

1 prevent addressing trees, and we can work that
 2 into this.
 3 MS. MENENDEZ: I mean, at this point, we
 4 haven't received any cases that we've seen a
 5 problem with not requiring variances. My
 6 concern is, you know, you then allow them to
 7 ask for variances, then what was the purpose of
 8 the lot -- you know. I'm not comfortable with
 9 that.
 10 MR. LEEN: True.
 11 Well, another thing that comes up -- this
 12 can often come up through a condition of
 13 approval. What might happen is, the Commission
 14 will say, "We'll split it, but you have to
 15 preserve that tree."
 16 Then they say, "Well, then we can't build a
 17 house there," and then the Commission, as part
 18 of the condition, tells them, "Well, you can
 19 move it back five feet."
 20 I've opined --
 21 MS. MENENDEZ: That they have the right to
 22 do that.
 23 MR. LEEN: -- that the Commission can do
 24 that. You know, it's a publicly noticed site
 25 plan review. It's quasi-judicial. People can

1 MS. MENENDEZ: The City bought the
 2 property?
 3 MR. BELLIN: Yes.
 4 MS. MENENDEZ: It's going to be a park?
 5 MR. WU: Yes.
 6 CHAIRMAN FLANAGAN: A little pocket park.
 7 MR. WU: Yes.
 8 MR. LEEN: Another thing we could do is
 9 perhaps we could put a sentence that just says
 10 that if the Commission requires something, that
 11 would not allow -- you know, would diminish
 12 development, the Commission, as part of the
 13 condition, can allow for an alteration.
 14 That's the current interpretation.
 15 MR. RODRIGUEZ: But the Commission can
 16 always do that.
 17 MR. LEEN: Yes.
 18 MR. RODRIGUEZ: They don't need us to
 19 require something in there to do that. That's
 20 sort of presumptuous.
 21 MR. WU: Well, for the sake of moving
 22 along, we already have a motion and a second --
 23 CHAIRMAN FLANAGAN: As presented.
 24 MR. WU: As presented.
 25 MS. MENENDEZ: As presented, with the

1 come and they can consider that, if they'd
 2 like. The Commission has a tremendous amount
 3 of authority under the Code.
 4 MR. BELLIN: I just think we ought to give
 5 them the option, and maybe it's Staff that
 6 determines whether it's a valid request or not,
 7 but to say absolutely no variances I think is a
 8 mistake.
 9 CHAIRMAN FLANAGAN: But it sounds like they
 10 have the option now, and I agree with Maria,
 11 actually, and with what Frank said. I
 12 understand the concern and would usually agree
 13 with that, but if the intent is to take a very
 14 conservative approach to lot splits, if it's
 15 going to be cause that type of a problem, and
 16 if it can't resolved administratively or with
 17 Staff, then unfortunately don't do the lot
 18 split.
 19 MR. BELLIN: Yeah, but it doesn't quite
 20 work that way. The problem with the tree on
 21 Lisbon --
 22 CHAIRMAN FLANAGAN: Well, it does work that
 23 way, and they resolved it.
 24 MR. BELLIN: Yeah, the City bought the
 25 property. That's how they resolved it.

1 exception of determining who determines the
 2 bond or writing who determines the bond.
 3 CHAIRMAN FLANAGAN: Okay. So we're adding
 4 that as part of our recommendation?
 5 MS. MENENDEZ: Yeah. He already did.
 6 CHAIRMAN FLANAGAN: Okay. And we're not
 7 adding -- we're leaving it, then, as written?
 8 That's the motion and the second?
 9 MS. MENENDEZ: Yes, that's my motion.
 10 CHAIRMAN FLANAGAN: Yes, the motion and the
 11 second.
 12 Okay. There's a motion and a second.
 13 Everybody clear?
 14 Call the roll, please.
 15 THE SECRETARY: Marshall Bellin?
 16 MR. BELLIN: No.
 17 THE SECRETARY: Julio Grabiell?
 18 MR. GRABIEL: Yes.
 19 THE SECRETARY: Frank Rodriguez?
 20 MR. RODRIGUEZ: Yes.
 21 THE SECRETARY: Maria Menendez?
 22 MS. MENENDEZ: Yes.
 23 THE SECRETARY: Jeffrey Flanagan?
 24 CHAIRMAN FLANAGAN: Yes.
 25 Next item is 11. An Ordinance of the City

1 Commission of Coral Gables, Florida providing
2 for text amendments to the City of Coral Gables
3 Official Zoning Code by amending Article 2,
4 "Decision Making and Administrative Bodies";
5 Article 3, "Development Review"; Article 4,
6 "Zoning Districts"; Article 5, "Development
7 Standards"; and Article 8, "Definitions" to
8 address tie votes, garage facades and
9 driveways, restaurant walk-up counters,
10 required parking and bay windows; providing for
11 repealer provision, severability clause,
12 codification, and providing for an effective
13 date.

14 Mr. Trias.

15 MR. TRIAS: Thank you, Mr. Chairman. We
16 have five amendments. They're all related, but
17 they're in the same memorandum, for the sake of
18 expediency.

19 The first one deals with a fairly small
20 change, which is that currently a tie vote in
21 the Planning and Zoning Board means that a
22 project or a request will be continued. So
23 what we're saying is that that may not be the
24 best approach. Maybe, if there's a tie vote,
25 at three-three, just allow the process to

1 continue without recommendation. That's what
2 that amendment says.

