

**City of Coral Gables City Commission Meeting**  
**Agenda Items E-2 and E-3 are related**  
**October 24, 2023**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Vince Lago**

**Vice Mayor Rhonda Anderson**

**Commissioner Melissa Castro**

**Commissioner Ariel Fernandez**

**Commissioner Kirk Menendez**

**City Staff**

**City Attorney, Cristina Suárez**

**City Manager, Peter Iglesias**

**City Clerk, Billy Urquia**

**City Planner, Jennifer Garcia**

**Public Speaker(s)**

**James Dockerty**

**Maria Cruz**

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Agenda Items E-2 and E-3 are related [11:43 a.m.]

An Ordinance of the City Commission granting approval of proposed amendments to the text of the City of Coral Gables Comprehensive Plan Future Land Use Element, pursuant to expedited state review procedures (S.163.3184, Florida Statutes) and Zoning Code Article 14, "Process," Section 14-213, "Comprehensive Plan Text and Map Amendments;" to provide for additional building height up to one hundred and thirty -seven feet and six inches with parks incentives if developed pursuant to the Design & Innovation District regulations: and clarifying the Design & Innovation District as a Transfer of Development Rights receiving area;

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City Commission Meeting

October 24, 2023

Agenda Items E-2 and E-3 are related - Ordinances of the City Commission granting approval of proposed amendments to the text of the City of Coral Gables Comprehensive Plan Future Land Use Element and Official Zoning Code to provide for additional building height up to 137 feet and 6 inches with parks incentives and to create an incentive program within the Design & Innovation District to allow a maximum building height of 137 feet and 6 inches by providing a park open to the public.

providing for a repealer provision, severability clause, codification, and providing for an effective date. (07 12 23 PZB recommended denial, Vote 3-2)  
(Sponsored by Vice Mayor Anderson)

An Ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code pursuant to Zoning Code Article 14, “Process,” Section 14-212, “Zoning Code Text and Map Amendments,” to create an incentive program within the Design & Innovation District to allow a maximum building height of one hundred and thirty-seven feet and six inches by providing a park open to the public, providing for repealer provision, severability clause, codification, and providing for an effective date. ( 07 12 23 PZB made no recommendation, Vote 3-2)  
(Sponsored by Vice Mayor Anderson)

Mayor Lago: Moving on to E-2.

City Attorney Suárez: Mayor, E-2 and E-3 are related. If it’s all right with you, I’ll read them both into the record for purposes of consolidating the public hearing. E-2 is an ordinance of the City Commission granting approval of proposed amendments to the text of the City of Coral Gables Comprehensive Plan Future Land Use Element, pursuant to expedited state review procedures and Zoning Code Article 14, “Process,” Section 14-213, “Comprehensive Plan Text and Map Amendments;” to provide for additional building height up to 137 feet and 6 inches with parks incentives if developed pursuant to the Design & Innovation District regulations: and clarifying the Design & Innovation District as a Transfer of Development Rights receiving area; providing for a repealer provision, severability clause, codification, and providing for an effective date. E-3 is an ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code pursuant to Zoning Code Article 14, “Process,” section 14-212, “Zoning Code Text and Map Amendments,” to create an incentive program within the Design & Innovation District to allow a maximum building height of 137 feet and 6 inches by providing a park open to the public, providing for a repealer provision, severability clause, codification, and providing for an effective date. These are public hearing items. And City Planner, Jennifer Garcia, will present.

Mayor Lago: Welcome back.

City Planner Garcia: Good morning. Jennifer Garcia, City Planner. There’s been no changes to the comp plan amendment. There’s a minor change to the zoning code text amendment, to reduce it from 30 percent to 10 percent for outdoor open space, and that’d be allowed on the park space.

This was transmitted to the state, and they reviewed it. They had no comments, no objections, and they requested it to proceed with adoption. And between first reading and second reading, we did have a community meeting with residents there, and it seemed to have been well received. And that's all I have.

