

So, once again, City Staff, Planning & Zoning Staff, is recommending approval for this Conditional Use building site determination, with the three conditions.

If you have any questions, the applicant and Staff is here.

MR. BEHAR: I do have a question for Craig. One of the conditions, separate building sites. Are they required to replat or because the original -- they're putting the different lots based on Part of 9 and 10 and 11, so they don't need to replat?

MR. SOUTHERN: Yeah, there's no platting component with a building site determination.

MR. BEHAR: Okay. Thank you.

MS. KAWALERSKI: And I just have a question. What's on the west side of Lot 9 and what's on the east side of Lot 12?

MR. SOUTHERN: Can we pull the PowerPoint

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1 back up, please?
 2 CHAIRMAN AIZENSTAT: Before we go into
 3 questions, is there anybody -- Jill, do you
 4 have anybody for public comment?
 5 THE SECRETARY: We do.
 6 CHAIRMAN AIZENSTAT: One person?
 7 Sue, would you be okay if we take public
 8 comment from this one person and then we'll get
 9 into the questions?
 10 MS. KAWALERSKI: Sure. Absolutely.
 11 MS. REGISTER: I wasn't sworn in, by the way.
 12 CHAIRMAN AIZENSTAT: Please raise your
 13 hand. Go ahead.
 14 MS. REGISTER: Do you want my name first?
 15 (Thereupon, the participant was sworn.)
 16 MS. REGISTER: Yes, I do.
 17 My name is Debbie Register. I live at 1240
 18 Placetas Avenue. I was not able to attend the
 19 neighborhood, so that's why I came tonight.
 20 I am in support of dividing this property,
 21 and the only reason is, it's 100 feet and 125.
 22 If it was less than 100, I would not have
 23 agreed.
 24 It's a little too modern, but it's not as
 25 modern as the modern boxes we're getting. So

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1 MS. KAWALERSKI: Okay. So the homes on
 2 each side -- oh, I got it.
 3 MS. RUSSO: Correct. They're owned, and
 4 they know, and they've written letters of
 5 support to the City.
 6 MS. KAWALERSKI: Well, if I can just go. I
 7 mean, I'm impressed that, you know, you're so
 8 organized and had a neighborhood meeting on
 9 your own, and the neighbors are all for it, and
 10 I personally think it's fantastic. So you have
 11 a yes vote.
 12 CHAIRMAN AIZENSTAT: Felix.
 13 MR. PARDO: I know that the size of the
 14 property is 225 feet by 160. You're not
 15 splitting it down the very middle.
 16 MS. RUSSO: Correct, and that's in order
 17 that -- the City requires that each building
 18 site have a platted lot. So, in order to do
 19 that, you have -- one piece will have 25 feet
 20 more than the other, so that each site has one
 21 platted lot plus.
 22 It's sort of like Merrick used to do. If
 23 you go up in the North Gables, some houses were
 24 50, some were 75, some were two lots, a 100,
 25 but it's each -- each building site proposed

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1 as far as the architectural design, I'm okay,
 2 but I know that's not part of yours.
 3 So I am, you know, in favor of this, and
 4 it's going to be a plus to our neighborhood.
 5 Thank you.
 6 CHAIRMAN AIZENSTAT: Thank you, ma'am.
 7 Do we have any other speakers?
 8 THE SECRETARY: No.
 9 CHAIRMAN AIZENSTAT: Anybody on Zoom?
 10 THE SECRETARY: No.
 11 CHAIRMAN AIZENSTAT: On the phone platform?
 12 THE SECRETARY: No.
 13 CHAIRMAN AIZENSTAT: I'll go ahead and
 14 close it for public comment.
 15 Sue.
 16 MS. KAWALERSKI: Yeah.
 17 The east side of Lot 9, who owns that and
 18 what's there? And on the west side -- or on
 19 the east side of Lot 12, who owns that?
 20 MS. RUSSO: If we could put up the
 21 PowerPoint. On my PowerPoint, I had the names
 22 on the neighbors on either side. On the west
 23 side of the parcel, right, I think it's Rebecca
 24 Garcia, and on the east side of the parcel are
 25 Carmen and Carlos Sabater.

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1 will have one platted lot.
 2 MR. PARDO: The proposed houses, are they
 3 built to the very maximum of the FAR?
 4 MS. RUSSO: No, they are not.
 5 MR. PARDO: Okay. So do you have the
 6 number of what they're doing?
 7 MS. RUSSO: Yes.
 8 MR. PARDO: Because right now, if you take
 9 the maximum FAR of both lots, you get a total
 10 of 13,450 square feet; that if they would only
 11 build on one lot, it would be 11,950 square
 12 feet, which means there will be a 12 percent
 13 increase by putting two houses on there.
 14 MS. RUSSO: Right. One house, the one on
 15 the 20,000 square foot lot, is being proposed
 16 at 56 -- hold on. I have it here.
 17 MR. BEHAR: Actually, why don't you put up
 18 your presentation, the City, because it's
 19 clearly --
 20 MR. RUSSO: Yeah.
 21 MR. BEHAR: What they're doing is, what
 22 you're allowed to do in one of 11,900, the
 23 combined two square footages will be a little
 24 bit less than that.
 25 MS. RUSSO: Right. And --

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1 MR. BEHAR: It was on the City's --
 2 MR. PARDO: I'm not as young as you are, so
 3 I couldn't get the numbers that quickly.
 4 MR. BEHAR: Thank you. Thank you for that.
 5 MS. RUSSO: Bucelo one of them is built a
 6 lot less than what could be. One of them could
 7 be built to 7000. You're right, the total
 8 could be 13, if they maxed out both houses.
 9 MR. PARDO: Right.
 10 MS. RUSSO: And so they are reducing them,
 11 so that they are both under what one could be
 12 all by itself.
 13 MR. PARDO: I think it's important to
 14 understand, because most people don't
 15 understand that, in just an example that, it's
 16 a 12 percent increase of the square footage
 17 that you're allowed, and, obviously, the
 18 homeowner is not speculating, at least on one
 19 of the two houses, you know, so, therefore, by
 20 not going to the complete maximum, it's more
 21 compatible with the neighborhood.
 22 Then, the other -- yes, sir.
 23 MR. SOUTHERN: I just -- as Staff, I just
 24 wanted to clarify. So the existing site is, at
 25 this very moment in time -- the maximum FAR

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1 Council has established a precedent by changing
 2 the Code and not requiring this as an
 3 impediment to separating building sites.

4 MR. PARDO: It's still one of the
 5 requirements, if they can't meet the other two.

6 MR. COLLER: Right, but if they meet the
 7 other two, then they're not going to have a
 8 problem with the straddling of the sites. So
 9 they've created the precedent. They've changed
 10 the Code, and they're following the Code.

11 MR. PARDO: Okay. Those are all of my
 12 questions.

13 CHAIRMAN AIZENSTAT: Thank you.

14 MR. BUCELO: I'll be brief. I just have a
 15 few comments. I have no questions.

16 I think it's a great proposal. I think --
 17 I'd rather, personally, see two different
 18 properties than an 11,000 square foot mass. So
 19 I'm echoing your thoughts, I'm a yes vote, as
 20 well.

21 CHAIRMAN AIZENSTAT: Javier.

22 MR. SALMAN: I'll let Mr. Behar go first.

23 MR. BEHAR: Thank you.

24 Listen, I agree with the comments. I don't
 25 have a problem. I think I would rather see two

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1 permitted is 11,950.

2 MR. PARDO: That's what I said.

3 MR. SOUTHERN: Yeah. And with that split,
 4 they're actually going to be less. Even after
 5 splitting, they're going to be at 11,573.

6 MR. PARDO: Right, which is great. So, you
 7 know, the reason is, most people don't
 8 understand that, but I think that's important.

9 The other thing is that, unfortunately,
 10 over time, the Code has been changed over and
 11 over again, and my concern and my specific
 12 question to our City Attorney is, I think one
 13 of the most important components has always
 14 been, if there's something straddling the
 15 property. This Board has gone -- over the
 16 years has wrestled with that, and it used to be
 17 mandatory that you could not straddle, let's
 18 say, a fence, a gazebo or anything like that.