3 I'll address them one at a time, if you
4 don't mind. That's probably the easiest way.

5 MS. MENENDEZ: I was just going to move
6 that amendment.

7 CHAIRMAN FLANAGAN: Can I make a comment,
8 though?

9 MR. TRIAS: Yes.

10 CHAIRMAN FLANAGAN: The addition of
11 language 2203 Sub B, the last sentence --

12 MR. TRIAS: Yes.

13 CHAIRMAN FLANAGAN: It's a very technical
14 comment, but it says, "In the event of a tie
15 vote, an applicant may request a continuance or
16 allow the motion to proceed to the City
17 Commission without a recommendation." The
18 motions don't proceed. It's the application
19 that would proceed.

20 MS. MENENDEZ: Good catch.

21 MR. TRIAS: Thank you.

22 MR. RODRIGUEZ: I also have -- I'm sorry.

23 CHAIRMAN FLANAGAN: No, that's -- I mean,
24 no, that's all I have for now.

25 MR. RODRIGUEZ: Well, yeah, I'm a little

1 confused by it, because it says that you need
2 four members to adopt any motion, presumably
3 four votes, and then it says, "In the event of
4 a tie" -- how can you -- you can't have a
5 four-four tie, because there's only seven on
6 the Board, right? So if you don't have four,
7 isn't the motion defeated, the way it's
8 presently written?

9 MR. LEEN: Yes, but what the Code used to
10 say was, in the event of a tie, it's
11 automatically continued. Now, the only tie you
12 could have would be a three-three or a two-two
13 tie, where the party went forward with four.

14 But, on the other hand, if it was a
15 three-one or a -- if it was a three-one
16 decision, those automatically went through even
17 though there was no recommendation.

18 So the thought was, why, if it is a tie
19 vote, are we keeping it here --

20 MS. MENENDEZ: Right.

21 MR. LEEN: -- and if it's a three-one vote,
22 we're sending it to the Commission?

23 MR. RODRIGUEZ: I think it makes sense, I
24 guess, if you let through something -- but how
25 could you let through a matter that got -- that

1 was a three to one vote, if it didn't get the
2 four votes?

3 MR. LEEN: Well, it goes through without a
4 recommendation from the Board.

5 MR. RODRIGUEZ: I got it. Okay. I got it.

6 MR. LEEN: They just have all of your comments.

7 MR. RODRIGUEZ: Okay. I understand.

8 MR. LEEN: But, you know, what this could
9 say is, in the event of a tie vote or a failure
10 to achieve -- I mean, it could just say, in the
11 event of a failure to achieve four votes, which
12 is the same thing.

13 MR. RODRIGUEZ: Yes.

14 CHAIRMAN FLANAGAN: Anybody else?

15 MR. GRABIEL: No.

16 CHAIRMAN FLANAGAN: Maria moved it.

17 MS. MENENDEZ: I moved it.

18 CHAIRMAN FLANAGAN: Do we have a second?

19 MR. GRABIEL: I'll second it.

20 CHAIRMAN FLANAGAN: A motion and a second.
21 If you could call the roll, please.

22 THE SECRETARY: Julio Grabiell?

23 MR. GRABIEL: Yes.

24 THE SECRETARY: Marshall Bellin?

25 MR. BELLIN: Yes.

1 THE SECRETARY: Maria Menendez?
 2 MS. MENENDEZ: Yes.
 3 THE SECRETARY: Frank Rodriguez?
 4 MR. RODRIGUEZ: Yes.
 5 THE SECRETARY: Jeffrey Flanagan?
 6 CHAIRMAN FLANAGAN: Yes.
 7 MR. TRIAS: Thank you.
 8 The second item deals with the design
 9 issues of parking garages or garages in single
 10 family houses and in duplexes, and there are
 11 some recommended dimensions and locations of
 12 entrances in the proposed languages.
 13 Basically, the idea is to have a door be
 14 the main feature -- the entrance of the house
 15 be the main feature of the house, in terms of
 16 design, and then set back any kind of garage
 17 entrance.
 18 So that would apply to Single Family and to
 19 Duplexes, and that's why we have a Single
 20 Family amendment and the MF-1 amendment. MF-1
 21 allows duplex only.
 22 MS. MENENDEZ: So you're saying the door
 23 would be in front of the garage?
 24 MR. TRIAS: Yes.
 25 MS. MENENDEZ: Always?

1 MR. TRIAS: Yes.
 2 MS. MENENDEZ: But in duplexes, that would
 3 only work, I think -- I mean, I'm imagining a
 4 duplex that one is in front and one's in the
 5 back. And where's the garages? I mean, both
 6 garages could be in front, next to the -- I
 7 mean, that might be a little --
 8 MR. TRIAS: The preference is that the
 9 parking is accessed from behind in a duplex,
 10 and if there's an alley, that's easy to do it.
 11 If there's no alley, that's more difficult.
 12 We are dealing with one specific example as
 13 we speak. It went to the Commission as a
 14 change of the text and the site specifics, and
 15 it was a duplex. And it had the door behind
 16 the garage. So the Commission said, "No,
 17 re-design it." So they did redesign it.
 18 So, in terms of architecture, they were
 19 able to change the floorplan, so the garage
 20 would be less prominent in the facade. And
 21 this is an aesthetic issue.
 22 MS. MENENDEZ: Why don't you just leave it
 23 up to the Board?
 24 MR. TRIAS: Because it's easier for an
 25 applicant to know what the requirements are to