Vice Mayor Anderson: And the only other change we had was a reduction in the seating area down to 10 percent. Okay, and I just wanted to clarify for the record, because it is confusing, the Planning and Zoning Board's vote was -- more votes were for than against, but we were short one member sitting on the dais at the time from the Planning and Zoning Board, which, you know, was of concern to me as well. So, at least now we have a full board on these things in the future. I have no additional comments other than what I already said in public comment as far as the explanation as to why this was desired by the residents in the Design District in order to get the green space that they've been sorely lacking and for -- since the place was designed from the get-go. Any other comments from any one of you?

Commissioner Fernandez: I do have -- first off, thank you for all the work you've put into working on getting this done. Last night we had the Sunshine meeting on the CBD, which is a similar, I guess, program. There are differences, but I thought some of the questions that were raised last night had me thinking as well. And I think there are things that we might be able to do to tweak this and make it a little bit better long-term. I was not informed about the community meeting that took place. So, that's why I wasn't present. I did hear that there were most residents who were in favor of it, which is good to know what the feeling is in the area. Would have liked to have known so that I could have been there and heard it myself, but unfortunately I never got the invitation.

Vice Mayor Anderson: I don't know why you didn't.

Commissioner Fernandez: No, we've had a lot of scheduling issues lately. So...

Vice Mayor Anderson: True.

Commissioner Fernandez: It's another issue for another day. But some of the concerns that were raised yesterday were regarding height. And I think that over the last few months, the concern that a lot of residents have had is regarding to height. And I understand there has to be -- it's a game of give and take. You know, we can't just ask for the green space and just, you know, give us a green space and that's it. We can't ask for that. There are legal requirements that we have to live up to. But I think there are some safeguards that are being put into the CBD that would maybe enhance this. And maybe you can talk to the differences between the two programs so that we can visualize what the differences are between the two.

City Planner Garcia: Sure. So, the CBD open space incentives is kind of a work in progress right now. We're getting a lot of feedback from the community as the weeks go on. I think we change it every week or so. So, it's a work in progress very much. So, the CBD is a little bit of a different

environment than our Design & Innovation District. Our Design & Innovation District is very built out, very dense. Most of the properties are built block to block. And a lot of it is because of the existing maximum height that you can build there. It squeezes the building down because you still have the 3.5 FAR, but you can't really poke up past the 120. And by right, 97 feet, right? And the CBD, you have more MX3 properties that can take advantage of higher heights and be able to allow more open space. They can be a little more playful, I guess, with the ground floor and how they address how the building meets the street. In that aspect, we talked about maybe only allowing a 5 percent -- a 10 percent additional open space in the CBD to only allow to 124 feet instead of the 137.5, which is what's proposed for the Design & Innovation District. Even though the Design & Innovation District is still MX2 for both the CBD and for the Design & Innovation District, but the Design & Innovation District does allow for 120 feet with Commission approval. So, in theory, it's a little less of a jump, but I mean, the facts are still straight that it's still 97 feet to 110 and a half to 124 and then 137 and a half. So, that's kind of the difference that we're not allowing as much height and not requiring as much open space in the CBD. So, the sites more or less are the same. There's a lot of more restrictions in the CBD.

Commissioner Fernandez: And I guess that would be more of my question.

City Planner Garcia: Because yes, so the zoning is very different because in the Design & Innovation District it's mostly MX2. There's a little bit of MX1, I think, on the major thoroughfares, if I remember correctly. But the CBD is located next to single -- sorry, next to multifamily to the north and some single family to the southeast part of it, also across the street from duplexes on Le Jeune Road. So, the context is very different. There's a lot of proposed -- I mean, again, it's a working document right now, but a lot of the restrictions are due to that different environment.

Vice Mayor Anderson: So, I'm going to speak a little bit. Number one, the meeting for last night was scheduled at a time that I had blocked for months and on extremely, extremely short notice. There are major differences between our Central Business District and the Design District because in the Design District we don't have any historic buildings. Plus, the height that you can reach in the Design District without, you know, before we put pen to paper is 120 feet. So, the difference is only 17 and a half feet. The height that you can reach with MX2 is only 97 feet. Correct me if I'm wrong.