19 MR. COLLER: Or a barbecue pit.

20 MR. PARDO: A barbecue pit. That was the
 21 last one.

22 And the thing is that, you know, my
 23 concern, if you could address if is,
 24 establishing a precedent.

25 MR. COLLER: Well, I think your City

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1 houses, smaller houses, than one big one. So
 2 I'm in support of the application.

3 CHAIRMAN AIZENSTAT: Javier.

4 MR. SALMAN: I think that this is a perfect
 5 lot split application. I've rarely seen one.
 6 And, you know, I've lived long enough, and I
 7 was here long enough to see one. So I'm
 8 certainly in favor of this and I'm ready to
 9 make a motion on that.

10 CHAIRMAN AIZENSTAT: Well, I'd like to ask
 11 a few questions, if I may, before that.

12 Is there a covenant that exists on the
 13 property today?

14 MS. RUSSO: No.

15 There's a covenant?

16 CHAIRMAN AIZENSTAT: Can you -- may I ask
 17 you to come up, please?

18 MS. RUSSO: Come up. You have to say --

19 CHAIRMAN AIZENSTAT: Thank you.

20 Could you state your name and address, for
 21 the record, please?

22 MS. GAGGERO GAZZOLO: Yes. Gillian Gaggero
 23 Gazzolo, 1154 Alfonso Avenue. I'm the owner
 24 and applicant.

25 CHAIRMAN AIZENSTAT: Thank you.

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1 Is there a covenant that exists?
 2 MS. GAGGERO GAZZOLO: Yes, there is. And
 3 prior to even starting this, going through DRC,
 4 it's my understanding, in speaking to the City
 5 Attorney, that there's a simultaneous
 6 procedure, that when the Commission votes --
 7 that they vote in approval, they vote to
 8 release the covenant.
 9 MR. PARDO: Do you mean a unity of title?
 10 MS. GAGGERO GAZZOLO: And they've done this
 11 before.
 12 MR. PARDO: Unity of title?
 13 MS. RUSSO: Excuse me?
 14 MR. PARDO: Is it a covenant or a unity of
 15 title?
 16 MS. GAGGERO GAZZOLO: No, it is not. This
 17 is a restrictive covenant.
 18 CHAIRMAN AIZENSTAT: From when was that
 19 done or do you know what --
 20 MS. GAGGERO GAZZOLO: My understanding, it
 21 was done in 1980, when they did the --
 22 MR. SALMAN: The addition.
 23 MS. GAGGERO GAZZOLO: -- the addition to
 24 the house, and there's a whole story, but I
 25 don't have facts to back it up. So I'm not

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1 CHAIRMAN AIZENSTAT: And just as one Board
 2 Member, while I understand that the Commission
 3 can undo the covenant, the covenants were put
 4 in place for a reason.

5 As far as the unusual circumstances, such
 6 as multi-family facing -- I'm sorry, multiple
 7 facing --

8 MS. RUSSO: Multiple facing, uh-huh.

9 CHAIRMAN AIZENSTAT: Correct. I'm not so
 10 sure the intent was -- if waterway is one of
 11 the facing. I'm not sure. I can't tell you
 12 that, but, to me, it doesn't meet that
 13 requirement, because of that, and the fact that
 14 there is a house built across it, as Felix had
 15 stated before. I understand it's not one of
 16 the determinations.

17 You have the votes, you have the support,
 18 but, for me, a lot split -- it's a nice design.
 19 Don't get me wrong.

20 MS. GAGGERO GAZZOLO: Thank you.

21 CHAIRMAN AIZENSTAT: It's a very nice
 22 design. I have no issues with it. My only
 23 comment would be, to Laura, that when the
 24 project goes to the BOA for four times and then
 25 it's stated that the BOA approved it with no

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1 going to say any more, but that's what I
 2 understand.
 3 CHAIRMAN AIZENSTAT: I appreciate it.
 4 MR. COLLER: That was also a change,
 5 because --
 6 CHAIRMAN AIZENSTAT: Understood.
 7 MR. COLLER: -- because the City Council --
 8 if they're going -- since they're the ones that
 9 have the ability to release the covenant, since
 10 they're approving the lot split, and they're in
 11 a position to release the covenant.
 12 CHAIRMAN AIZENSTAT: Okay. Are you under
 13 any contract or agreement to sell the property
 14 currently?
 15 MS. GAGGERO GAZZOLO: No.
 16 CHAIRMAN AIZENSTAT: Okay. So your intent
 17 is to live on one and --
 18 MS. GAGGERO GAZZOLO: Absolutely. We love
 19 Coral Gables. We want to stay right where we
 20 are.
 21 CHAIRMAN AIZENSTAT: Thank you.
 22 For me, I've always been against lot
 23 splits. Laura knows this.
 24 MS. RUSSO: I know that. I know that very
 25 well.

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1 comments, I think there were a lot of comments
 2 along the way to get it to that point.

3 MS. RUSSO: There actually were a lot of
 4 comments, but they had to do with the
 5 architecture and trying to get one to be more
 6 Florida vernacular, which is the western
 7 parcel, which is the parcel that Gillian and
 8 her husband will live in, and the other parcel,
 9 to make sure that they were different enough,
 10 and that -- they particularly wanted the
 11 Florida vernacular. They had a different
 12 style. And so the architect and Gillian very
 13 willingly worked with the Board of Architects
 14 to come up with the style that the Board felt
 15 was more compatible with the neighborhood.

16 So it wasn't that they didn't have
 17 comments. You know, they did.

18 CHAIRMAN AIZENSTAT: Understood.

19 MR. PARDO: It doesn't look like a
 20 development where you have, you know, Model A,
 21 Model B next to it --

22 CHAIRMAN AIZENSTAT: Or they're both not
 23 the same.

24 MR. PARDO: Yeah. That's what it is.

25 CHAIRMAN AIZENSTAT: I appreciate it.

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1 If anybody would like to make a motion.
 2 MR. SALMAN: Through the Chair.
 3 CHAIRMAN AIZENSTAT: Yes, sir.
 4 MR. SALMAN: I'd like to make a motion that
 5 we approve this item in conformance with the
 6 Staff recommendation and the conditions set
 7 forth by Staff be adopted as part of this
 8 approval.
 9 MR. BEHAR: I'll second it.
 10 CHAIRMAN AIZENSTAT: We have a motion. We
 11 have a second. Any discussion? No?
 12 Call the roll, please.
 13 THE SECRETARY: Sue Kawalerski?
 14 MS. KAWALERSKI: Yes.
 15 THE SECRETARY: Felix Pardo?
 16 MR. PARDO: Yes.
 17 THE SECRETARY: Javier Salman?
 18 MR. SALMAN: Yes.
 19 THE SECRETARY: Robert Behar?
 20 MR. BEHAR: Yes.
 21 THE SECRETARY: Alex Bucelo?
 22 MR. BUCELO: Yes.
 23 THE SECRETARY: Eibi Aizenstat?
 24 CHAIRMAN AIZENSTAT: No, but thank you very
 25 much.

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1 MS. RUSSO: Thank you. I understand. I
 2 take no offense.
 3 CHAIRMAN AIZENSTAT: It's a beautiful
 4 design.
 5 MS. RUSSO: Thank you.
 6 CHAIRMAN AIZENSTAT: And I wish you all the
 7 best.
 8 MS. RUSSO: Thank you very much. It's much
 9 appreciated.
 10 CHAIRMAN AIZENSTAT: Thank you.
 11 Next item, please.
 12 MR. COLLER: Next item, Item F-2, an
 13 Ordinance of the City Commission providing for
 14 text amendments to the City of Coral Gables
 15 Official Zoning Code, Article 9, "Art in Public
 16 Places," to amend certain provisions related to
 17 the Art in Public Places process including
 18 timing of payments, limits on art consultant
 19 fees, scope of fee waiver opportunities, and
 20 creating provisions for the regulation of
 21 Private Art that is highly visible from the
 22 public right-of-way; providing for repealer
 23 provision, severability clause, codification,
 24 enforceability and providing for an effective
 25 date.