1 begin with. Certainly, the Board has done a
 2 great job dealing with this issue, but we have
 3 seen multiple houses and multiple --
 4 particularly the small ones, where it really
 5 makes a difference, that if the applicant would
 6 have known that these were the rules
 7 up-front --
 8 MS. MENENDEZ: I see.
 9 MR. BELLIN: Ramon, how do you put a
 10 porte-cochere behind the front door?
 11 MR. TRIAS: You wouldn't.
 12 MR. BELLIN: You can't. It's not a
 13 porte-cochere.
 14 MR. TRIAS: So basically a porte-cochere is
 15 a very unusual characteristic of a Single
 16 Family house, and it's better to have some
 17 other solution.
 18 MR. BELLIN: Well, but it says,
 19 "Porte-cochere" has to be setback, so maybe we
 20 ought to take it out.
 21 MR. TRIAS: We could take it out. We could
 22 take it out, if you want.
 23 CHAIRMAN FLANAGAN: But what about -- I
 24 mean, my garage is even with the front facade
 25 of my house, and I have a front porch, so my

1 front door is set back from the garage. And I
 2 think probably most of the homes are.
 3 MS. MENENDEZ: Yeah, mine is also.
 4 CHAIRMAN FLANAGAN: Yeah. I have a very
 5 hard time with this. I have a hard time with
 6 this whole Section, and only single bay garage
 7 doors.
 8 MR. TRIAS: I understand.
 9 CHAIRMAN FLANAGAN: We'll get to that in a
 10 second. I'm not sure -- I think I agree. I
 11 mean, if it's a design issue, unfortunately, a
 12 lot of stuff happens, I guess, at the Board of
 13 Architects. I've never appeared in front of
 14 them, but to me it's --
 15 MR. TRIAS: It's quite an experience that I
 16 highly recommend.
 17 MS. MENENDEZ: But you know what, why don't
 18 you at least -- if you really think this is
 19 necessary, because like you say, it at least
 20 allows the applicant to know what you would
 21 like to accomplish or try to accomplish, why
 22 don't you at least put a provision here that
 23 the Board may decide otherwise, because the
 24 designs are designs.
 25 I mean, how can we be designing something

1 without really getting a feel for it? Do you
2 see what I'm saying? You always provide some
3 way --

4 MR. TRIAS: Very good point.

5 MS. MENENDEZ: -- of maybe the Board
6 saying, "This doesn't fit. It's not going to
7 work."

8 MR. TRIAS: I think that's a very good
9 approach, and we should include that language.

10 MR. GRABIEL: I have a comment. You're
11 saying five feet from the doorway, and I could
12 see where somebody's designing a house, and the
13 doorway is set back ten feet. Then that means
14 the front of the garage has to be fifteen feet
15 behind it.

16 Why don't we refer it to the main facade of
17 the residence?

18 MR. TRIAS: Or even a porch. I would count
19 the porch columns.

20 MR. GRABIEL: Yeah.

21 MR. TRIAS: I think that would be
22 appropriate, also.

23 MR. GRABIEL: I agree that it should be set
24 back. I mean, if you look at most of the old
25 houses and Mediterranean houses, as you said,

1 the garage was in the back and you didn't see
2 it or it was actually set back a few feet from
3 the main facade. But I think tying it to the
4 doorway is creating a very difficult situation.

5 MR. TRIAS: Why don't we do this, why don't
6 we refine the language and bring it back to you
7 a little bit more --

8 MR. GRABIEL: Okay.

9 MS. MENENDEZ: Yeah.

10 MR. TRIAS: Because I think --

11 MS. MENENDEZ: This one is not ready.

12 MR. TRIAS: Yeah, I hear you. I hear you.

13 CHAIRMAN FLANAGAN: What about the
14 double -- I mean, not being the architect, but
15 I think a double bay garage door, if it's in
16 the style of the rest of the house -- why are
17 we going to limit and prohibit double bay
18 garage doors?

19 MR. GRABIEL: No, you don't.

20 CHAIRMAN FLANAGAN: It does, as I read it.
21 "All garage doors facing upon a street shall be
22 divided into single bays."

23 MR. BELLIN: Yeah, but it's --

24 MR. TRIAS: You can have two bays. There's
25 a requirement of a column. You can have two

1 side by side.

2 CHAIRMAN FLANAGAN: Two one-car garage
3 doors?

4 MR. TRIAS: Yes.

5 CHAIRMAN FLANAGAN: But what I'm saying is,
6 why do we want two one-car garage doors, when
7 we could have a double door?

8 MR. TRIAS: Or we could have a three bay
9 garage, also.

10 CHAIRMAN FLANAGAN: They may make those.

11 MR. TRIAS: But the issue is that that is
12 not an aesthetic choice that is compatible with
13 most of the neighborhoods in Coral Gables.

14 CHAIRMAN FLANAGAN: I would disagree. If
15 the house is large enough, and from a design
16 aesthetics standpoint, that may look better
17 than two single bays. Just like some people
18 have wider front doors than others, based on
19 maybe how wide or how large the front facade of
20 the house is.

21 MR. TRIAS: Yeah, and what I would say to
22 you is, keep in mind, this is only the Zoning
23 language. This is not the actual design or the
24 review by the Board of Architects. There are
25 multiple issues that take place.