City Planner Garcia: That's correct, yes.

Vice Mayor Anderson: So, going to 124 is a 27 foot difference. It's a much bigger difference than what was proposed in the Design District. For 17 and a half feet, we're getting a lot for that place, that area where people are just starving for some green space, some open space, some shaded space. We know what the heat problem has caused, and I hope that, you know, with the leadership of this Commission, we can move forward and bring more trees in our Central Business District, but it's going to take a lot of planning. It's going to take getting the cars off the street to make

space to plant the trees. It's going to take us to have the Mobility Hub built. We'll get back to the design soon. I'm working on it. But -- and then we'll discuss that. But in order to -- we have to put the cars somewhere. So, the CBD one is a work in progress. I have some additional ideas coming forward on that. There was no concern. It was a 7-0 vote from the Planning and Zoning Board to get this kind of space down there on this building. You know, I heard, you know, one of the comments of Mr. Pardo was, yeah, 17 and a half feet, and you get this, this is great. And I think it is great, and I think it's a great way to resolve a problem not of our making, okay, where there's unlimited density, and we're capping the density to solve some of the concerns over traffic and so forth. I'm hoping that we can have a more robust discussion with the folks in the Central Business District because the issues are more complex. The issues are a lot more complex because the Design District is a retail district and the amount of retail is not as concerning there as it can be in some of the areas where we have a historic home, a single-family home, two-story historic buildings lacking sufficient parking space even for their own tenants, let alone the amount of people that we're going to be bringing in with the amount of density that was previously approved in some of these areas. So, I think it has to be dealt with very thoughtfully, not in a rush. I know every -- you know, the cost of money and the cost of construction, there's always a push to get things done, but we don't want to regret our choices later on. We didn't make the choice to go to 100 units per acre in some of these areas in the residential infill district. And I understand that's north of here. We didn't make the choice to go unlimited density in the Central Business District, which can be up to 300 units per acre. But we can try to incentivize what people want with the park space and bring quality of life. Because one of the things that came out of the Blue Ribbon Committee very, very clearly is how this building meets the ground is how people are experiencing it, you know. I mean, I was on Planning and Zoning when some of these buildings came through, and I tried to encourage and nudge, you know, as much as you can. You can't dictate, but you know, you're one vote to set these buildings back a little more to create that open space where this artwork that we just saw is sitting now. That was one of the shoves that I did, pushes I did, was to bring that corner in the building in so that not -- it wasn't so claustrophobic feeling. So, now we have an opportunity to make even more space. So, this fruit was fortunately with a developer willing to spend more money because it costs more to build a taller building. Only 17 and a half feet and we're getting a lot more for it in that space so...

Commissioner Fernandez: And I think that the question on the -- there were two votes in Planning and Zoning. One was a three-two vote; one was a seven-nothing. But what was the difference -- I guess, what were the questions of those against the change but then in favor of the project? I guess that's my question.

City Planner Garcia: So, the...

Commissioner Fernandez: Where was the difference there?

City Attorney Suárez: I just want to say, we should steer clear of discussing the project. That will be, as you know, later on the agenda.

Commissioner Fernandez: Right, I guess the detractor was more on the change so...

Chair Russell: Was this directed for the CBD building or are we talking about...?

Commissioner Fernandez: No, no, for this project, for the legislation we're currently considering.

City Attorney Suárez: I think the question is, what were the concerns with the legislation...

Commissioner Fernandez: Correct.

City Attorney Suárez: That apparently...

Commissioner Fernandez: Correct.

City Attorney Suárez: Weren't there, you know, later?

Commissioner Fernandez: Correct.

City Attorney Suárez: So, this can be addressed by perhaps, you know, if the City Planner can maybe address some of the concerns that P and Z had...

