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1 CHAIRMAN FLANAGAN: And with the
 2 understanding that the Applicant is going to do
 3 more than explore the opportunity, because
 4 exploring is a very broad, and -- so I'm going
 5 to suggest and recommend strongly that we do
 6 more than explore. And with that, I will vote,
 7 yes.
 8 MR. TRIAS: Thank you. The project goes
 9 forward without a recommendation.
 10 MR. GUILFORD: Thank you all very much.
 11 CHAIRMAN FLANAGAN: Thank you.
 12 Next item on the agenda is Item Number 8.
 13 It's an Ordinance of the City Commission of
 14 Coral Gables, Florida providing for a text
 15 amendment to the City of Coral Gables Official
 16 Zoning Code, Article 4, "Zoning Districts,"
 17 Division 4, "Prohibited Uses," Section 4-411,
 18 "Parking in residential areas," amending the
 19 provisions for loading and unloading of
 20 commercial vehicles within residential
 21 districts and within a specific distance of
 22 residential districts; providing for repealer
 23 provision, severability clause, codification
 24 and providing for an effective date.
 25 Mr. Trias.

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1 MR. TRIAS: Mr. Chairman, this is a minor
 2 change that re-arranges some text in the Code
 3 and adds one minor provision.
 4 MR. COLLER: Mr. Chairman, you might want
 5 to wait two minutes to allow -- there we go.
 6 CHAIRMAN FLANAGAN: Thank you.
 7 MR. TRIAS: We are re-arranging some of the
 8 text that limits the hours of operation for
 9 commercial vehicles, places it somewhere else
 10 in the Code, and then we're adding that in
 11 addition to -- this being applicable to
 12 Single-Family Zoning, also area within a
 13 hundred feet of that Zoning will be affected by
 14 this.
 15 So we're expanding slightly the application
 16 of this requirement.
 17 CHAIRMAN FLANAGAN: Okay. It's a public
 18 hearing item. We'll open the public hearing.
 19 Anybody wish to speak on Item Number 8 on the
 20 agenda?
 21 Seeing none, we'll close the public
 22 hearing.
 23 Ramon, where did the hundred feet come
 24 from?
 25 MR. TRIAS: There may be some commercial

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1 areas right next to residential and we believed
 2 that that would be a good idea, to limit the
 3 hours of operation within close proximity to
 4 residential.
 5 Certainly, if you think there's a better
 6 dimension, we could review that.
 7 CHAIRMAN FLANAGAN: I don't know that a
 8 hundred is good or bad. I just wasn't sure
 9 where that number came from.
 10 MR. TRIAS: It's basically just to limit
 11 the impacts on neighborhoods.
 12 CHAIRMAN FLANAGAN: So is it a hundred feet
 13 from the residential district or is it
 14 properties that are located within a hundred
 15 feet?
 16 MR. TRIAS: A hundred feet from the
 17 district, from the line of the -- which is
 18 typically the property line.
 19 CHAIRMAN FLANAGAN: I mean, it could
 20 theoretically cut a commercial property, let's
 21 say, in half.
 22 MR. TRIAS: Yes. Yes.
 23 CHAIRMAN FLANAGAN: So the half closest to
 24 the residential.
 25 MR. TRIAS: Yes.

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1 CHAIRMAN FLANAGAN: So they could still
 2 load and unload, they just have to do it --
 3 MR. TRIAS: They have to do it farther away
 4 from the house.
 5 CHAIRMAN FLANAGAN: Okay. Anybody have any
 6 comments, thoughts?
 7 Anybody want to make a motion?
 8 MR. BELLIN: I'll make a motion to approve.
 9 MR. PEREZ: Just to be clear, so what
 10 exactly is it that they're requesting, the
 11 distance?
 12 CHAIRMAN FLANAGAN: Right. The change,
 13 right, Ramon -- the change is just the distance
 14 of being --
 15 MR. TRIAS: That is the only change, yes.
 16 MR. PEREZ: And what is it now?
 17 MR. TRIAS: Zero. Right now it's only
 18 residential districts. So we're saying, within
 19 a hundred feet, we also apply the same
 20 requirements.
 21 CHAIRMAN FLANAGAN: How hard is it going to
 22 be to enforce? Are you going to take a tape
 23 measurer and do a hundred feet? Is there any
 24 thought to making it, if the property is within
 25 a hundred feet, that way it's easier to say,

1 you know, you're not a hundred -- I'm a hundred
2 and ten feet. No, you're only 95 feet.