1 Like I said, at this point, I hear you. We
2 can come back with some better language.

3 CHAIRMAN FLANAGAN: Okay. So we're
4 deferring it until --

5 MR. TRIAS: Yeah, we'll bring it back, if
6 you don't mind.

7 CHAIRMAN FLANAGAN: Thank you.

8 MR. TRIAS: All right. Then there's a
9 policy issue here with Number 3, which is the
10 restaurant walk-up counters.

11 MR. GRABIEL: Where is this?

12 MR. BELLIN: Ramon --

13 MR. TRIAS: Yes.

14 MR. BELLIN: -- the MF-1 District
15 off-street parking --

16 CHAIRMAN FLANAGAN: Marshall.

17 MR. BELLIN: Excuse me. We're doing Number
18 3 or --

19 CHAIRMAN FLANAGAN: Number 3, the walk-up
20 counter.

21 MR. TRIAS: Yeah, I would like to come back
22 with the parking, including MF-1, if you don't
23 mind.

24 MR. BELLIN: Okay. Yeah. Yeah. Okay.

25 MR. TRIAS: Let me think about it some

1 more.
 2 MR. BELLIN: Okay.
 3 MR. TRIAS: So then we have an issue here
 4 with the restaurant walk-up counters or, in the
 5 past, they have been referred to as walk-up
 6 windows, which are explicitly not allowed in
 7 many, many locations in the Code. This is
 8 really a policy choice, to allow it.
 9 MS. MENENDEZ: A what choice?
 10 MR. TRIAS: A policy choice. You know,
 11 it's a significant -- this is not a minor
 12 change.
 13 MS. MENENDEZ: But it's under a conditional
 14 use, right? So it has to come to this Board or
 15 -- is it this Board that hears them?
 16 MR. TRIAS: This Board and the Commission,
 17 so both.
 18 MS. MENENDEZ: Okay. So I think -- you
 19 know, I don't have a problem with it.
 20 MR. TRIAS: That's my recommendation, that
 21 it should be allowed as a conditional use.
 22 MS. MENENDEZ: Okay.
 23 CHAIRMAN FLANAGAN: What's the genesis of
 24 it? Is there a problem somewhere?
 25 MR. TRIAS: Yes. They're not allowed on

1 Ponce de Leon and there's a restaurant right
 2 now that is attempting to do this kind of use,
 3 and that has resulted in some conflict with
 4 neighbors, et cetera.
 5 So, in our view, if it was a conditional
 6 use --
 7 MS. MENENDEZ: But isn't this particular
 8 restaurant, it has like a set back from Ponce,
 9 a large set back from Ponce? It's not like
 10 it's on the sidewalk.
 11 MR. TRIAS: There are multiple issues.
 12 MS. MENENDEZ: You know, that's why I think
 13 it needs to be reviewed on a case by case
 14 basis.
 15 MR. TRIAS: And that's my thinking. And
 16 that's possible through a conditional use
 17 process.
 18 MS. MENENDEZ: Right, and it's under
 19 conditional use.
 20 MR. TRIAS: Exactly.
 21 MR. LEEN: That one, I gave a City Attorney
 22 opinion -- is this on? I gave a City Attorney
 23 opinion maybe six months ago or so, that on
 24 Biltmore Way, Coral Way and Ponce, you couldn't
 25 have these walk-up windows.

1 MS. MENENDEZ: You couldn't?
 2 MR. LEEN: Could not. And elsewhere in the
 3 City, you could.
 4 MS. MENENDEZ: Why?
 5 MR. LEEN: Because there was a provision in
 6 our Code that limited what you could do on
 7 those three streets, and then it had an
 8 exception, which referred to another Section of
 9 the Code. And that Section of the Code did
 10 allow walk-up windows, but that was not part of
 11 the exception. It referred to another
 12 provision.
 13 It was very legal. But, I mean, when you
 14 read it and followed it, in the end, the
 15 conclusion I had, based on the plain wording,
 16 was that they were not allowed on those three
 17 streets.
 18 My concern, practically, was that we don't
 19 have those on Miracle Mile. And I feel that
 20 that's a policy decision. If the Commission
 21 wants to start allowing those on Miracle Mile,
 22 it shouldn't be because in one specific case
 23 we're allowing it on Ponce. That's a policy
 24 judgment for you and for the Commission.
 25 And it's fine. We could have it. But I

1 just think that you need to decide that.
 2 MS. MENENDEZ: If this goes through a
 3 conditional use process, so it's viewed on a
 4 case by case basis --
 5 MR. LEEN: Well, that's what I liked --
 6 what I liked about it was, it doesn't -- this
 7 sort of solution doesn't just legalize it all
 8 on Miracle Mile. It requires you to look at it
 9 each time.
 10 MS. MENENDEZ: Exactly.
 11 MR. LEEN: I thought it was a good outcome.
 12 MR. TRIAS: And in this particular case
 13 that I've mentioned --
 14 MS. MENENDEZ: And you could put, you know,
 15 criteria, you know, that they don't obstruct
 16 the sidewalk -- you know, a public sidewalk and
 17 things like that.
 18 MR. LEEN: Yeah. In the particular case
 19 that we're trying to resolve, which will go
 20 before the Commission for a settlement at some
 21 point, is that this particular walk-up window
 22 on Ponce -- it's actually on Salamanca, and
 23 some of the residents are concerned about that,
 24 and they feel it's going to impact them.
 25 So I thought that the nice thing about the