Commissioner Fernandez: Right.

City Attorney Suárez: With the legislation.

City Planner Garcia: Right, so the concern that many -- it wasn't many -- a couple of the board members had was the increased height because we always talk about height in Coral Gables, that that's not in character with the existing conditions. They felt that the trade-off between the open space for additional height maybe was not justified. That's kind of what I gathered from their discussions. It could have been also that they couldn't really visualize what this meant. And so, once the project came in afterward, a couple months later, they could actually visualize with renderings and a park space and a park design and see the actual impact of it. Because massing diagrams can only do so much. Sometimes they may take away from what the impact could be. So, massing diagrams don't always help, but I think the project coming in, they could actually visualize it and see the lush landscape of it and the actual impact of it.

Commissioner Fernandez: Right.

Mayor Lago: I think the point is very simple. I think that we've discussed this at community meetings and we've discussed it here. I think it's a very, very clear situation where you either go as of right, and you have a building that is setback to setback, you have very limited green space

and a lot of asphalt and pavers, or you apply this legislation and you're able to have something which at least gives you some sort of green space where you can have an area where people can congregate, people can, you know, enjoy a moment under a tree and relax in an area where I think that there's a significant need for green space. That's the vision and that's where we have to make a decision as a Commission whether are we moving forward setback to setback as of right or are we adding an additional floor, 15 feet, 20 feet to a building to ensure that we can have significant open space. I'm bringing forward, like I've said before in the past, multiple different projects that I've been working to try to get green space. Some of them have a little bit more flexibility than others. Case in point, Publix, something we've been working on for four years. You're going to see that we were able to put together something really nice. But that was due to the fact that the developer of that project did not want to build anything higher than three stories, four stories, correct? When they could have built their 16 stories, but what they wanted to do was build a Publix with...

City Attorney Suárez: So, Mayor, that's going to be coming before you also. We should not discuss it here because it will be coming before you all.

Mayor Lago: It's not a problem. But I'm not discussing anything that's inappropriate. I'm discussing...

City Attorney Suárez: No, not discussing anything inappropriate.

Mayor Lago: They're not asking for any -- they're not asking for anything special and they're not asking for anything -- we're discussing the fact that there's different scenarios when you have a project and you have to make decisions, and certain developers want different things, or have different design visions. So, in this case, we either have to understand that we want some sort of green space, or we want a project that doesn't have any green space. And that's the decision that we have to make. We can go and beat around the bush as much as you want, and it's fine, it's not a problem. Lower the height of the building, no green space, and you have building to building, and then the building is set back into the alley, and it's set back against the sidewalk, and that's perfectly fine. That is legal, and that is what the Zoning Code allows.

City Manager Iglesias: Mayor...

Commissioner Fernandez: Mr. Mayor, the comment about beating around the bush was unnecessary. We're having a conversation here. Residents are entitled to hear the conversation. They're entitled to have questions and have them answered on this dais. I started off by thanking the Vice Mayor for her work on this. I think there are just questions that I'm trying to get answers to...

Vice Mayor Anderson: Let's...

Commissioner Fernandez: Which have been asked by residents.

Vice Mayor Anderson: Okay, let's move forward.

Commissioner Fernandez: Yes, agreed.

Vice Mayor Anderson: The meeting last night was not about this project.

Commissioner Fernandez: Agreed, but there...

Vice Mayor Anderson: So...

Commissioner Fernandez: Were questions that came about, for my mind...

Vice Mayor Anderson: Okay.

Commissioner Fernandez: About this legislation. And I'm telling you, I'm in a position where I understand the need, but I understand the concern that residents have, and they have been voicing for years that we continue to go higher.

Vice Mayor Anderson: Well, there's no...

Commissioner Fernandez: So...

Vice Mayor Anderson: Increase in floor area ratio, not an inch so...

Commissioner Fernandez: I agree, but we are going higher, which is the concern that residents have been voicing. We had one gentleman who said, my concern is height. Even in the annexation meetings, the conversation was about Coral Gables going higher in development.