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1 Item F-2, public hearing.
 2 CHAIRMAN AIZENSTAT: Thank you.
 3 Sir.
 4 MR. SOUTHERN: Forgive me.
 5 All right. Good evening, again, everyone.
 6 As just indicated, this text amendment is
 7 for the City of Coral Gables Art in Public
 8 Places. Is that the item we're on? Okay.
 9 Thank you.
 10 CHAIRMAN AIZENSTAT: Thank you, sir.
 11 MR. SOUTHERN: Thought I was --
 12 MR. BEHAR: State your name, for the
 13 record.
 14 MR. SOUTHERN: Craig Southern, once again,
 15 for the third time, Planning Official, City of
 16 Coral Gables.
 17 Briefly, the City of Coral Gables' Art in
 18 Public Places program was established under
 19 Article 9 of the Zoning Code. It is a
 20 municipal initiative that integrates public art
 21 into both, municipal and private development
 22 projects, reinforcing the City's identity,
 23 cultural heritage and commitment to high
 24 quality design. Modeled, in part, after the
 25 Miami-Dade County's Public Art Ordinance, the

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1 program requires eligible construction projects
 2 to contribute a percentage of the construction
 3 cost toward the acquisition, installation and
 4 maintenance of publicly accessible art.
 5 Tonight, we're lucky enough to be joined by
 6 a fellow Staff Member here at the City of
 7 Gables, Catherine Cathers. She's the Art and
 8 Cultural Specialist. She's the one that
 9 actually worked quite a bit on these text
 10 amendments.
 11 But very briefly, we're going to have her
 12 actually come up here, but I'll just give you a
 13 brief overview of some of the points of what
 14 these text amendments are proposing within
 15 Article 9. One of them is allow fee payments
 16 prior to issuance of Certificate of Completion
 17 or Temporary Certificate of Occupancy, for
 18 TCOs; refine waiver provisions, to ensure they
 19 are directly tied to public art or related to
 20 public benefit; codify limits on art consultant
 21 fees, that may be credited toward project
 22 requirements; and updates within the definition
 23 component within Article 9; and procedural
 24 language for consistency and transparency.
 25 So if we could have Ms. Cathers come up and

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1 she can definitely do a better job than I'm
2 doing.

3 MS. CATHERS: Good evening, Chair, Members
4 of the Board. Catherine Cathers, Arts and
5 Cultural Coordinator for the City of Coral
6 Gables.

7 So as Craig, and Craig, have mentioned, we
8 are just looking for, you know, refining the
9 Code a little bit. It's going to help both,
10 from the Staff side, and also from the public
11 side. I would like to mention that these
12 revisions, I believe they came -- most of them
13 came before this Board previously, about a year
14 ago. Then never went on to Second Reading. So
15 they're coming back again, with the addition of
16 language requiring -- addressing the payment of
17 the fee and when that is triggered. So that's
18 the most significant change, since the last
19 time you saw this.

20 This has been reviewed and recommended for
21 approval by both, the Arts Advisory Panel and
22 the Cultural Development Board, and we are
23 ready to go to the City Commission, on Second
24 Reading, following your input.

25 CHAIRMAN AIZENSTAT: Thank you.

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1 Do we have any speakers on this item?

2 THE SECRETARY: No speakers.

3 CHAIRMAN AIZENSTAT: No speakers, on either
4 of the three platforms?

5 THE SECRETARY: No.

6 CHAIRMAN AIZENSTAT: I'll go ahead and
7 close it for public comment.

8 Go ahead, Robert.

9 MR. BEHAR: Thank you.

10 And I think this is a great modification to
11 the process. I like the fact that the payments
12 are due at TCO, not before, because until the
13 project starts getting built, it makes no sense
14 for somebody to make a payment, not knowing
15 what's going to happen. So I think that was
16 very, very good.

17 I do would like to see that more artwork
18 will be implemented in the actual projects,
19 than just a payment for the City, because I
20 think we would benefit more, as a community, if
21 we could walk around, and, you know, see the
22 artwork throughout, not -- you know. So I
23 would like to see that to be more, you know,
24 important than just the payment, but I think
25 this is very good. Congratulations.

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1 CHAIRMAN AIZENSTAT: Thank you.

2 Javier.

3 MR. SALMAN: Could you talk a little bit
4 more about the limitations on the value of the
5 art that you are proposing?

6 MS. CATHERS: This really has to do with
7 the percentage that goes towards consultant
8 fees. And, you know, right now, it's ten
9 percent. So we're just providing more clarity
10 on that.

11 MR. SALMAN: Is there any limitation as to
12 the value of the art, other than what's
13 specified as a requirement which is a
14 percentage?

15 MS. CATHERS: No. There's no limitation.
16 It could be -- and sometimes, this has
17 happened, where the art has been above and
18 beyond whatever the requirement is.

19 MR. SALMAN: One would hope so, but my
20 question is, have you had situations where they
21 are less than what's required and it just
22 simply stated a value that is in compliance,
23 but not necessarily of value?

24 MS. CATHERS: Yeah. So a couple of things.
25 At the close of a project -- for one thing,

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1 within the resolutions that we put forward to
2 the Commission, part of that resolution is that
3 if it is under the amount, that they pay that
4 difference into the fee. So if they have
5 chosen and received the waiver, at the closeout
6 of the project, we go through, you know, asking
7 for the receipts -- you know, the invoices and
8 receipts, so we know what those payments have
9 been and we rectify it.

10 Did that answer your question?

11 MR. SALMAN: Halfway.

12 We live in a City that's full of clever
13 people, so I just would hate to see somebody
14 submit, you know, a decorated garage can and
15 calling it art, you know, and say, "Oh, it's
16 worth \$150,000, so we've met our requirement."

17 MS. CATHERS: Sure.

18 So we do have requirements for the artists
19 themselves. They go through a strict review
20 process by the Arts Advisory Panel, to make
21 sure that they are professional working
22 artists. So you couldn't just have, you know,
23 your uncle, that's doing art in their garage.
24 They do have to meet certain qualifications.

25 MR. SALMAN: I understand.

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1 MS. CATHERS: So, yes.

2 MR. SALMAN: On very large projects -- and
3 forgive the example -- where you would have a
4 good six figure piece of art that you're going
5 to have as part of Art in Public Places, is
6 there any determination as to that value and
7 whether that's commensurate with the art that's
8 being proposed?

9 MS. CATHERS: So if it is a purchased
10 piece, then we do require an appraisal, which
11 is covered in the Code itself. If it is a
12 commissioned piece, then it is the value that
13 has gone into the construction, the
14 application, the design, all of those elements.

15 MR. SALMAN: All right. Thank you. That
16 was just -- I think it was worth clarifying.

17 CHAIRMAN AIZENSTAT: Thank you.

18 Alex.

19 MR. BUCELO: No comments. To echo
20 Mr. Behar's thoughts, I like the changes.

21 CHAIRMAN AIZENSTAT: Okay. Sue.

22 MS. KAWALERSKI: Yeah. Just a question.
23 Section 9-106, Private Art on Mixed-Use and
24 Multi-Family Properties, is that a whole brand
25 new section? It's all underlined in here.

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1 people can enjoy the artwork, significant
2 artwork, in fact, I think would be better.

3 The second thing is that, I have noticed at
4 least one building, and I will not name it, on
5 a major artery, where they have artwork that
6 was placed there, that it really looked like it
7 belong somewhere else. You know, it didn't
8 have the quality of the thing. I know that you
9 can't determine everything, but sometimes I
10 really feel that some of the artwork that has
11 been put up is just not enjoyed -- it could
12 technically be, you know, in a public place,
13 but it's not the original intent of when the
14 County came up with the Art in Public Places.
15 They put it in areas that -- you know, whether
16 it was off US-1, where people -- you know, 60,
17 80,000 cars can go by and actually enjoy it, or
18 in the setting of a park. I really think that
19 the site location is very important.