3 MR. TRIAS: Certainly we could refine that
4 language. This came from the City Attorney's
5 Office.

6 MR. COLLER: Well, I think the hundred feet
7 would be measured from the Zoning District
8 boundary line.

9 MR. TRIAS: But I think the question is the
10 practical issue, that the Code Enforcement
11 Officer is going to go there with a tape
12 measurer and --

13 CHAIRMAN FLANAGAN: Because some commercial
14 properties may -- you know, they may start 35
15 feet away from a Residential District, and they
16 may go to, let's say, 135 or 50 feet away --

17 MR. COLLER: Right, and they would be
18 within the --

19 CHAIRMAN FLANAGAN: But then I think I read
20 this as saying, this is a hundred foot. So you
21 almost create a line, an imaginary line, down
22 the --

23 MR. COLLER: The hundred feet would be
24 measured from the Residential Zoning District
25 boundary line, whatever that Zoning District

1 boundary line. Whatever that Zoning District
2 boundary line was on a Zoning Map, you would
3 measure 100 feet from that Zoning District
4 boundary line into whatever -- it could very
5 well be into a commercial --

6 CHAIRMAN FLANAGAN: Right.

7 MR. COLLER: Now, you could say, 100 feet
8 from the closest residential. Would you say,
9 to the front door? Would you say, the property
10 line? I mean, there are many ways you could do
11 that.

12 CHAIRMAN FLANAGAN: Right. No, my thought
13 was, from the Residential District, it's fine.
14 If you say a hundred feet, you may cover half
15 of or some portion of a piece of commercial
16 property.

17 MR. COLLER: Sure.

18 CHAIRMAN FLANAGAN: Such that now somebody
19 -- you can't unload on this side, but you could
20 unload on that side.

21 MR. COLLER: Well, you can unload within
22 two hours as long as it's not from 7:00 -- you
23 can't unload from 7:00 p.m. to 7:00 a.m.

24 CHAIRMAN FLANAGAN: Right. I'm just
25 talking, from an enforcement standpoint, how do

1 you know where -- you know, again, because it's
2 going to straddle some --

3 MR. COLLER: Somebody would have to take a
4 Zoning Map and --

5 MR. TRIAS: Mr. Flanagan --

6 CHAIRMAN FLANAGAN: Do you understand where
7 I'm coming from? I'm not being clear.

8 MR. TRIAS: I fully understand it. I fully
9 understand the practical issues. Really, I do.
10 So it may be better just to include the whole
11 property that is adjacent to Single-Family, if
12 you'd prefer.

13 MR. WU: Mr. Chair, if I can clarify one
14 thing.

15 The Zoning Code defines the Zoning District
16 boundary as the center line of the street, and
17 that's defined on Page 1-5, which is pretty
18 common for Zoning Codes.

19 MR. TRIAS: If there's a street. But if
20 it's right next to the back area of the
21 house --

22 MR. WU: If it's adjacent, then it's at the
23 property line.

24 MR. TRIAS: Right.

25 MR. WU: Yes.

1 CHAIRMAN FLANAGAN: I'm fine with that, but
2 I think Ramon understands. And I'm not being
3 clear, and I'm sorry.

4 MR. TRIAS: Right.

5 CHAIRMAN FLANAGAN: The hundred feet, and I
6 don't care where it starts, for the purpose of
7 this thought process, the hundred feet does not
8 necessarily encompass the entirety of a
9 commercial parcel, and I think there's other
10 provisions of the Code that say, like there
11 shall be no -- I'll say -- landscaping
12 activities to occur before 7:30 a.m. on
13 commercial properties located within fifty feet
14 or hundred feet of a Residential District. So
15 it encompasses the entire property. It's not a
16 100 foot line. And I was reading this as being
17 just a 100 foot line, not that if the property
18 is within a hundred feet, then the entirety of
19 the property gets excluded. That's my only
20 thought.

21 MR. TRIAS: Right. And you're correct. So
22 if you'd prefer, if the Board Members would
23 like it, we could include the whole property
24 and refine the language prior to the
25 Commission.