Vice Mayor Anderson: I agree with you. That's why this hasn't added an additional inch. Believe me, folks here would have loved to go higher. And my response to them was, "What about 'no' don't you understand?" The original draft of this, so you all understand, was at 150 feet. I said no, and I repeatedly said no. That's why it's taken a year to get it here because I refused to go an inch taller, okay?

Commissioner Fernandez: And I think that's important for residents to know that -- because there's a perception out there that developers are driving development in the City, and that there is nothing at City Hall that's preventing that. I think it's important for residents to know that the original ask was 150 and it has been reduced to 137 and a half, which is really less than half what the difference is. Correct?



Mayor Lago: Commissioner...

Vice Mayor Anderson: Right.

Mayor Lago: Like you said before about beating around the bush, there's a perception amongst a handful of people. And it's also not correct because a lot of people know that there are standards here in the City and that we follow those standards. And it's also known, no matter how much people state my position in regards to height, I voted against Agave, I voted against Gables Station, I voted against the parking garages, all that were asking for astronomical height. So, the narrative of overdevelopment, people have property rights. It's very simple. The gentleman, developer, lady, whoever's in charge of the project can build what they want on that project as of right. This whole intent is to find something which makes the development more palatable and leaves something for the future. Leaves a park, leaves a green space, leaves something that, again, is going to be something more receptive to the City Beautiful. It's not just going to be something setback to setback. So, I don't believe that there is a, you know, a belief throughout the City that it's runaway development here in the City. People have property rights. They can bring anything they'd like forward. And you're going to see projects that are coming forward and projects that have come in the past that make trade-offs either on density or intensity. Let me give you an example. The Armando Codina project got an additional 17 feet in height. But we also got a 12,000 square foot park on the corner, which Mr. Manager, is probably a property worth \$5 million, correct?

City Manager Iglesias: Yes.

Mayor Lago: Maybe even more.

City Manager Iglesias: It's 20,000 square feet.

Mayor Lago: It's going to be...

City Manager Iglesias: 10,000 square feet.

Mayor Lago: It's going to be a beautiful, beautiful piece of property on the corner on an area that doesn't have an open space. And I think that is the trade-off. For example, the same thing that happened in the Crafts Section, where we were able to get a corner piece -- a corner project. Same thing with Villa Valencia. These are projects in this area that are changing the way that we view development. We can always go setback to setback, but I am of the belief -- and so are many people -- when I was there at the first public meeting that happened probably about, what, a year ago? A year and change?

Vice Mayor Anderson: It was last summer, not this summer.

Mayor Lago: Yeah. All the residents were in favor of having green space. And when you gave them the two options, I remember the architect who was there provided two renderings, a setback to setback, as of right, or a little higher, but with a park. There wasn't one person that didn't choose the park. And I was at last night's meeting also. There was -- there were probably two or three questions that were asked in regards to the legislation that was brought forward by Commissioner Menendez. There wasn't an overwhelming discussion about height. Is height important to the community? Wholeheartedly, it is. Wholeheartedly, it's important. But it is not that -- it is not that, you know, it is the number one and only driving force. I think people would like to see projects instead of being just cookie cutter, I think people would like to see projects that are, number one, well designed; number two, have open space -- in no particular order -- but that are in line with the standards that we want here in the City. Because if not, we're just going to end up with projects that abut each other, and that there's no -- nothing else but sidewalk in the front and an alley in the back. And that's what I don't think -- I don't think the Commission wants, and I know the Commission doesn't want that. The Commission wants something nice. I think we have to work together on that front to find a solution, and I think that's the intent of this legislation.