20 I understand what Robert is saying, but not
21 always, when you have, let's say, a big
22 building, it could be right up on the sidewalk,
23 and there's absolutely no place to do that,
24 and, then, not everyone has plazas, such as The
25 Plaza, you know, where they could exhibit more

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1 MS. CATHERS: Yes, it is. So that is to
2 address art that is in the public view, but is
3 privately owned and is not in compliance with
4 having to -- you know, so if a developer, which
5 has happened, chooses, on their own accord, to
6 purchase art or place art on that property, if
7 it is still within the public view, then this
8 allows for us to have some sort of review
9 process, that's outside of having to go to the
10 full way of Commission. It's more of a Staff
11 review, from the BOA side, and the Staff side,
12 in our department.

13 MS. KAWALERSKI: Thank you.

14 CHAIRMAN AIZENSTAT: Thank you.

15 Felix.

16 MR. PARDO: I look at some of these
17 projects and the setbacks that they have.
18 Especially the larger projects, they have very
19 little area to place, you know, artwork there,
20 where it could be substantially enjoyed by more
21 citizens, also the location. Some of the
22 locations of some of the buildings that are
23 going up are on basically a back street type of
24 thing, and I think, having the option of
25 placing this in a more public area, where more

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1 of their artwork that they donated in that
2 area.

3 MS. CATHERS: Yeah, we agree 100 percent
4 with you. So that's one of the things that the
5 panel, especially the Arts Advisory Panel,
6 they're the ones that definitely have a more
7 indepth conversation about these projects, and
8 they're coming from their professional
9 background in it, and siting is very, very
10 important. So they're always looking at, you
11 know, is this really visible. You know, you're
12 saying it's visible. Is it really visible?

13 MR. PARDO: Right.

14 MS. CATHERS: And looking at it from the
15 different angles. So it's definitely
16 important. I think it is sometimes a
17 compromise between the public developer, who's
18 doing this, to put the art in there, on their
19 site. They also do have the option, which
20 they've taken sometimes, of either
21 commissioning or purchasing a piece and putting
22 it on public land, you know, and donating it to
23 the City. So that has happened, as well.

24 I have to say, one of the things that, you
25 know -- one of the things that I love about it

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1 is that there's a lot of flexibility for this
2 City, and the options for the developers.

3 MR. PARDO: I think the viewports are very,
4 very important. You see it everywhere, from
5 Washington DC, to any place, where you have the
6 viewports going specifically and accentuates
7 and complements the artwork and it just becomes
8 more enjoyable, by more people. So I think
9 that trimming some of the potential abuse areas
10 are important.

11 I also agree with Robert, that, you know,
12 paying for this at the end is really more in
13 keeping with being fair, but, you know, it has
14 to be done.

15 Can you tell me, does -- in the City's
16 coffers, for art, dedicated, where you've
17 received contributions, approximately how much
18 money do you have available at your
19 disposition?

20 MS. CATHERS: Right now, because we've had
21 some major acquisitions and decisions, right
22 now it's probably between three and four
23 million.

24 MR. PARDO: I'm sorry?

25 MS. CATHERS: Between three and four

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1 million is my guesstimate.

2 MR. PARDO: Thank you so much. I
3 appreciate it. Those are all of my comments.

4 MR. BEHAR: I want to address one comment
5 that Mr. Pardo made, because I've seen a
6 project that the artwork that was put in -- one
7 of my projects, that I didn't even participate,
8 and I think that the committee should look at
9 it more closely, to make sure it's compatible.
10 I haven't taken a picture of the project,
11 because I don't like the artwork, put it that
12 way. So I think that please be more --
13 scrutinize the artwork. I know it's
14 subjective, but be compatible.

15 MS. CATHERS: I'm just wondering, maybe
16 it's the piece that is addressed in the private
17 part. I'm not sure.

18 MR. BEHAR: Okay.

19 MS. CATHERS: But it could possibly be --
20 it is, in that case -- it was purchased outside
21 of an approval process, in keeping with their
22 requirement.

23 CHAIRMAN AIZENSTAT: Thank you.

24 I echo the same sentiments of my fellow
25 Board Members. I highly would like -- I would

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1 very much like to see the art be placed in a
2 building that it's intended to, as opposed to a
3 fund. I think that gives a lot of value to the
4 City, not just the property, but to the City as
5 a whole, when you're walking through. I
6 support what you're doing.

7 MS. CATHERS: And realistically, sometimes
8 it really needs to hit a certain bar, before
9 they can have a piece that's significant enough
10 for them to do that. So we're still working
11 with the different departments about the
12 collection and how that will happen. It will
13 be easy to administer on those larger projects,
14 but the smaller projects, we still want to give
15 them the opportunity to pay in advance.

16 So, like I said, it really is, I think, a
17 benefit, and I agree, for these larger
18 projects, that sometimes don't have that
19 capital in advance.

20 CHAIRMAN AIZENSTAT: Thank you.

21 Would anybody like to make a motion?

22 MR. BEHAR: I'll make a motion to approve.

23 MR. BUCELO: I'll second.

24 CHAIRMAN AIZENSTAT: We have a motion.

25 Alex goes ahead and seconds. Any discussion?

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1 No?

2 Call the roll, please.

3 THE SECRETARY: Felix Pardo?

4 MR. PARDO: Yes.

5 THE SECRETARY: Javier Salman?

6 MR. SALMAN: Yes.

7 THE SECRETARY: Robert Behar?

8 MR. BEHAR: Yes.

9 THE SECRETARY: Alex Bucelo?

10 MR. BUCELO: Yes.

11 THE SECRETARY: Sue Kawalerski?

12 MS. KAWALERSKI: Yes.

13 THE SECRETARY: Eibi Aizenstat?

14 CHAIRMAN AIZENSTAT: Yes.

15 Thank you.

16 MS. CATHERS: Thank you very much.

17 CHAIRMAN AIZENSTAT: We have two more
18 items. Mr. Coller.

19 MR. COLLER: Item F-3, an Ordinance of the
20 City Commission providing for a text amendment
21 to the City of Coral Gables Official Zoning
22 Code, amending Article 14 "Process" to revise
23 attendance requirements for the Planning and
24 Zoning Board, Board of Adjustment, the Historic
25 Preservation Board and the Code Enforcement

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Board; providing for a repealer provision, severability clause, codification, and an effective date.

Item F-3, public hearing.

CHAIRMAN AIZENSTAT: Thank you, sir.

Sir.

MR. SOUTHERN: Craig Southern, Planning & Zoning Division.

CHAIRMAN AIZENSTAT: It sounds like a radio station when you come on.

MR. PARDO: I think you've said that before.

MR. SOUTHERN: Hopefully it's pleasurable.

CHAIRMAN AIZENSTAT: It does.

MR. PARDO: How's the weather?

MR. SOUTHERN: So this item is basically about Board attendance for the Planning & Zoning Board, Board of Adjustment, Historic Preservation Board, and the Code Enforcement Board. Hopefully everybody's had a chance to look at the Staff report, but, briefly, some of the items that are underlined, "A Board Member shall be automatically terminated if they fail to attend two of three successive meetings, unless excused. Excused absences shall include

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jury duty, illness, and absent from the City, when a Board Member is unable to attend remotely. In addition, excessive absences, as defined in Section 2-54 of the City Code, shall constitute grounds for removal by the City Manager."

There's also additional text amendments to Section 14-104.2, Subsection D, which basically repeats the same exact language about attending two of three successive meetings unless excused. It repeats, as well, in Section 14-105, for the Historic Preservation Board, and it repeats again for the Code Enforcement Board.

So that's primarily the main component of the text amendment, is that if -- a Board Member shall be automatically terminated if they fail to attend two of three successive meetings, unless excused.

CHAIRMAN AIZENSTAT: Thank you.

Jill, do we have anybody for public --

THE SECRETARY: No, no comments.

CHAIRMAN AIZENSTAT: No comments. So we'll go ahead and close it for public comment.

Alex.

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MR. BUCELO: I'm in agreement. I'm absolutely in agreement. I'm a yes vote.

CHAIRMAN AIZENSTAT: Sue, any comments?

MS. KAWALERSKI: I'm in agreement, as well.

CHAIRMAN AIZENSTAT: Felix.