1 conditional use is that it also allows you to
 2 impose conditions of approval, like maybe on
 3 the hours that you would allow it to be open,
 4 the amount of people that could be at the
 5 window at one time. There's a lot of things
 6 you could do with conditions of approval,
 7 landscaping buffer.
 8 MS. MENENDEZ: Okay.
 9 MR. LEEN: You know, those sort of things.
 10 So that was the thinking behind it. Anyhow,
 11 that's how it's come to you.
 12 MS. MENENDEZ: Got it.
 13 I'll make the motion, if everybody is
 14 ready.
 15 MR. RODRIGUEZ: Yeah.
 16 MR. WU: Did you open the public comment?
 17 MS. MENENDEZ: Oh, that's right, public
 18 input.
 19 CHAIRMAN FLANAGAN: Yes.
 20 The public hearing is open. Anybody from
 21 the public want to speak on it?
 22 Seeing none, the public hearing is closed.
 23 Any further discussion by the Board?
 24 MR. BELLIN: I think the conditional use
 25 really takes care of the problem, because it

1 needs to go to the DRC, it needs to go to the
 2 Board of Architects, it needs to come to us and
 3 it needs to go to the Commission.
 4 And somewhere along the line, if it's a
 5 problem --
 6 MS. MENENDEZ: We can address it.
 7 MR. BELLIN: Yeah.
 8 MS. MENENDEZ: I agree.
 9 CHAIRMAN FLANAGAN: Can I just -- Ramon,
 10 there is a provision that says, "Open air
 11 dining under the building's arcade or loggia
 12 can't have any perimeter structures."
 13 MR. TRIAS: Yeah. That's a related
 14 issue --
 15 CHAIRMAN FLANAGAN: But let me just ask, I
 16 read this several times before I realized it,
 17 but this would not, then, prohibit somebody
 18 putting tables or planters, if they have an
 19 overhang that's on their property, right?
 20 MR. TRIAS: Right. Right.
 21 CHAIRMAN FLANAGAN: Okay. There's a couple
 22 of restaurants, I think, that do that now.
 23 MS. MENENDEZ: Yeah, Cibo, Tarpon Bend.
 24 CHAIRMAN FLANAGAN: Yeah, Ortanique.
 25 MS. MENENDEZ: Ortanique.

1 CHAIRMAN FLANAGAN: Okay. All right. I'm
 2 good. Any other questions?
 3 Did you move it?
 4 MS. MENENDEZ: I moved it.
 5 CHAIRMAN FLANAGAN: Do we have a second?
 6 MR. GRABIEL: I'll second it.
 7 CHAIRMAN FLANAGAN: We have a motion and a
 8 second. If we could call the roll, please.
 9 THE SECRETARY: Julio Grabiel?
 10 MR. GRABIEL: Yes.
 11 THE SECRETARY: Marshall Bellin?
 12 MR. BELLIN: Yes.
 13 THE SECRETARY: Frank Rodriguez?
 14 MR. RODRIGUEZ: Yes.
 15 THE SECRETARY: Maria Menendez?
 16 MS. MENENDEZ: Yes.
 17 THE SECRETARY: Jeffrey Flanagan?
 18 CHAIRMAN FLANAGAN: Yes.
 19 All right.
 20 MR. TRIAS: Mr. Chairman, we have another
 21 item, which reduces the amount of required
 22 parking.
 23 CHAIRMAN FLANAGAN: I'm sorry, Ramon, is
 24 this Item 12?
 25 MR. TRIAS: Yeah, this is the next --

1 CHAIRMAN FLANAGAN: Do I need to read it
 2 in?
 3 MR. BELLIN: I thought we were going to
 4 discuss the MF-1 District.
 5 MR. TRIAS: No, we're not. We're going to
 6 come back.
 7 MR. BELLIN: Oh, okay.
 8 MS. MENENDEZ: Which is the MF-1 District?
 9 MR. TRIAS: That's the garage issue. It
 10 was Single Family and MF-1. MF-1 is duplex.
 11 MS. MENENDEZ: Oh, okay.
 12 CHAIRMAN FLANAGAN: I think I need to read
 13 this in.
 14 MR. RODRIGUEZ: I think we're still on 11.
 15 CHAIRMAN FLANAGAN: Oh, sorry. Are we
 16 still on 11?
 17 MR. COLLIER: This is Number 4.
 18 MS. MENENDEZ: Yeah.
 19 MR. WU: Yes, we're on Page 9.
 20 CHAIRMAN FLANAGAN: Sorry.
 21 MR. WU: You're on Page 9.
 22 CHAIRMAN FLANAGAN: I'm being optimistic
 23 here.
 24 MR. TRIAS: We're on Number 4. If we go to
 25 Page 9 -- we're almost done. We have only two

1 more issues.
 2 Page 9 has a proposed reduction in the
 3 parking requirements that is relatively minor,
 4 but significant for Multi-Family and Mixed-Use
 5 buildings. We are recommending that one
 6 bedroom units should have a requirement of one
 7 parking space. Currently they are required
 8 1.75. And that restaurants be reduced
 9 slightly, in terms of the parking requirements,
 10 to one space per 100 square feet of floor area.
 11 MS. MENENDEZ: Where did this come from? I
 12 mean, why are we considering this?
 13 MR. TRIAS: Those are the experience of
 14 project reviews through the years as -- you
 15 know, Staff believes that these are numbers
 16 that work better.
 17 MS. MENENDEZ: Work better?
 18 MR. TRIAS: Yeah, in terms of the quality
 19 of the design, in terms of the overall benefit
 20 to the City.
 21 MR. WU: And, frankly, these ratios are
 22 quite suburban in nature. They're quite high.
 23 And we're trying to reflect an urban
 24 environment.
 25 MS. MENENDEZ: So this is in all