Commissioner Castro: I've met with residents that really like this legislation. I've also met -- especially for the last three days, I've been getting bombarded with phone calls and emails, and I even had a Zoom meeting with residents that are opposing this. So, there's passion in both of them. And the people -- one of the residents told me, we don't want -- I don't want to lose the blue. And I'm like, what do you mean you don't want to lose the blue? I want to be able to see the sky. I don't want to keep on seeing just concrete. And that was something funny that she said. But the strong opinion here was that it wasn't a good trade-off, that they felt that it wasn't enough park space, that it was just going to be a little patch of grass with a bench. I tried to explain it a little more, but they still -- not one person wanted it with the meeting I had the day before yesterday.

Vice Mayor Anderson: So, I've talked to a lot of those same residents. None of them lived in this area, number one. And if you had gone to the early renditions of this, you would have seen that where the height is, and if you look at the building itself, the massing, just the massing, not the way it's designed, you can see that the additional height you can't even see from the ground level. This is not in a single-family area where it's going to impact any skyline or loss of light. It's in an area where you already have tall buildings so you don't even see that additional height. And if you look at it from the angle of the street from across the street, you don't see it at all because it's set back. That additional height is set back an additional 10 feet. Those folks that are coming in, and you know, exclaiming about the height, they're more concerned about things coming in their neighborhood, not realizing when you explain it to them that this is the triangle that is between Bird Road, US-1, and Le Jeune, a highly dense, high-rise community in which people chose to live there because they like to live in high-rises, okay. I've seen the evolution of people's opinions change based upon design when they get to see the three-dimensional building over time. And we've seen it with more recent items that are coming in that we haven't voted on, but when the building is beautiful, people don't mind the height so much. I've seen it happen with the Villa Valencia project. People still coming up to me and say, hey, that really turned out nice. It didn't

have benefit of legislation like this. That was an organic process where the residents drove the conversation. The residents said, we want this green space. We can't do anything about the height because that was what it was zoned. But we moved and pushed for a lower density. This is what residents want. They want that green space. They want the lower density because they don't want the traffic coming in and out of their residential streets. That's what they want. And we're dealing with a highly dense area that already has a lot of traffic. So, there's a huge benefit in the lowering of the density. When people clearly understand the legislation because if they had it explained to them, the objections are done, are over with. But if you don't understand the legislation and can't explain it to them and understand the trade-offs that were done, and a trade-off that didn't give them an additional inch of development rights but gave the benefit to the community at the ground floor level, then they understand it. That they understand that mature trees are going to be brought in, not things -- to create 50 percent shade in a park space from day one is a huge investment. So, I know that Commissioner Menendez is itching to add his commentary, so I will stop talking at this time.

Commissioner Menendez: No, it's -- I think it's a great discussion all around. I think this is exactly what we should do. And I think it's exactly what the community wants to hear. I have a few questions. Without going into legal turmoil here, so the issue of the trade-off between some height and the green space, that issue has come before, for this area to the P and Z more than one time, correct? Where they've had to discuss the trade-off between open space and additional height.

City Planner Garcia: So, in July, the legislation, the one that you're voting on right now for the Comp Plan, the Zoning Code text amendment, and then the project that's going to take advantage of that, if adopted, they came in later in September.

Commissioner Menendez: So, I'm not even mentioning the word project. So, whenever the issue, the debate, the discussion of trade-off between a little bit more height, a little bit more open space, how did that discussion evolve from one meeting to the other, to the other? Because obviously, it seemed like there was a change of -- some people changed their view on that debate. Could you explain how that evolved?

City Planner Garcia: I mean, I can only guess. I think it's because of massing diagrams of July came off maybe a little harsh as far as the development goes and then when the project came in in September with the renderings being a little more soft and lush in landscape, that they reacted differently.