MR. PARDO: I have a question. In all of your provisions, you mentioned Section 2-54, so I actually made a copy, since it wasn't in our packet, and it's pretty much, you know, pretty, close to what you're proposing. The only thing that I'm a little concerned with is, for example, it's either jury duty, or it's this, or it's that, and if you have the ability to be on Zoom or a phone call.

Let me tell you, I have a civil engineer that came down with a second case of COVID on Friday, and the first one, he was over it in a day, no issue. The second one, fainting spells, you know, impossible for him to be on the phone, watering eyes, couldn't see a screen. I think that the way that it's, you know, tightly defined now, is not in keeping with what was there. You know, it's -- I think -- I understand what you're trying to do, which is -- and we all do, if you make the

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commitment to be on the Board, be there, but I think that the definition of the exceptions is a little narrow right now, because if you're basically incapacitated at home, you know, with COVID and you can't see your screen because of watery eyes and you have fainting spells, you know, I think a medical condition like that, even though you have access to Zoom, even though you have access to your phone, doesn't necessarily mean you can attend remotely in a coherent fashion.

MR. SOUTHERN: Staff believes that would still fall under illness; so whatever that extended amount of illness would be.

MR. PARDO: Right, and I just want to make sure that that is understandable, because it says that it's not up to this group -- you know, calling in to this group. It's up to someone else. I don't know if it's the City Manager or whatever.

2-54 actually went into, you know, if you're in the United States Armed Forces, and, you know, you get called to active duty, and if you're a national, state or homeland defense or something like that -- you can see it's dated,

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1 right, but the intent was, you know, be there.
 2 And also, it says -- all of the Boards that
 3 you're talking about now are monthly Boards,
 4 and it said here, "For a Board that meets
 5 monthly on a regular basis, more than three
 6 unexcused absences in any consecutive
 7 twelve-month period," I think that was better
 8 done. I would, you know, hope that you could
 9 reconsider this, because that basically gives
 10 you the direction. The City Manager has the
 11 power to remove anyone that doesn't comply with
 12 it. That's in here, also. You mention this
 13 2-54.

14 I would think that maybe keeping more into
 15 that, instead of just, you know, handcuffing
 16 someone to jury duty or something like that,
 17 the same as armed services -- you know, I think
 18 it could have been done a little bit better. I
 19 would hope that we could defer this item, and
 20 have them come back, just fine tune it a little
 21 bit, and make it more in keeping with 2-54, and
 22 just giving enough latitude for that.

23 Those are all of my comments, Mr. Chair.

24 CHAIRMAN AIZENSTAT: Thank you.

25 Javier.

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1 MR. SALMAN: I would like to see a better
 2 description of the adjudication of an excused
 3 absence, as to how it can be done, who it has
 4 to be reported to, what the process is of that,
 5 and whether or not the acceptance of an excused
 6 absence by the majority of this Board would
 7 constitute an excused absence.

8 MR. SOUTHERN: Okay. We could --

9 MR. SALMAN: Second, I don't believe that
 10 the City Manager, who is not an Elected
 11 Official, but serves at the pleasure of Elected
 12 Officials, should be tasked with the removal of
 13 any Board Member, who has been approved by the
 14 Commission. I think he should make a
 15 suggestion to the board -- to the Commission,
 16 to remove a member, and let them unselect them.
 17 I don't think that -- that power should remain
 18 with the Commission, both, the removal, as well
 19 as the ratification of the member. That's just
 20 my thought.

21 MR. SOUTHERN: Yeah, we can definitely
 22 consider that.

23 CHAIRMAN AIZENSTAT: Thank you, Javier.

24 MR. COLLIER: Well, since this is -- has
 25 this been to First Reading already?

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1 My thinking is, if you want these
 2 amendments, I would make that as part of your
 3 recommendation, to go to the Commission and say
 4 you want -- if the Board feels this way, how
 5 excused absences are decided, who decides them,
 6 and feeling that it should be other than
 7 this -- the City Manager. I mean, you can make
 8 that as part of your recommendation.

9 MR. SALMAN: I think that the City Manager
 10 is more than adequate to make the
 11 recommendation.

12 MR. COLLIER: No, I'm sorry, but as far as
 13 who makes the decision.

14 MR. SALMAN: Right. Right.

15 CHAIRMAN AIZENSTAT: Robert.

16 MR. BEHAR: I don't have a problem. If
 17 this is addressing three absences within the
 18 year -- within twelve months --

19 MR. SALMAN: It's two out of three.

20 MR. BEHAR: No, but consecutive. You know,
 21 if I'm sick, and it doesn't count as a valid,
 22 you know, absence -- you know, listen, I would
 23 not disagree, in principal, with what you're
 24 saying, Felix, because it may be not only
 25 COVID, it may be something else that I'm going

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1 to be, you know, in the hospital.

2 MR. PARDO: You missed the plane.

3 MR. BEHAR: You know, so I do think that we
 4 need to put limitations on how many absences a
 5 Board Member -- because we don't want to be
 6 here, you know, only five of us show up, and a
 7 Board Member don't -- because it's not fair.
 8 If you commit to do it, you've got to follow
 9 through.

10 I don't have a problem -- you know, the
 11 only thing that I would maybe look at is
 12 clarifying the excuses -- you know, excused
 13 absences, where it may be a medical condition,
 14 like you said. I don't have a problem with the
 15 Manager making decisions, because at the end,
 16 who -- you know, who's going to do it? It goes
 17 back, or maybe a recommendation to the City
 18 Commission.

19 But I don't have a problem with this, if we
 20 could clarify some of the absences.

21 MR. PARDO: I would suggest that you send
 22 2-54 to the Board Members. It's crystal clear.
 23 And, in fact, it goes into meetings that are
 24 monthly, meetings that are less than a month,
 25 meetings -- and it tells you how many, but it's

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1 normally, in any consecutive twelve-month
2 period, like what Robert was saying.

3 The other thing is, that every board that
4 I've sat on, one of the first things on -- you
5 know, before accepting the minutes of the
6 previous meeting, the first thing is excused
7 absences, and it's voted on by the members.

8 MR. BEHAR: Right.

9 MR. PARDO: And the reason is, because
10 normally you pick up the phone and you're going
11 to call Jill and say, "Jill, you know, I'm
12 sorry. I broke my leg. You know, I'm in the
13 hospital. They're taking X-rays." you know,
14 and you're talking to someone. That's conveyed
15 then to the Chairman, and then the Chairman
16 brings it up at the very beginning, and the
17 Board votes on it.

18 MR. BEHAR: I hear you. What I think this
19 does is what -- the problem we have -- in the
20 City of Miami, I sit in the Urban Design Review
21 Board. A lot of times, we don't have a quorum,
22 and there are supposed to be nine members. We
23 don't have a quorum, because Board Members
24 don't show up, and it's not fair to the other
25 Board Members, not fair to the applicant, and

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1 this is going to -- in my opinion, you know,
2 this sets a strict rule that you have to be
3 here.

4 MR. PARDO: That's -- I think that's very
5 reasonable, and I think our City Attorney has
6 been very helpful in saying, you know, let's
7 get these suggestions in.

8 MR. BEHAR: I'm -- well, I'm going to let
9 the Chairperson --

10 CHAIRMAN AIZENSTAT: Just a question.
11 There's language in here about attending by
12 Zoom or if you're not able to come. Let's say
13 you're out of town and you want to attend by
14 Zoom. You don't want to miss a meeting. Are
15 you able to, given the language that's here?

16 MR. COLLIER: Given the language that's
17 here, I think they're suggesting an excused
18 absence, if you don't have the bandwidth or
19 whatever to be able to attend via Zoom, that
20 that could be considered an excused absence, if
21 you're out of the City and you appear by Zoom,
22 but the Zoom doesn't work, because either you
23 don't have the WiFi to be able to accomplish
24 it --

25 CHAIRMAN AIZENSTAT: But if you do, let's

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1 assume, you have the bandwidth. You're away
2 for whatever reason. Are you able to attend
3 by Zoom?