1 space requirement between, say, patron area and
 2 the back of house? Does that get too
 3 difficult?
 4 MR. TRIAS: Yeah. We typically do that
 5 when we review the restaurants already, and I
 6 think that that's something that I may want to
 7 refine further in the Code, because that's
 8 really an issue. And the basic issue is that
 9 right now restaurants require all of parking.
 10 So what happens is, if you have an existing
 11 building, an existing mixed-use building, and
 12 you want to do a restaurant downstairs, it's
 13 almost impossible to get the parking.
 14 There are other provisions that apply to
 15 Mixed-Use buildings that will come to you.
 16 This would apply, typically, to free-standing
 17 restaurants, let's say, on US-1 or something.
 18 And we believe that a slightly less number of
 19 parking spaces would work better, in terms of
 20 creating re-development scenarios.
 21 CHAIRMAN FLANAGAN: It's a two space
 22 reduction.
 23 MR. TRIAS: Yeah. It's not huge.
 24 CHAIRMAN FLANAGAN: No.
 25 MR. BELLIN: Ramon, what I would like to

1 multi-family units.
 2 MR. TRIAS: Yes. It goes from 75 -- so
 3 it's a slight reduction.
 4 MS. MENENDEZ: Right. It's -- I mean --
 5 and then you moved the two bedroom. What
 6 was -- the two bedroom -- what used to be two
 7 bedroom?
 8 MR. TRIAS: That's not changed.
 9 MS. MENENDEZ: Oh, it hasn't changed? The
 10 only one that's changed is the one bedroom?
 11 MR. TRIAS: Yeah, only one bedroom.
 12 MS. MENENDEZ: Okay.
 13 MR. BELLIN: And the efficiencies.
 14 MS. MENENDEZ: And the efficiencies. The
 15 efficiencies is 1.752?
 16 MR. TRIAS: Yes.
 17 CHAIRMAN FLANAGAN: Ramon, on the
 18 restaurant side --
 19 MR. LEEN: Mr. Chair, did you read this
 20 title?
 21 CHAIRMAN FLANAGAN: I did.
 22 MR. LEEN: Okay. I'm sorry.
 23 MR. TRIAS: Yes, sir.
 24 CHAIRMAN FLANAGAN: It's okay.
 25 Was there any thought to divvying up the

1 see is, 100 square feet of patron area -- I
 2 mean, I don't see any reason to count the back
 3 of house, the bathrooms, the storage closets.
 4 MR. TRIAS: I'm comfortable with reviewing
 5 that and bringing it back to you, because that
 6 applies to some other provisions of the Code.
 7 So if you're comfortable with the efficiency,
 8 we could pass that, and then we can come back
 9 with the restaurants.
 10 CHAIRMAN FLANAGAN: Okay.
 11 MS. MENENDEZ: You're going to come back
 12 with the restaurants?
 13 MR. TRIAS: Yeah. Yeah. With a little
 14 more comprehensive description of the issues
 15 that apply to the Building Code -- I mean, to
 16 the Zoning Code.
 17 CHAIRMAN FLANAGAN: Okay. Anybody have any
 18 other comments or questions?
 19 So they're going to basically defer the
 20 restaurant portion. Anybody want to move the
 21 balance of it?
 22 MR. BELLIN: I'll move.
 23 CHAIRMAN FLANAGAN: I need a second.
 24 MS. MENENDEZ: I'm just surprised the City
 25 or the Staff would ask for this, you know.

1 MR. TRIAS: We are trying to come up with
2 more effective ways to encourage Mixed-Use and
3 mobility, et cetera, and parking -- I have to
4 say that the current thinking, in terms of
5 parking, is that more parking is not
6 necessarily better.

7 MS. MENENDEZ: No, I'm not -- I mean, I
8 would like to see, what does the City get for
9 it? Does it get a better aesthetic building?
10 Does it get less massing? Does it -- you see
11 what I'm saying?

12 MR. TRIAS: Yeah. We could explain it
13 better.

14 MS. MENENDEZ: I mean, if the goal could be
15 that, then I'm all for it, but if you're just
16 going to give away --

17 MR. BOLYARD: Let me just tell you, as a
18 little bit of a history, this is actually the
19 result of the North Ponce study that we had.
20 Some of the developers -- one developer, in
21 particular, said that we're getting more
22 two-bedroom units, because we're requiring the
23 same amount of parking for an efficiency, one
24 bedroom and two-bedroom units current. So
25 we're not getting as many, you know, cost

1 affordable one bedroom, efficiency units in our
2 multi-family dwellings that we could be
3 getting, as a result of this parking
4 requirement.

5 Just to let you know, one parking space
6 typically cost about \$20,000 to construct. So
7 if you require less parking, then the units
8 would be cheaper, in theory.

9 MS. MENENDEZ: Right. But that doesn't
10 help -- that's a developer plus. That's a
11 developer -- I mean, it's not -- if you were to
12 tell me -- and I appreciate that, but if you
13 were to tell me, as a result of this, I think
14 we can focus on bringing the massing down and
15 getting a better product, then you have me
16 sold, but not just -- not the cost for the
17 developer.

18 MR. GRABIEL: But you would be bringing the
19 massing down.

20 MS. MENENDEZ: Well, I know, but I would
21 love to --

22 MR. GRABIEL: But I think the most
23 important point that was brought up is that
24 we're losing a lot of affordable housing in
25 Coral Gables. All of North Gables used to be

1 -- the older buildings, built in the '30s, '40s
2 and '50s, right now are very low rent. Those
3 are disappearing.