City Manager Iglesias: Commissioner, I think it's obvious what happened here. You have masking diagrams, they're abstract. You talk about different concepts. Sometimes it's not understood even to our board members, certainly to a number of residents. Then a project comes in applying those concepts correctly and people -- and the same board that saw that voted 7-0. So, I do think sometimes it's difficult conveying concepts from an abstract perspective, but I think it's

very clear. This went from a positive 3-2 vote to a 7-0 vote when a good project came in applying these concepts where there is no additional rights here. The FAR stays the same. Do you want a box that affects what you can see at the street level, or do you want to move that FAR slightly higher and create a very, very nice street level, which is what you feel and what really, really helps from a resident point of view. In my opinion, it's very difficult to perceive that from mass diagrams and abstract drawings. It's much easier to see it when you have a bonafiable [sic] very nice project where you can look at the benefits of that project at the streetscape level.

Commissioner Menendez: And we talk about FAR, but for the folks watching or listening on Zoom or cable, in terms of density, what happens with density of these properties if we apply this?

City Planner Garcia: So, the FAR is the floor area ratio, which is the amount of square footage a property can have depending on how large the property is. So, that's not changing. That's just moving the form of the building and where that square footage is going.

Commissioner Menendez: So, it doesn't gain -- it's not a more dense project.

City Planner Garcia: Less FAR. So, density is calculated by units per acre. In this legislation, if they have -- if they meet all the requirements for the ground floor park space and they have an enclosed space, the density is capped at, I believe, 125 units an acre...

City Manager Iglesias: Commissioner, it's not...

City Planner Garcia: Which is typical for...

City Manager Iglesias: It's not a bigger building from a volume perspective. They're just taking some of the volume at the bottom...

Commissioner Menendez: I know.

City Manager Iglesias: Putting it at the top and...

Commissioner Menendez: I'm just asking questions...

City Manager Iglesias: Creating a nicer...

Commissioner Menendez: The community's asked me.

City Manager Iglesias: So, it's not a bigger building.

Commissioner Menendez: Okay.

City Manager Iglesias: The area stay -- the FAR, which is the volume of the building, number of square feet, stay exactly the same.

Commissioner Menendez: Good. And do you have an aerial photograph of the area that you could maybe show? I have a question regarding...

City Planner Garcia: I'd like to pull up the next project's PowerPoint.

City Attorney Suárez: It's not in this one, Jennifer? It's not?

City Planner Garcia: No, I didn't have PowerPoint for this one.

Commissioner Menendez: Of the whole area.

City Planner Garcia: Oh, okay.

City Attorney Suárez: So, just to clarify, we're not considering the project. She's just going to the area...

Commissioner Menendez: No, I'm not...

City Attorney Suárez: For you...

Commissioner Menendez: I never said that word.

City Attorney Suárez: To answer the question.

City Planner Garcia: Could you zoom into the location aerial? The top slide.

Commissioner Menendez: While we're doing that, yesterday on the CBD community meeting, you were able to highlight what properties would be, not subject to, but could apply for that incentive program. In this particular area, if you could just, you know, express what the boundaries are so that everybody knows that's limited to a particular geographic area, what properties could use this? Because I think a lot of it's already developed.

City Planner Garcia: Yeah, I think I'd highlighted three in the first reading. This one is obviously one of them. And there's a long parking lot that's just south of the parking garage part of the Shops at Merrick Park. There's a long underutilized service parking lot there. And I think I also highlighted one of the parcels that are on Le Jeune off to the west. This is just assuming that service parking lots are underutilized property. Obviously, some of the buildings can get together and assemble and be able to redevelop.

Commissioner Menendez: So, as of today, probably two to three properties could.

City Planner Garcia: Yeah.

Commissioner Menendez: And then the boundary, does it cross over Ponce or it's between Ponce and Le Jeune, and then Bird, obviously, to the north?

City Planner Garcia: It's between Le Jeune and the City limits, which is Southwest 39th...

Commissioner Menendez: Okay.

City Planner Garcia: Avenue.

Commissioner Menendez: Are there any properties that face Bird which face single-family homes that would be subject to this?

City Planner Garcia: I think most of that's already built out.

Commissioner Menendez: It's already built out.

City Planner Garcia: Yeah.

Commissioner Menendez: That was always...

City Planner Garcia: (INAUDIBLE) projects.