4 MR. COLLIER: It appears to be that it does.

5 MR. PARDO: You must have a quorum --

6 MR. COLLIER: Yes, you have to have a
7 quorum --

8 MR. PARDO: -- in person, always.

9 MR. COLLIER: That's correct. You can't use
10 the Zoom for purposes of a quorum.

11 CHAIRMAN AIZENSTAT: Right. But if you
12 have quorum -- let's just assume Felix is
13 traveling somewhere, and he wants to attend the
14 meeting. He does his best to attend the
15 meeting. He's very responsible, and he wants
16 to be here.

17 MR. COLLIER: Right.

18 CHAIRMAN AIZENSTAT: So if he's traveling
19 for work or for whatever reason, then he has
20 the opportunity, if he's able to, to attend the
21 meeting by Zoom, as long as we have a quorum in
22 place --

23 MR. PARDO: And by the way, you could have
24 a technical -- you could be in the heart of
25 Boston and have an outage, and all of a sudden

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1 you drop off. I remember, one time, the Mayor
2 was on a phone call, and he -- his call dropped
3 off. Technically, he couldn't speak or hear or
4 contribute, and that's beyond your scope.

5 I think that 2-54 really gives you a better
6 handle, more understandable. Me, I don't care
7 if it's the City Manager, but normally, the way
8 I've always seen it is, the part of the
9 beginning of the business is, excused absences,
10 and they've already been vetted, you know. So
11 it becomes a non-issue, but it's recognized by
12 the Board, and what Staff is doing is, they're
13 taking basically the attendance of, this was an
14 excused absence.

15 CHAIRMAN AIZENSTAT: Understood.

16 Given our discussion, is there a motion
17 that anybody would like to make?

18 MR. BEHAR: I will make a motion to approve
19 with the condition that maybe there's some
20 clarification as to what constitutes an excused
21 absence, maybe that incorporates more precise a
22 medical --

23 MR. PARDO: Is it First Reading? Are there
24 two readings for this one?

25 MR. SOUTHERN: Yes, there would be two

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1 readings.
 2 MR. PARDO: Okay. I just wanted to make
 3 sure.
 4 MR. BEHAR: Just clarification for what
 5 would be -- constitute as an excused absence.
 6 MR. SOUTHERN: Okay. Outside of the jury
 7 duty, illness and absence from the City?
 8 MR. BEHAR: Yeah. I think that the example
 9 that Felix made about, you know, health --
 10 MR. PARDO: For example, just a take a look
 11 at 2-54, which is part of our Code in the City
 12 of Coral Gables, which you put in your --
 13 MR. SOUTHERN: Right. Correct.
 14 MR. BEHAR: I'm okay with that condition.
 15 CHAIRMAN AIZENSTAT: We have a motion. Is
 16 there a second?
 17 MR. PARDO: Second.
 18 CHAIRMAN AIZENSTAT: Felix, second. Any
 19 discussion?
 20 MR. SALMAN: Will you accept a friendly
 21 amendment to clarify the process of excusing
 22 the absence, the notification, should be to the
 23 Secretary of the Board, a process?
 24 MR. SOUTHERN: Who excuses the absence?
 25 CHAIRMAN AIZENSTAT: No, who gives it.

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1 MR. SOUTHERN: What's the officiating
 2 process?
 3 CHAIRMAN AIZENSTAT: Yeah. The way --
 4 MR. SOUTHERN: Does it need to be in
 5 writing or it could be a phone call?
 6 MR. SALMAN: For example, the last meeting,
 7 first, it was an irregular meeting, because it
 8 wasn't the second Wednesday of the month, and
 9 last month, I was in Europe, which means that I
 10 would have had to start the meeting at
 11 midnight.
 12 MR. SOUTHERN: Right.
 13 MR. SALMAN: So I called Jill, and sent her
 14 several e-mails saying, "I'm going to be out of
 15 town," so that she was completely aware of the
 16 fact that I was out of town. She could
 17 communicate with -- individually with the
 18 Chairman and let him know, so that my absence
 19 would be excused as a voted on item on the
 20 agenda.
 21 MR. COLLIER: I'm not sure if the mere fact
 22 of being out of town is going to count
 23 informing Jill, at least under this proposal --
 24 I'm not sure that, in and of itself,
 25 constitutes an excuse absence.

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1 MR. SALMAN: Well, that's why I'm saying,
 2 it should be an accepted excuse by the majority
 3 of the Board. It should be decided by somebody
 4 not just whether you're here or not, but
 5 there's always mitigating circumstances.

6 MR. COLLIER: What you're saying, I think,
 7 is that there needs to be a clarification as to
 8 who renders the excuse.

9 MR. SALMAN: Bingo.

10 CHAIRMAN AIZENSTAT: Also, the notification
 11 process, I think is what Javier is saying. So
 12 normally what's done is, Jill, as the Secretary
 13 to the Board, and anybody that's not going to
 14 be here, communicates with Jill, and then Jill
 15 lets the Chairman know or the Board know or
 16 whatever the process is.

17 Now, when you're saying that being out of
 18 town is not necessarily an excuse, what I read
 19 in here is, out of the City limits is excused.

20 MR. SOUTHERN: Well, when a Board Member is
 21 unable to attend remotely, like in the example
 22 that you each just gave --

23 MR. COLLIER: Because of technical reasons,
 24 you could not attend remotely.

25 MR. SALMAN: Yeah, but I could have

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1 attended, had I wanted to, being at midnight
 2 and be here until, I don't know, 4:00 a.m.

3 MR. COLLIER: Then maybe that's part of the
 4 clarification, because you could be in Europe,
 5 for example, and it's six hours later. So it
 6 could well be at 4:00 a.m. that you're signing
 7 off.

8 MR. BEHAR: And that's not realistic.

9 MR. COLLIER: What you're asking for -- as I
 10 understand, the clarification of this
 11 absence --

12 MR. BEHAR: Then I will accept a friendly
 13 amendment for the clarification, because some
 14 of that, you know, is not fair. If you're in
 15 Europe, you know, it's not realistic that I'm
 16 going to be participating at midnight until
 17 three o'clock in the morning, you know, on a
 18 meeting.

19 CHAIRMAN AIZENSTAT: Do you accept,
 20 Mr. Pardo?

21 MR. PARDO: I do.

22 MR. SALMAN: Thank you.

23 CHAIRMAN AIZENSTAT: Okay. We have
 24 accepted. Thank you.

25 Any other comments? No?

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1 Call the roll, please.
 2 THE SECRETARY: Javier Salman?
 3 MR. SALMAN: We are voting for yes or no?
 4 Yes.
 5 MR. COLLER: With the amendments.
 6 MR. SALMAN: I'll say, yes.
 7 THE SECRETARY: Robert Behar?
 8 MR. BEHAR: Yes.
 9 THE SECRETARY: Alex Bucelo?
 10 MR. BUCELO: Yes.
 11 THE SECRETARY: Sue Kawalerski?
 12 MS. KAWALERSKI: Yes.
 13 THE SECRETARY: Felix Pardo?
 14 MR. PARDO: Yes.
 15 THE SECRETARY: Eibi Aizenstat?
 16 CHAIRMAN AIZENSTAT: Yes.
 17 Next item, please.
 18 MR. COLLER: Next Item, Item F-4, an
 19 Ordinance --
 20 MR. PARDO: Wait a minute. The friendly
 21 amendment had to be voted on and now you vote
 22 on --
 23 MR. BEHAR: No. No. We accepted the
 24 friendly amendment --
 25 MR. COLLER: The movant and the seconder

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1 accepted the amendments and was rolled in.
 2 We're all good.
 3 MR. PARDO: Good.
 4 MR. SALMAN: And we all voted for it with
 5 the amendments. So that's it.
 6 MR. PARDO: Yes. Thank you.
 7 MR. COLLER: Correct.
 8 Item F-4, an Ordinance of the City
 9 Commission of Coral Gables, Florida providing
 10 for text amendments to the City of Coral Gables
 11 Official Zoning Code, Article 2, "Zoning
 12 Districts," Section 2-101, "Single-Family
 13 Residential District," Section 2-102
 14 "Multi-Family 1 Duplex (MF1) District", and
 15 Article 5, "Architecture", Section 5-701
 16 "Minimum standards," and Article 16,
 17 "Definitions" to align with the updated
 18 Miami-Dade County requirements regarding the
 19 stormwater management for single-family and
 20 duplex properties; providing for repealer
 21 provision, severability clause, codification,
 22 and an effective date.
 23 Item F-4, public hearing.
 24 MR. SOUTHERN: Thank you, Mr. Collier.
 25 Once again, Craig Southern, Planning

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1 Official, Planning & Zoning Division. If we
 2 could please have the Staff presentation pulled
 3 up.