4 So the only thing that might be affordable
5 are smaller apartments, and if the developers
6 cannot build them, because they are required to
7 put 1.75 per unit, then we are not giving, you
8 know, future residents that opportunity.

9 So, I think, for that reason, it's well
10 worth it.

11 MS. MENENDEZ: But I think that we assume
12 that because we do this, that we're going to
13 get the smaller units with the one parking and
14 I'm not convinced of that. I think you're
15 still going to have large parcels assembled and
16 you're going to have big projects coming in.

17 So it's an assumption, but I don't
18 necessarily think that's always going to
19 happen.

20 MR. RODRIGUEZ: I think, Maria, the issue
21 might be that if the developer doesn't see that
22 there's a cost effective way of doing
23 something, then they won't make the one bedroom
24 units available. And I think maybe the concern
25 would be that the public might be better served

1 to have more availability of the one bedroom --
2 the more affordable one bedroom units.

3 So I think that's the benefit that I see.
4 I've sort -- you know, we've talked about this
5 in the context of one of the other matters we
6 talked about earlier, and, you know, I've sort
7 of given -- you know, I don't see the benefit
8 beyond -- like I see it in this case.

9 But, essentially, when you are requiring
10 less parking, I see it as a benefit primarily
11 to the developer, but the way it was explained
12 in this case, you know, there is a benefit, if
13 there are more one bedroom units available,
14 because the public benefits by, you know,
15 cheaper housing availability.

16 MS. MENENDEZ: Right. But this isn't an
17 incentive to develop those one bedroom units.
18 This is a -- I mean, this is an opportunity for
19 a multi-family dwelling to come in and now get
20 less parking. So the benefit that I see is,
21 the massing of the parking structure being
22 less, but not necessarily -- I mean, you know,
23 we're all assuming that this is going to create
24 something that may or may not.

25 But one think we can say for sure is that

1 we would hope that the massing itself would be
 2 smaller.
 3 MR. BELLIN: We're doing probably five, six
 4 seven hundred units in Coral Gables.
 5 MS. MENENDEZ: You are?
 6 MR. BELLIN: Probably, you know, in all of
 7 those buildings, and we've never done -- nobody
 8 does efficiencies, because they just don't make
 9 sense at 1.75 parking spaces.
 10 MS. MENENDEZ: Oh, the efficiency was also
 11 at 1.75?
 12 MR. BELLIN: Uh-huh.
 13 MS. MENENDEZ: Wow.
 14 MR. TRIAS: Yes.
 15 MS. MENENDEZ: See, that one I see -- I
 16 mean --
 17 MR. BELLIN: But it's the same thing with
 18 the one bedroom. You want more one bedroom
 19 units. The developers will -- because
 20 market-wise, they work out better with this
 21 kind of parking, so you can do smaller units.
 22 If you have to provide the 1.7 -- remember that
 23 the FAR is what it is.
 24 MS. MENENDEZ: Right.
 25 MR. BELLIN: You don't get any extra FAR.

1 MS. MENENDEZ: No, I know that. I was
 2 reminded today about that.
 3 MR. BELLIN: And that's really the way it
 4 works. So I think developers will build more
 5 one bedroom units, if they don't have to
 6 provide the parking at that number.
 7 MS. MENENDEZ: Okay. Got it.
 8 MR. TRIAS: I think, certainly, we could
 9 explain the benefits better and I would like to
 10 do that every time from now on, but if you're
 11 comfortable with the residential parking aspect
 12 of this request, that you may want to move that
 13 one, and then we can come back with the
 14 restaurants.
 15 MS. MENENDEZ: And this is City wide,
 16 right? This is not just particular to North
 17 Ponce?
 18 MR. TRIAS: Yes. Yes.
 19 CHAIRMAN FLANAGAN: All right. So we've
 20 got a motion to approve on the residential
 21 aspect of it. Do we have a second?
 22 MR. RODRIGUEZ: Second.
 23 CHAIRMAN FLANAGAN: A motion and a second.
 24 Any further comment?
 25 Okay. If we could call the roll.

1 THE SECRETARY: Frank Rodriguez?
 2 MR. RODRIGUEZ: Yes.
 3 THE SECRETARY: Maria Menendez?
 4 MS. MENENDEZ: Yes.
 5 THE SECRETARY: Julio Grabiell?
 6 MR. GRABIEL: Yes.
 7 THE SECRETARY: Marshall Bellin?
 8 MR. BELLIN: Yes.
 9 THE SECRETARY: Jeffrey Flanagan?
 10 CHAIRMAN FLANAGAN: Yes.
 11 MR. TRIAS: Mr. Chairman, the last item,
 12 Item 5, which starts on Page 10, deals with bay
 13 windows. Currently the Code deals with bay
 14 windows and roof protections in the same
 15 paragraph, basically, which are totally
 16 different concepts.
 17 So the first section of this request is to
 18 remove bay windows from that discussion. So
 19 it's only going to be about roof protections.
 20 Then the second aspect of the request is a
 21 definition for a bay window, which, in
 22 practical terms, what it means is that it has
 23 to meet the requirements of the setbacks of the
 24 property. The reason this is being brought to
 25 you is that currently one can have a building,