Commissioner Menendez: One issue, how does this impact single family homes.

City Planner Garcia: Right.

Commissioner Menendez: And just, I've obviously received a lot of emails, and you know, communications, but I also met or I had families approach me with children from the area. And they were, you know, very excited to pick up extra green space because they had young kids. So, I've heard it, you know, from both sides. I do think that a lot of times -- and it's not you. I think you do a phenomenal job. I told you yesterday, and I'll say it again. It's those details that go -- that sometimes the community doesn't know the details, like what Vice Mayor Anderson said that it originally was one height, they brought it down. I don't know how we can do it, but somehow, some way we need to be able to provide clear details so that people better understand what it is that we're voting on because I understand how sensitive folks are because the impression is for the last, whenever, number of years, they feel that they don't have a say. And I know we're trying very hard to give community a say, and I think the more detailed information we can provide early

on, it's a lot better for, I think, everybody involved, everyone, community, electeds, and private property owners. But those are my only questions.

Mayor Lago: Anything else?

Vice Mayor Anderson: I don't think so. Any public comment...

Mayor Lago: Yeah, Mr. Clerk.

Vice Mayor Anderson: Before we move forward?

City Clerk Urquia: James Dockerty.

James Dockerty: Good afternoon, Mayor and Commissioners. Thank you for giving me a chance to speak. Jim Dockerty. I live at 1230 Catalonia. I own two buildings on Ponce across the alley from the 4241 project. I'm not here to speak about that yet, but I am here to support, wholeheartedly support E-2, E-3 items. As an owner of property in that neighborhood, I've watched since the opening of the mall. I bought my first building in 2004 and my second in 2007, so I've been there a long time. And I've seen all the developments on Bird Road: 4000 Ponce, Belmont Village, One Village Place, the Henry, Merrick Manor, all those projects have really no park area. So, this is a critical, critical decision you're making. You're giving the owners of property and the residents of property in this district what they want. I know there's a lot of people all over the City that have problems with height, but this is a specific decision to this neighborhood. And I can tell you there is overwhelming support for this park versus height trade. So, I plead with you to vote in favor of this.

Mayor Lago: Thank you very much.

City Clerk Urquia: Maria Cruz.

Maria Cruz: Maria Cruz, 1447 Miller Road. Once again, the idea of giving height to green space is wonderful. The problem is how much height are we giving in exchange for green space. What I've heard from people that have called me, and you all know that somehow, I guess because I give out my number, people call me. The issue is this park that is being proposed is so tiny, so small, it's not what people with kids would like to see. They would like to see something that the kids can take advantage of. This is the issue. The issue is not, you know, making it higher if there is a clear benefit. The park is way too small.

Mayor Lago: Mr. Clerk.

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

Mayor Lago: All right, what is the will of the Commission? Madam Sponsor.

Vice Mayor Anderson: I'd like to move it forward.

City Attorney Suárez: So, we'll start with E-2?

Vice Mayor Anderson: We'll start with E-2.

Commissioner Fernandez: I mean, I'm -- like I said before, I see the benefit, but I think the concern of the community for height prevents me from voting in favor of this legislation today.

Mayor Lago: Do you have a motion?

City Clerk Urquia: I need a second, Mr. Mayor.

Mayor Lago: I second the motion.

Vice Mayor Anderson: Yes.

Commissioner Castro: No.

Commissioner Fernandez: No.

Commissioner Menendez: I'm very torn on this issue, but I don't see another way to create green space where green space is needed. I'm very torn, but I will move forward and say yes.

Mayor Lago: Yes.

(Vote: 3-2)

Mayor Lago: Moving on to Item E-3.

Vice Mayor Anderson: I'll move it.

Mayor Lago: I second it.

Commissioner Castro: No.

Commissioner Fernandez: No.

Commissioner Menendez: Yes.

Vice Mayor Anderson: Yes.

Mayor Lago: Yes.

(Vote: 3-2)

Mayor Lago: Thank you very much.