4 Okay. Just as Mr. Collier had indicated,
 5 this is a Zoning Code text amendment for the
 6 three following sections, Section 2-101,
 7 Section 2-102 and Section 5-701.

8 Briefly, the purpose of these text
 9 amendments are to align with the recent
 10 Miami-Dade County Ordinance, Ordinance 24-92.
 11 I'm going to read a little bit from the Staff
 12 report, just so we can get clarification on the
 13 purpose of what the text amendments are.

14 So, on September 4th of last year,
 15 Miami-Dade County adopted Ordinance Number
 16 24-92, which is a comprehensive regulatory
 17 update focused on strengthening the County's
 18 environmental protection framework, and
 19 enhancing the sustainability of regional
 20 stormwater management. The ordinance
 21 introduced significant amendments to
 22 environmental and zoning regulations, revises
 23 development standards and procedures related to
 24 drainage, impervious structures, including
 25 paved areas, and stormwater infrastructure and

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1 implements a range of technical updates.

2 So the new regulatory standards established
 3 by the Ordinance adopted by Miami-Dade County
 4 are relatively progressive and will apply to
 5 new construction, redevelopment and substantial
 6 improvements to existing development, and this
 7 has already come into effect as of March 31st,
 8 2025. Any increase in impervious surface area,
 9 included but not limited to structures, slabs,
 10 sidewalks, parking areas, specific types of
 11 pavers and highly compacted ground, will be
 12 subject to the updated standards outlined in
 13 the ordinance."

14 So, importantly, the ordinance provides an
 15 option for all municipalities within Miami-Dade
 16 County to retain local control over the
 17 permitting and inspection of non-structural
 18 impervious surface improvements for an
 19 individual single-family and duplex properties.
 20 So, in order to do so, our municipality, the
 21 City of Coral Gables, must notify Miami-Dade
 22 County of its intent to adopt local regulations
 23 meeting or exceeding the County's minimum
 24 standards by December 31st, 2024. We've
 25 already done that.

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1 The second item that Miami-Dade County
2 requires is, submit an adopted municipal
3 ordinance for formal review by the DERM
4 Director by December 31st of this year. So
5 that's why we're here tonight, is to
6 introduce, basically, some text amendments for
7 impervious and stormwater components within our
8 Zoning Code, so we retain the authority instead
9 of having to send single-family and duplex
10 properties to DERM.

11 MR. BEHAR: To the black hole of the
12 County.

13 MR. SALMAN: The black hole, yes.

14 MR. BEHAR: Yes.

15 MR. SALMAN: I think this is a creeping
16 grab for power by the County, and I can't stand
17 it, especially in a City where we probably
18 exceed most of the County requirements anyway.
19 So this is not really applicable to us.

20 I think if we just give them the Code that
21 we've got, we'll get out of it.

22 MR. SOUTHERN: And that's the thing.

23 MR. SALMAN: Is that what we're doing or
24 not?

25 MR. SOUTHERN: Yes.

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1 MR. SALMAN: Motion to approve.

2 CHAIRMAN AIZENSTAT: Wait.

3 MR. PARDO: There was a motion and a
4 second.

5 CHAIRMAN AIZENSTAT: Let's do the due
6 process. Is there anybody that wishes to speak
7 on this item, Jill?

8 THE SECRETARY: No, no speakers.

9 CHAIRMAN AIZENSTAT: No speakers, so I'll
10 go ahead and close the public comment.

11 Mr. Behar, you wanted to make a motion.

12 MR. BEHAR: I'll make a motion to approve.

13 MR. SALMAN: I'll second.

14 CHAIRMAN AIZENSTAT: As stated?

15 MR. BEHAR: As stated.

16 MR. SALMAN: As stated.

17 CHAIRMAN AIZENSTAT: And Mr. Salman?

18 MR. SALMAN: Yes.

19 CHAIRMAN AIZENSTAT: You seconded it?

20 MR. SALMAN: Yes, I did.

21 CHAIRMAN AIZENSTAT: Thank you, sir.

22 Any comment?

23 MR. PARDO: I have one comment.

24 MR. SALMAN: Oh, shit.

25 MR. PARDO: It's a very important comment.

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1 MR. BEHAR: You like the black hole --

2 MR. PARDO: Unless I'm misunderstanding,
3 what you just explained to us is that, anyone
4 that has a project that falls into these
5 categories, does not have to go to DERM for
6 review, they could go to our Public Works
7 Department for review and approval?

8 MR. SOUTHERN: Correct, just as we're doing
9 right now, but we do have to meet or exceed
10 which --

11 MR. PARDO: I got that.

12 MR. SALMAN: We do.

13 MR. PARDO: And the only reason -- I don't
14 know if you guys have ever seen it.

15 Technically, the only reason that I bring this
16 up is, because that is completely the opposite
17 of what top DERM people have been explaining to
18 my consulting civil engineers. So it is what
19 it is, but what I'm telling you is that, right
20 now, even for a Certificate of Occupancy in the
21 City of Coral Gables, you've got to go to DERM,
22 and it's out of our control, although we were
23 told it would be in our control. So I would
24 like --

25 MR. SOUTHERN: Certificate of Use, but, yes.

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1 MR. PARDO: I'm sorry?

2 MR. SOUTHERN: Certificate of Use.

3 MR. PARDO: Oh, yeah. I mean, it's become
4 a nightmare.

5 CHAIRMAN AIZENSTAT: Use or occupancy?

6 MR. PARDO: I'm sorry?

7 CHAIRMAN AIZENSTAT: Certificate of Use --

8 MR. PARDO: As an example, what I'm saying
9 is --

10 CHAIRMAN AIZENSTAT: Not occupancy.

11 MR. PARDO: Exactly. So what I'm saying is
12 that, I would hope that Staff, through our
13 Public Works Director, can get an absolute
14 positive, whatever, in writing, from them, that
15 we have the power, because we meet and/or
16 exceed having a review and not having to go to
17 the County for a dual review, and you know how
18 that goes, it never ends well. So I just
19 wanted to bring that point up.

20 CHAIRMAN AIZENSTAT: Thank you, sir.

21 Okay. Call the roll, please.

22 THE SECRETARY: Robert Behar?

23 MR. BEHAR: Yes.

24 THE SECRETARY: Alex Bucelo?

25 MR. BUCELO: Yes.

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1 THE SECRETARY: Sue Kawalerski?
 2 MS. KAWALERSKI: Yes.
 3 THE SECRETARY: Felix Pardo?
 4 MR. PARDO: Yes.
 5 THE SECRETARY: Javier Salman?
 6 MR. SALMAN: Oh. Felix, you just had to
 7 make comment, didn't you?
 8 I vote, yes.
 9 THE SECRETARY: Eibi Aizenstat?
 10 CHAIRMAN AIZENSTAT: Yes.
 11 MR. BEHAR: Before we adjourn, I want to
 12 bring something up that has been bothering me
 13 for the last -- since the last meeting.
 14 I apologized to the visiting Elected
 15 Official, Commissioner Regalado, and I want to
 16 bring something up that -- and Sue, I have come
 17 to like you over the last two years, but I
 18 think that we, as a Board, we need to be more
 19 respectful to guests and more to Elected
 20 Officials.
 21 I -- last meeting, I felt -- I still feel
 22 that you went after an Elected Official in a
 23 manner that, in my opinion, it was
 24 disrespectful, and actually berated
 25 Commissioner Regalado, to the point that she

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1 even brought it up. I tried, and I wish I
 2 would have done more at the time, to stop you,
 3 because we, as a City, look really bad. As a
 4 Board, we look terrible. As an individual, I'm
 5 speaking for myself, terrible.
 6 When I run into her two days later, it was
 7 like -- you know, I felt like we failed to
 8 convey to this Member of the County Commission
 9 that we were appreciative of what she was
 10 trying to do for the City, and I think that we
 11 have to be held to a higher standard, and we
 12 cannot do that again. And I think that,
 13 unfortunately, it really -- we have tarnished
 14 the City, and I hope that we, as a Board, do
 15 better in the future. That's my opinion.
 16 And, Sue, again, I've come to like you, but
 17 I think that was inappropriate, and I hope that
 18 somehow you could, you know, convey that to
 19 her, because right now, as we speak, we are
 20 still, with her, not in a good place. I don't
 21 think that was the right approach, and I feel
 22 guilty that I did not, at the time, try to
 23 intervene and do -- and stop what was
 24 happening. So --
 25 CHAIRMAN AIZENSTAT: You did try to

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1 intervene and stop, and I think other Board
 2 Members did, also. So don't feel that bad
 3 about it.