1 let's say, a two-story house, next to the other
 2 house, that is right at the setback line, and
 3 then, on the second floor, you do a bay window,
 4 and all of a sudden you're encroaching two and
 5 a half feet into the property. So that affects
 6 the neighbors.
 7 So what we're saying is that that doesn't
 8 make sense, that bay windows should follow the
 9 setbacks.
 10 CHAIRMAN FLANAGAN: On the definition,
 11 Ramon --
 12 MR. TRIAS: Yes.
 13 CHAIRMAN FLANAGAN: -- it says it's a
 14 window built to project outward from an outside
 15 wall. Would exterior wall be --
 16 MR. TRIAS: Much better. Much better.
 17 CHAIRMAN FLANAGAN: Then it says, "All bay
 18 windows must comply with the setback
 19 requirements. Any bay window larger than 10
 20 square feet counts towards gross floor area."
 21 I'm assuming we mean, what I'm going to call
 22 the ledge or the bench that's inside?
 23 MR. TRIAS: Yes. Yes. In other words, if
 24 it's very large, then it counts towards the
 25 square footage are of the building.

1 CHAIRMAN FLANAGAN: Are we talking about 10
 2 square feet of the window size or are we
 3 talking --
 4 MR. TRIAS: No. No, of the floor.
 5 CHAIRMAN FLANAGAN: The floor on the inside
 6 that projects out.
 7 MS. MENENDEZ: That has to be --
 8 MR. TRIAS: Clear, yes.
 9 MS. MENENDEZ: -- clearer.
 10 MR. TRIAS: You're correct. Yes.
 11 MS. MENENDEZ: You have a good point.
 12 That's not clear there.
 13 CHAIRMAN FLANAGAN: Yeah, I took it as
 14 being the floor area or the ledge that gets
 15 created when you bow it out, but --
 16 MR. TRIAS: We'll make it more clear.
 17 CHAIRMAN FLANAGAN: Okay. That was my only
 18 two comments.
 19 MR. BELLIN: I think what it needs to say
 20 is, it has a floor area larger. I picked up on
 21 the same thing, but it was a little confusing
 22 when I read it. You know, at the first
 23 reading, what difference does the square
 24 footage of the bay window make?
 25 MR. TRIAS: Right. We'll take care of that.

1 MR. BELLIN: Okay.
 2 CHAIRMAN FLANAGAN: Marshall, that's the
 3 only comment?
 4 MR. BELLIN: That's it. It's a bay window.
 5 CHAIRMAN FLANAGAN: Anybody else?
 6 MR. WU: Public comment.
 7 CHAIRMAN FLANAGAN: Oh, yeah. Public
 8 hearing is open. Anybody from the public have
 9 any comments?
 10 Seeing none, public hearing is closed.
 11 MR. RODRIGUEZ: It would be stunning if we
 12 had any public comments.
 13 MR. BELLIN: Are we leaving 11 now,
 14 because --
 15 CHAIRMAN FLANAGAN: All of this is Number
 16 11.
 17 MR. TRIAS: Yeah, we're done with 11.
 18 We'll come --
 19 CHAIRMAN FLANAGAN: I think we need to move
 20 to approve.
 21 MR. TRIAS: We will come back with the
 22 issue that you're interested in. We're not
 23 going to take action.
 24 MR. BELLIN: Yes.
 25 MR. TRIAS: I don't recommend action.

1 CHAIRMAN FLANAGAN: You need us to approve
 2 this one, right, Number 5, bay windows?
 3 MR. TRIAS: Yes, please.
 4 CHAIRMAN FLANAGAN: Do we have a motion?
 5 MR. RODRIGUEZ: I so move.
 6 MR. GRABIEL: Second.
 7 CHAIRMAN FLANAGAN: Frank moves. Julio
 8 seconds. Anything else? Any further comment?
 9 Call the roll, please.
 10 THE SECRETARY: Frank Rodriguez?
 11 MR. RODRIGUEZ: Yes.
 12 THE SECRETARY: Maria Menendez?
 13 MS. MENENDEZ: Yes.
 14 THE SECRETARY: Marshall Bellin?
 15 MR. BELLIN: Yes.
 16 THE SECRETARY: Julio Grabiell?
 17 MR. GRABIEL: Yes.
 18 THE SECRETARY: Jeffrey Flanagan?
 19 CHAIRMAN FLANAGAN: Yes.
 20 All right. Last item, Number 12 on the
 21 Agenda, is an Ordinance of the City Commission
 22 of Coral Gables, Florida providing for text
 23 amendments to the City of Coral Gables Official
 24 Zoning Code by adding Article 5, "Development
 25 Standards", Division 13 "Miscellaneous

1 Construction Requirements", Section 5-1302,
 2 "Sustainability Standards", consideration to
 3 incorporate "green" building standards on
 4 certain new construction projects; providing
 5 for a repealer provision, severability clause,
 6 codification, and providing for an effective
 7 date.
 8 MR. WU: Mr. Chair --
 9 MS. MENENDEZ: I have a quick question, if
 10 I may.
 11 CHAIRMAN FLANAGAN: Maria.
 12 MS. MENENDEZ: I had this one delivered. I
 13 have this one on my desk. Is there any
 14 changes?
 15 MR. WU: Yes. There are substantial
 16 changes and you should look at the one that was
 17 placed on your dais today.
 18 MS. MENENDEZ: Can you point it out, the
 19 changes, so that --
 20 MR. WU: We will run through the change of
 21 direction here.
 22 First, I'd like to introduce Mr. Bill
 23 Miner. He's our Building Director. He worked
 24 very hard on this for months, and he is going
 25 to introduce to you the premise and the history