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1 CHAIRMAN FLANAGAN: Thank you.
 2 MR. BEHAR: Was there a motion for
 3 approval?
 4 MR. BELLIN: I made a motion for approval.
 5 MR. PEREZ: I'll second it.
 6 CHAIRMAN FLANAGAN: We have a motion and a
 7 second. Any further comment?
 8 Hearing none, Jill, call the roll, please.
 9 THE SECRETARY: Marshall Bellin?
 10 MR. BELLIN: Yes.
 11 THE SECRETARY: Alberto Perez?
 12 MR. PEREZ: Yes.
 13 THE SECRETARY: Frank Rodriguez?
 14 MR. RODRIGUEZ: Yes.
 15 THE SECRETARY: Robert Behar?
 16 MR. BEHAR: Yes.
 17 THE SECRETARY: Jeff Flanagan?
 18 CHAIRMAN FLANAGAN: Yes.
 19 Thank you.
 20 Item Number 9 is an Ordinance of the City
 21 Commission of Coral Gables, Florida providing
 22 for text amendments to the City of Coral Gables
 23 Official Zoning Code, Article 4, "Zoning
 24 Districts," Division 1, "Residential
 25 Districts," Section 4-103, "Multi-Family 2

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1 District," Section 4-104, "Multi-Family Special
 2 Area District;" Division 3, "Nonresidential
 3 Districts," Section 4-301, "Commercial Limited
 4 District," Section 4-302, "Commercial
 5 District," and Section 4-303, "Industrial
 6 District" requiring buildings containing a
 7 certain amount of floor area to be approved as
 8 a conditional use; providing for repealer
 9 provision, severability clause, codification,
 10 and providing for an effective date.
 11 Ramon.
 12 MR. TRIAS: Mr. Chairman, this item has to
 13 do with the issue that there are some large
 14 buildings that the Code currently allows
 15 without any review by Planning and Zoning or
 16 the Commission, and those typically are, let's
 17 say, a large office building or a large hotel.
 18 And a way to resolve that issue is to make
 19 buildings over 50,000 square feet conditional
 20 uses.
 21 We have a memo that shows some examples of
 22 those buildings and it could be circulated to
 23 you.
 24 MR. BEHAR: So anything over 50,000 square
 25 feet?

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1 MR. TRIAS: Yeah. Let me give you two
 2 examples. For example, the Aloft Hotel and the
 3 396 Alhambra Building, those two buildings did
 4 not have any review by Planning and Zoning or
 5 Commission. So they would, under the proposed
 6 language, as conditional uses.
 7 CHAIRMAN FLANAGAN: And I know there's at
 8 least one other municipality that has 20,000
 9 square foot.
 10 MR. TRIAS: Yes. This is not uncommon.
 11 This is a fairly typical technique.
 12 MR. BEHAR: So anything over 50,000 would
 13 require Commission approval?
 14 MR. TRIAS: Right. And that's the policy
 15 choice, you know, what that number is and if
 16 you believe it should be --
 17 MR. BEHAR: And that's based on gross area
 18 of the building or FAR of the building?
 19 MR. TRIAS: You mean whether parking is
 20 included, right? That's the nature of the
 21 question?
 22 MR. BEHAR: That's the gross.
 23 MR. TRIAS: Yeah. I would think it's
 24 the --
 25 MR. BEHAR: FAR.

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1 MR. TRIAS: We may want to clarify that it
 2 is the FAR, yes.
 3 MR. BEHAR: FAR?
 4 MR. TRIAS: Yes.
 5 MR. BEHAR: Look, I'm in favor of a
 6 building -- you know, if today a building of
 7 that size does not have to get Commission
 8 approval, I'm in favor of supporting this
 9 amendment to require that all buildings of
 10 50,000 square feet go through the process for
 11 approval.
 12 MR. PEREZ: You mean, it doesn't already?
 13 MR. BELLIN: I'd like to make a comment to
 14 that.
 15 CHAIRMAN FLANAGAN: Okay.
 16 MR. BELLIN: To my way of thinking, what
 17 happens is, if you do a building and it's as of
 18 right, you conform to the Zoning Code, but
 19 there's a -- if you have over 50,000 square
 20 feet, it's a conditional use, so therefore it
 21 goes to DRC, normally, Board of Architects,
 22 Planning and Zoning and the Commission.
 23 And, at that point, if the Commission feels
 24 like this is not a building I like, we're not
 25 going to give you the conditional use, what