4 But I do agree with you, that we need to be
 5 more respectful, not just to Elected Officials,
 6 but to City Staff, also. It's just -- to me,
 7 it's inappropriate to put them on trial, per
 8 se, as opposed to just review the evidence, get
 9 everything before us, to make our
 10 determination. Sometimes it's put in as an
 11 inquisition, and I feel uncomfortable about
 12 that also at times.

13 MS. KAWALERSKI: And Robert, I appreciate
 14 your comments, okay. I've come to like you,
 15 too. But we have an obligation here. We have
 16 an obligation to the residents and to this
 17 City, and what we experienced as a result of
 18 that Commissioner's actions was totally
 19 disrespectful of this City. She allowed -- she
 20 is allowing a developer, who is denied by us,
 21 to jump us and go directly to the County.
 22 She's allowing that. And it's a carpetbagger
 23 developer from Athens, Georgia.

24 MR. BEHAR: Listen, Sue --

25 MS. KAWALERSKI: Listen, let me finish.

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1 MR. BEHAR: You can't insult people like
 2 that.

3 MS. KAWALERSKI: Excuse me. I wasn't
 4 insulting. What I was doing was pointing
 5 evidence, why the whole premises of RTZs is
 6 false, okay, and if an Elected Official doesn't
 7 have thick skin, that person shouldn't be an
 8 Elected Official. I'm sorry.

9 As a Member of this Board, I am
 10 representing residents. I'm not representing
 11 Elected Officials. I'm not representing
 12 Elected Officials. I'm representing what those
 13 residents in the audience came to express, and
 14 if this Board doesn't agree with residents,
 15 what are we doing here?

16 MR. BEHAR: Sue, I mean, you could
 17 represent the residents, just you don't have to
 18 berate a person like that. You can't be
 19 disrespectful, I'm sorry. You were.

20 If we're going to go further, you were
 21 really screaming at her, and that's not right.
 22 You can't. I am not going to tolerate you do
 23 that -- or any Member of this Board again.
 24 That's not right.

25 MS. KAWALERSKI: Robert, what you're doing

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1 right now is screaming. I was not screaming,
2 Number One, but I was stating facts. What I
3 was getting, as a result of stating facts and
4 asking questions on behalf of the residents,
5 were non-answers, non-answers, and you know
6 what, I'm a little disappointed in the Board
7 Members that were here, because the Board
8 Members here were looking at the pimple on the
9 butt of an elephant, instead of looking at the
10 elephant.

11 MR. BEHAR: That's your opinion.

12 MS. KAWALERSKI: That is my opinion, and
13 that's your opinion.

14 MR. BEHAR: And I disagree, because like I
15 stated before --

16 MS. KAWALERSKI: I'm sorry, something as
17 important of changing the complexion of a major
18 artery in the City of Coral Gables is something
19 that we should all been arguing against. All
20 of us should have been saying, wait a minute --

21 MR. BEHAR: We should have never gotten
22 there. We got there because of what took place
23 last year, and that was the fact. And what
24 that did is, the County has the authority to do
25 what they're doing, so -- and, actually, as a

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1 matter of fact, what we're -- what she was
2 allowing us to do is not even go to the maximum
3 that the RTZ would allow.

4 MS. KAWALERSKI: But the alternative was,
5 she could have said, no, we're going to reject
6 this, okay. Obviously, the County has the
7 authority. I'm not denying that.

8 MR. BEHAR: Sure, you're right, she could
9 have done that, but you know what, the way we
10 conveyed that message to her, has to be in a
11 proper, polite manner, not berating her like
12 you did.

13 MS. KAWALERSKI: Well, first of all, I
14 wasn't berating her, and if you look up the
15 definition, I was not berating her. I was
16 stating facts, okay. That's all I was doing. I
17 was stating facts and I was asking for answers.
18 That's all I was doing.

19 MR. BEHAR: I wanted to bring that up. I'm
20 done.

21 CHAIRMAN AIZENSTAT: Just one comment that
22 I do want to make, each one of us is an
23 appointed individual, and our actions on this
24 dais actually represent or show us what that
25 person that appointed us is all about. So I

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1 think we have to use caution, and we all have
2 opinions, we all are heated, and we all want
3 the appropriate thing for what we believe in,
4 but we must show a certain demeanor and respect
5 to the individuals, because that goes a certain
6 way, that it personifies the individual that
7 also appointed us, and I think that's
8 important, because the way we're here, we have
9 to listen to the residents, and I agree, but at
10 the same time, respect, and that's the most
11 important.

12 MS. KAWALERSKI: Well, you know what,
13 respect demands respect and we were not being
14 respected. This City was not being respected.
15 Sorry, we were not being respected.

16 MR. COLLIER: Mr. Chairman, may I change the
17 subject for just a moment?

18 CHAIRMAN AIZENSTAT: Yes, sir.

19 MR. COLLIER: It's come to my attention,
20 back on 2-54, that there is an amendment to it
21 that's proposed by the City Commission, that's
22 going before the City Commission, which says
23 that, "For the Board of Adjustments,
24 Construction Regulation Board, Historic
25 Preservation Board and Planning & Zoning Board,

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1 absent from 25 percent or more scheduled
2 meetings in any consecutive twelve-month
3 period, shall be deemed an excessive
4 absence." So that's an amendment to 54, which
5 I was not aware, but it was brought to my
6 attention.

7 MR. PARDO: Because it was -- I looked it
8 up. That's why. Because the Staff mentioned
9 it, but we didn't have it in our package.

10 MR. COLLIER: Right, because it's not coming
11 through the Board.

12 MR. PARDO: I was looking at it while we
13 were talking.

14 MR. COLLIER: I apologize for interrupting
15 the previous conversation, but I just wanted to
16 make sure that was clear.

17 MR. BEHAR: But what happens to that vote
18 that we took?

19 MR. COLLIER: Well, that doesn't really
20 change anything. This is separate and apart
21 from that.

22 CHAIRMAN AIZENSTAT: Just informative.

23 MR. COLLIER: Just for information only. I
24 think a motion to adjourn is in order.

25 MR. PARDO: Mr. Chairman --

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MR. SALMAN: I would like to make a -- if I could just say a few words.

CHAIRMAN AIZENSTAT: Sure.

MR. SALMAN: This is my last meeting. I was not selected as a Member of the Board at the last meeting that I did not attend, and I'm very sorry about that. I really enjoyed my time here. I think it's a worthy use of my time and your time, that we do this, and with that, I'd like to say thank you for the opportunity, and I'll be looking forward to seeing you around.

CHAIRMAN AIZENSTAT: Thank you for all of your service.

MR. PARDO: I was going to bring that up, that this was his last meeting, and thank you very much.

CHAIRMAN AIZENSTAT: Thank you.

Is there a motion to adjourn?

MR. PARDO: Yes.

MR. SALMAN: So moved.

CHAIRMAN AIZENSTAT: We have a motion by Felix.

MR. SALMAN: I'll second it.

CHAIRMAN AIZENSTAT: We have a second by

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Javier. All those in favor say aye.

(All Board Members voted aye.)

CHAIRMAN AIZENSTAT: Thank you very much.

(Thereupon, the meeting was concluded at 8:30 p.m.)

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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 20th day of August, 2025.



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

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